103D CONGRESS 2D SESSION **H. R. 3932**

To amend title 18, United States Code, to promote the safe use of guns and to reduce gun violence.

IN THE HOUSE OF REPRESENTATIVES

March 1, 1994

Mr. SCHUMER introduced the following bill; which was referred jointly to the Committees on the Judiciary, Ways and Means, and Energy and Commerce

October 27, 1994 Additional sponsors: Mr. Abercrombie, Mrs. Schroeder, and Mr. Kreidler

A BILL

To amend title 18, United States Code, to promote the safe use of guns and to reduce gun violence.

- 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 "Gun Violence Preven-

5 tion Act of 1994".

6 SEC. 2. FINDINGS AND DECLARATIONS.

7 The Congress finds and declares that—

(1) crime, particularly crime involving guns, is 1 2 a pervasive, nationwide problem; (2) crimes committed with guns threaten the 3 4 peace and domestic tranquility of the citizens of the United States and threaten the security and general 5 6 welfare of the Nation and its people; 7 (3) crimes committed with guns, and especially handguns, have created a substantial burden on 8 9 interstate commerce: 10 (4) crime at the local level is exacerbated by the 11 interstate movement of guns; 12 (5) guns and ammunition are easily concealed 13 and transported across State lines in interstate commerce, and as a result, individual State action to 14 15 regulate them is made less than effective by lax regulation in other States; 16 17 (6) in fact, even before the sale of a firearm, 18 the gun, its component parts, ammunition, and the 19 raw materials from which they are made have moved 20 considerably in interstate commerce; (7) while criminals move freely from State to 21 22 State, ordinary citizens and foreign visitors may fear to travel to or through certain parts of the country 23 due to concern about violent crime and gun violence, 24

and parents may decline to send their children to
 school for the same reason;

(8) the occurrence of gun violence in schools
has resulted in a decline in the quality of education
in our country and this, in turn, has an adverse impact on interstate commerce and the foreign commerce of the United States;

8 (9) States and localities find it almost impos-9 sible to handle gun-related crime by themselves due 10 in part to the failure or inability of other States or 11 localities to take strong measures; and

12 (10) accordingly, it is necessary to establish na-13 tional standards to promote the safe use of firearms 14 and to reduce gun violence, including handgun li-15 censing and registration, expanded prohibitions 16 against firearm transfers to, or possession by, chil-17 dren and persons likely to misuse or commit crimes 18 with firearms, requirements for gun safety and safe 19 storage, strengthened regulation of licensed manu-20 facturers, importers, and dealers, and prohibitions 21 on the sale of semiautomatic assault weapons and 22 other dangerous weapons.

TITLE I—HANDGUN LICENSING AND REGISTRATION

3 SEC. 101. STATE LICENSE REQUIRED TO RECEIVE TRANS-

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FER OF A HANDGUN.

5 (a) IN GENERAL.—Section 922 of title 18, United
6 States Code, is amended by adding at the end the follow7 ing new subsection:

8 "(u)(1) It shall be unlawful for any person to sell, 9 deliver, or otherwise transfer a handgun to an individual 10 (including an individual taking possession of a handgun 11 as employee or agent of another person) who is not li-12 censed under section 923 unless—

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

17 ''(i) examining the State handgun license;
18 ''(ii) examining, in addition to the State
19 handgun license, a valid identification document
20 (as defined in section 1028) containing a photo21 graph of the transferee; and

22 ''(iii) contacting the chief law enforcement
23 officer of the State that issued the State hand24 gun license to confirm that the State handgun
25 license has not been revoked;

"(B) the transferor (or licensed dealer) has provided to the chief law enforcement officer of the
State in which the transfer is to take place a State
handgun registration form for the handgun to be
transferred; and

6 "(C)(i) not less than 7 days have elapsed from
7 the date on which the transferor (or licensed dealer)
8 contacted the chief law enforcement officer of the
9 State pursuant to subparagraph (A)(iii); or

10 "(ii) the transferee has presented to the trans-11 feror (or licensed dealer) a written statement, issued by the chief law enforcement officer of the State in 12 13 which the transferee resides within the previous 10 days, stating that the transferee requires access to 14 15 a handgun because of a threat to the life of the transferee or any member of the household of the 16 17 transferee.

18 "(2) It shall be unlawful for any person to sell, de-19 liver, or otherwise transfer handgun ammunition to an in-20 dividual (including an individual taking possession of 21 handgun ammunition as employee or agent of another per-22 son) who is not licensed under section 923 unless the 23 transferor (or licensed dealer) has verified that the trans-24 feree possesses a valid State handgun license by—

25 "(A) examining the State handgun license; and

"(B) examining, in addition to the State hand gun license, a valid identification document (as de fined in section 1028) containing a photograph of
 the transferee.

5 "(3) It shall be unlawful for any individual (including 6 an individual acting as employee or agent of another per-7 son) who is not licensed under section 923 to receive 8 transfer of a handgun or handgun ammunition unless the 9 individual possesses a valid State handgun license.

10 "(4)(A) As used in this subsection, the term 'State 11 handgun license' means a license issued under a State law 12 that provides for the issuance and revocation of licenses 13 and the reporting of losses and thefts of handguns and 14 handgun ammunition consistent with this paragraph.

15 "(B) A State handgun license shall—

16 "(i) be issued by the chief law enforcement offi-17 cer of the State in which the licensee resides;

18 ''(ii) contain, at a minimum, the licensee's
19 name, address, date of birth, physical description, a
20 unique license number and a photograph of the li21 censee; and

22 "(iii) remain valid for a period of not more than23 2 years, unless revoked.

"(C) A State handgun license shall not be issued un less the chief law enforcement officer of the State deter mines that the applicant—

4 "(i) is at least 21 years of age;

5 "(ii) is a resident of the State, by examining, 6 at a minimum, documentation in addition to a valid 7 identification document (as defined in section 1028), 8 such as a utility bill or lease agreement;

9 "(iii) is not prohibited from possessing or re-10 ceiving a handgun under Federal, State, or local 11 law, based upon name- and fingerprint-based re-12 search in all available Federal, State, and local rec-13 ordkeeping systems, including the national system 14 designated by the Attorney General pursuant to the 15 Brady Handgun Violence Prevention Act; and

16 ''(iv) has been issued a State handgun safety17 certificate.

18 "(D) The chief law enforcement officer of the State19 may be authorized to charge a fee for issuance of a State20 handgun license.

21 "(E) If a chief law enforcement officer of the State 22 determines that an individual is ineligible to receive a 23 State handgun license and the individual in writing re-24 quests the officer to provide the reasons for that deter-25 mination, the officer shall provide the reasons to the individual in writing within 20 business days after receipt of
 the request.

"(F)(i) A State handgun license shall be revoked if
the chief law enforcement officer of the State that issued
the license determines that the applicant no longer satisfies 1 of the qualifications described in subparagraph (C).

7 "(ii) A person possessing a State handgun license 8 that is revoked shall return the license to the chief law 9 enforcement officer of the State in which the licensee re-10 sides within 10 days after receipt of notice of the revoca-11 tion.

12 "(G) The applicant shall be required under State law
13 to report the theft or loss of a firearm within 24 hours
14 after the theft or loss is discovered, to—

15 "(i) the Secretary;

16 "(ii) the chief law enforcement officer of the17 State; and

18 "(iii) appropriate local authorities,

19 failure to report to be punishable by a civil penalty of20 \$1,000 or such greater amount as State law may provide.

21 "(5)(A) As used in this subsection, the term 'State
22 handgun registration form' means a form prescribed
23 under State law consistent with this paragraph.

24 "(B) A State handgun registration form shall con-25 tain, at a minimum—

"(i) information identifying the transferee, in cluding name, address, date of birth, and State
 handgun license number; and

4 ''(ii) information identifying the handgun, in5 cluding make, model, caliber, and serial number.

6 "(C) The chief law enforcement officer of the State
7 shall furnish information from handgun registration forms
8 to Federal, State, and local law enforcement authorities
9 upon request.

10 "(D) The chief law enforcement officer of the State11 may be authorized to charge a fee for registering a hand-12 gun.

''(6)(A) As used in this subsection, the term 'State
handgun safety certificate' means a certificate under a
State law that provides for the issuance of certificates in
accordance with this paragraph.

17 "(B) A State handgun safety certificate shall be is-18 sued by the chief law enforcement officer of the State in19 which the applicant resides.

20 "(C) A State handgun safety certificate shall not be
21 issued unless the chief law enforcement officer of the State
22 determines that the applicant—

23 "(i) has completed a course, taught by law en24 forcement officers and designed by the chief law en-

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1	forcement officer of the State, of not less than 2
2	hours of instruction in handgun safety; and
3	''(ii) has passed an examination, designed by
4	the chief law enforcement officer of the State, test-
5	ing the applicant's knowledge of handgun safety.
6	"(D) The chief law enforcement officer of the State
7	may be authorized to charge a fee for the handgun safety
8	course and examination described in subparagraph (C).
9	"(7) As used in this subsection, the term 'chief law
10	enforcement officer of the State' means the chief, or equiv-
11	alent officer, of the State police force, or the designee of
12	that officer.".
13	(b) Definition of Handgun Ammunition.—Sec-
14	tion 921(a) of title 18, United States Code, is amended
15	by adding at the end the following new paragraph:
16	
10	''(30) The term 'handgun ammunition' means—
17	(30) The term 'handgun ammunition' means—(A) a centerfire cartridge or cartridge case less
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17	"(A) a centerfire cartridge or cartridge case less
17 18	"(A) a centerfire cartridge or cartridge case less than 1.3 inches in length; or
17 18 19	"(A) a centerfire cartridge or cartridge case lessthan 1.3 inches in length; or"(B) a primer, bullet, or propellent powder de-
 17 18 19 20 21 	 "(A) a centerfire cartridge or cartridge case less than 1.3 inches in length; or "(B) a primer, bullet, or propellent powder designed specifically for use in a handgun.".
 17 18 19 20 21 	 "(A) a centerfire cartridge or cartridge case less than 1.3 inches in length; or "(B) a primer, bullet, or propellent powder designed specifically for use in a handgun.". (c) PENALTY.—Section 924(a)(1)(B) of title 18,

(d) EFFECTIVE DATE.—The amendments made by
 this title shall become effective on the date that is 180
 days after the date of enactment of this Act.

4 (e) Amendment of Brady Act.—

(1) INTERIM PROVISION.—Section 922(s)(1) of
title 18, United States Code, is amended by adding
"or on the effective date of subsection (u), whichever
occurs earlier," after "60 months after such date of
enactment,".

10 (2) PERMANENT PROVISION.—Section 922(t) of 11 title 18, United States Code, is amended by striking 12 "firearm" each place it appears and inserting "fire-13 arm other than a handgun or ammunition other 14 than handgun ammunition".

15 (3) TECHNICAL CORRECTION.—Section
16 922(t)(1)(B)(ii) of title 18, United States Code, is
17 amended by inserting "or State law" after "section".
18 (f) FUNDING.—

(1) GRANTS FOR ESTABLISHING SYSTEMS OF
LICENSING AND REGISTRATION.—The Attorney General shall, subject to the availability of appropriations, make a grant to each State (as defined in section 921(a)(2) of title 18, United States Code) to be
used for the initial startup costs associated with establishing a system of licensing and registration con-

1	sistent with the requirements of section 922(u) of
2	title 18, United States Code.
2	(2) AUTHORIZATION OF APPROPRIATIONS.—
4	There is authorized to be appropriated for grants
5	under paragraph (1) a total of \$200,000,000 for fis-
6	cal year 1995 and all fiscal years thereafter.
7	TITLE II—RESTRICTIONS ON
8	FIREARM POSSESSION
9	SEC. 201. PROHIBITION OF TRANSFER OF A FIREARM TO,
10	OR POSSESSION OF A FIREARM BY, A PERSON
11	CONVICTED OF A VIOLENT CRIME OR SUB-
12	JECT TO A PROTECTION ORDER.
13	(a) PROHIBITION OF TRANSFER.—Section 922(d) of
14	title 18, United States Code, is amended—
15	(1) by striking ''or'' at the end of paragraph
16	(6);
17	(2) by striking the period at the end of para-
18	graph (7) and by inserting ''; or''; and
19	(3) by inserting after paragraph (7) the follow-
20	ing new paragraph:
21	"(8)(A) is under indictment for, or has been
22	convicted in any court of, an offense that—
23	''(i) involves the use, attempted use, or
24	threatened use of physical force against another
25	person; or
	_

1	''(ii) by its nature involves a substantial
2	risk that physical force against another person
3	may be used in the course of committing the of-
4	fense; or
5	''(B) is required, pursuant to an order issued
6	by a court in a case involving the use, attempted
7	use, or threatened use of physical force against an-
8	other person, to refrain from contact with or main-
9	tain a minimum distance from that person.".
10	(b) PROHIBITION OF POSSESSION.—Section 922(g)
11	of title 18, United States Code, is amended—
12	(1) by striking ''or'' at the end of paragraph
13	(6);
14	(2) by striking the period at the end of para-
15	graph (7) and by inserting ''; or''; and
16	(3) by inserting after paragraph (7) the follow-
17	ing new paragraph:
18	"(8)(A) has been convicted in any court of an
19	offense that—
20	"(i) involves the use, attempted use, or
20 21	''(i) involves the use, attempted use, or threatened use of physical force against another
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21	threatened use of physical force against another
21 22	threatened use of physical force against another person; or

1	may be used in the course of committing the of-
2	fense; or
3	''(B) 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	SEC. 202. PROHIBITION OF TRANSFER OF A FIREARM OR
9	AMMUNITION TO, OR POSSESSION OF A FIRE-
10	ARM OR AMMUNITION BY, A JUVENILE.
11	(a) OFFENSE.—Section 922 of title 18, United States
12	Code, as amended by section 101(a), is amended by add-
13	ing at the end the following new subsection:
14	((v)(1) It shall be unlawful for a person to sell, de-
15	liver, or otherwise transfer—
16	''(A) a handgun or handgun ammunition to any
17	individual who the person knows or reasonably
18	should know is less than 21 years of age; or
19	''(B) a firearm other than a handgun, or am-
20	munition other than handgun ammunition, to any
21	individual who the person knows or reasonably
22	should know is less than 16 years of age.
23	"(2) It shall be unlawful for any person to knowingly
24	nossess and intentionally control

24 possess and intentionally control—

1	''(A) a handgun or handgun ammunition if the
2	person is less than 21 years of age; or
3	''(B) a firearm other than a handgun, or am-
4	munition other than handgun ammunition, if the
5	person is less than 16 years of age.
6	''(3) This subsection does not apply to—
7	"(A) a temporary transfer or temporary posses-
8	sion of a firearm or ammunition if the firearm or
9	ammunition is possessed and used by the person
10	who is underage—
11	''(i) with the personal supervision and con-
12	sent of a person who is at least 21 years of age
13	who is not prohibited by Federal, State, or local
14	law from possessing a firearm;
15	"(ii) with the consent of the underage per-
16	son's parent or legal guardian; and
17	"(iii) in accordance with State and local
18	law;
19	"(B) an underage person who is a member of
20	the Armed Forces of the United States or the Na-
21	tional Guard who possesses or is armed with a fire-
22	arm or ammunition in the line of duty;
23	(C) a transfer by inheritance of title of a fire-
24	arm or ammunition to an underage person, except
25	that subsection $(v)(2)$ shall apply to the possession

by an underage person as a result of such a trans fer; or

"(D) the transfer to, or possession by, an underage person of a firearm or ammunition while defending himself or herself or other persons against
an intruder into the residence of the underage person or a residence in which the underage person is
an invited guest.".

9 (b) PENALTIES.—Section 924(a) of title 18, United 10 States Code, is amended by adding at the end the follow-11 ing new paragraph:

12 "(6) A person who violates section 922(v) shall be 13 fined not more than \$1,000, imprisoned not more than 14 1 year, or both, except that a person under the age of 15 18 who violates section 922(v)(2) for the first time shall 16 be sentenced to probation on appropriate conditions and 17 shall not be incarcerated unless the person fails to comply 18 with a condition of probation.".

19 SEC. 203. STORAGE OF FIREARMS AWAY FROM JUVENILES.

20 (a) OFFENSE.—Section 922 of title 18, United States
21 Code, as amended by section 202(a), is amended by add22 ing at the end the following new subsection:

"(w)(1) Except as provided in paragraph (2), it shall
be unlawful for any person to store or leave a loaded firearm, or an unloaded firearm and ammunition that can be

fired by that firearm, at any place to which the person
 knows, or reasonably should know, a juvenile is likely to
 gain access at a time when the juvenile is not under the
 personal supervision of an adult who is not prohibited by
 Federal, State, or local law from possessing the firearm.

6 "(2) As used in this subsection—

7 "(A) the term 'juvenile' means a person who8 has not attained 16 years of age; and

9 "(B) the term 'adult' means a person who has10 attained 21 years of age.".

(b) NOTICE.—Section 923 of title 18, United States
Code, is amended by adding at the end the following new
subsection:

14 "(I) Each licensed dealer shall post conspicuously at 15 each of the dealer's places of business the following warning in block letters that are not less than 1 inch in height: 16 17 "IT IS A FEDERAL CRIME TO STORE OR LEAVE 18 A LOADED FIREARM, OR AN UNLOADED 19 FIREARM AND ITS AMMUNITION, WHERE 20 AN UNSUPERVISED JUVENILE 21 CAN GAIN ACCESS.". 22 (c) PENALTY.—Section 924(a)(5) of title 18, United States Code, is amended by striking "or (t)" and inserting 23

24 "(t), or (w)".

1 SEC. 204. FEDERAL ARSENAL LICENSE.

2 (a) OFFENSE.—Section 922 of title 18, United States
3 Code, as amended by section 203(a), is amended by add4 ing at the end the following new subsection:

5 "(x) It shall be unlawful for a person to possess more
6 than 20 firearms or more than 1,000 rounds of ammuni7 tion unless the person—

8 ''(1) is a licensed importer, licensed manufac9 turer, or licensed dealer; or

10 "(2) has been issued an arsenal license pursu-11 ant to section 923(m).".

12 (b) ARSENAL LICENSE.—Section 923 of title 18, 13 United States Code, as amended by section 203(b), is 14 amended by adding at the end the following new sub-15 section:

16 "(m)(1) The Secretary shall issue an arsenal license17 if—

18 "(A) the applicant has—

19 "(i) filed a sworn application with the Sec-20 retary, stating—

21 "(I) the applicant's name, address,
22 and date of birth;

23 "(II) that the applicant is at least 21
24 years of age; and

"(III) that the applicant is not pro hibited from possessing or receiving a fire arm under Federal, State, or local law;

"(ii) filed with the Secretary a certificate, 4 dated within the previous 60 days, from the 5 chief law enforcement officer of the applicant's 6 7 State of residence, stating that the applicant has not exhibited such a propensity for violence, 8 instability, or disregard of the law as may 9 10 render the applicant's possession of an arsenal 11 a danger to the community; and

12 "(iii) paid an arsenal license fee of \$300
13 for a 3-year license period; and

"(B) the Secretary has determined that the information in the application is accurate, based in
part upon name- and fingerprint-based research in
all available Federal, State, and local recordkeeping
systems.

"(2) The holder of an arsenal license shall be subject
to all obligations and requirements pertaining to licensed
dealers under this chapter.".

(c) PENALTY.—Section 924(a)(5) of title 18, United
States Code, as amended by section 203(c), is amended
by striking "or (w)" and inserting "(w), or (x)".

1	(d) EFFECTIVE DATE.—The amendments made by
2	this section shall become effective on the date that is 180
3	days after the date of enactment of this Act.
4	SEC. 205. RESTORATION OF FIREARM PRIVILEGES.
5	(a) Restoration by Secretary.—
6	(1) Repeal of Authority.—Section 925 of
7	title 18, United States Code, is amended—
8	(A) by striking subsection (c); and
9	(B) by redesignating subsections (d) and
10	(e) as subsections (c) and (d), respectively.
11	(2) TECHNICAL AMENDMENTS.—(A) Section
12	922(d) of title 18, United States Code, is amended
13	in the matter following paragraph (7) by striking '',
14	or to a person who has been granted relief from dis-
15	abilities pursuant to subsection (c) of section 925 of
16	this chapter".
17	(B) Section 38(b)(1)(B)(i) of the Arms Export
18	Control Act (22 U.S.C. 2778(b)(1)(B)(i)) is amend-
19	ed by striking ''925(e)'' and inserting ''925(d)''.
20	(b) Restoration by a State or the Presi-
21	DENT.—Section 921(a)(20) of title 18, United States
22	Code, is amended—
23	(1) in the first sentence—
24	(A) by inserting "(A)" after "(20)"; and

1	(B) by redesignating subparagraphs (A)
2	and (B) as clauses (i) and (ii), respectively;
3	(2) in the second sentence by striking ''What''
4	and inserting the following:
5	''(B) What''; and
6	(3) by striking the third sentence and inserting
7	the following new subparagraph:
8	"(C)(i) A conviction that has been ex-
9	punged or set aside, or for which a person has
10	been pardoned or has had civil rights restored,
11	shall not be considered to be a conviction for
12	purposes of this chapter if—
13	''(I) the expungement, setting aside,
14	pardon, or restoration of civil rights ap-
15	plies to a named person; and
16	"(II) the authority that grants the
17	expungement, setting aside, pardon, or res-
18	toration of civil rights expressly authorizes
19	the person to ship, transport, receive, and
20	possess firearms and expressly determines
21	that the circumstances regarding the con-
22	viction and the person's record and reputa-
23	tion are such that the person is not likely
24	to act in a manner that is dangerous to

1	public safety and the granting of the relief
2	is not contrary to the public interest.
3	''(ii) Clause (i) shall not apply to a convic-
4	tion of a serious drug offense (as defined in sec-
5	tion $924(e)(2)(A)$) or violent felony (as defined
6	in section 924(e)(2)(B)).''.
7	TITLE III—RESTRICTIONS ON
8	GUN SELLERS
9	SEC. 301. PROHIBITION ON MULTIPLE HANDGUN TRANS-
10	FERS.
11	(a) IN GENERAL.—Section 922 of title 18, United
12	States Code, as amended by section 204(a), is amended
13	by adding at the end the following new subsection:
14	((y)(1) Except as provided in paragraph (2), it shall
15	be unlawful for any person to—
16	''(A) receive transfer of more than 1 handgun
17	during any 30-day period;
18	''(B) transfer to another person more than 1
19	handgun during any 30-day period; or
20	''(C) transfer a handgun to another person if
21	the transferor knows or reasonably should know that
22	such person has received transfer of another hand-
22	gun during the previous 30-day period.

"(A) a transfer of a handgun to a person who
 is licensed under section 923;
 "(B) a transfer of a handgun by inheritance;

4 "(C) a transfer of a handgun if another hand-5 gun is given by the transferee to the transferor in 6 exchange; or

"(D) a transfer of a handgun that has been approved by the chief law enforcement officer of the
State of residence of the transferee in accordance
with regulations issued by the Secretary under subsection (b).

"(3) As used in this subsection, the term 'chief law
enforcement officer of the State' has the meaning stated
in section 922(u)(7) of title 18, United States Code.".

(b) REGULATIONS.—Not later than 60 days after the
date of enactment of this Act, the Secretary shall prescribe
regulations that—

(1) provide procedures for a chief law enforcement officer to approve the transfer of more than 1
handgun during a 30-day period if—

21 (A) the transferee is a private security
22 company licensed to do business in the State
23 where the transfer takes place; or

1 (B) the transferee is replacing a handgun 2 that had been received and then stolen within 3 the 30-day period; and

4 (2) require a person who is licensed under sec5 tion 923, before transferring a handgun, to receive
6 a sworn statement from the transferee that the
7 transferee has not received transfer of another hand8 gun during the prior 30-day period.

9 (c) MAINTENANCE OF RECORDS.—Section 10 923(g)(3)(B) of title 18, United States Code, is amended 11 by striking all of the paragraph after "entity" and by in-12 serting "other than Federal, State, or local law enforce-13 ment authorities.".

(d) PENALTY.—Section 924(a)(1)(B) of title 18,
United States Code, as amended by section 101(c), is
amended by striking "or (u)" and inserting "(u), or (y)".
(e) EFFECTIVE DATE.—Subsections (a) and (d) shall
become effective on the date that is 30 days after the effective date of the regulations prescribed under subsection
(b).

21 SEC. 302. COMPLIANCE WITH STATE AND LOCAL LAW AS
22 CONDITION TO LICENSE.

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

1	(1) by striking ''and'' at the end of subpara-
2	graph (D);
3	(2) by striking the period at the end of sub-
4	paragraph (E) and inserting ''; and''; and
5	(3) by adding at the end the following new sub-
6	paragraph:
7	"(F)(i) the business to be conducted under
8	the license is not prohibited by State or local
9	law in the place where the business premise is
10	located; and
11	''(ii) the applicant certifies that—
12	"(I) the business to be conducted
13	under the license complies with the re-
14	quirements of State and local law applica-
15	ble to the conduct of the business; and
16	"(II) the applicant has notified local
17	authorities, in a manner determined by the
18	Secretary, of the filing of the application.".
19	SEC. 303. LICENSE APPLICATION FEES.
20	Section 923(a) of title 18, United States Code, is
21	amended—
22	(1) in paragraph (1)(A) by striking " $$1,000$ "
23	and inserting ''\$10,000'';
24	(2) in paragraph $(1)(B)$ by striking "\$50" and
25	inserting "\$1,000";

(3) in paragraph (1)(C) by striking "\$10" and 1 2 inserting "\$1,000"; (4) in paragraph (2)(A) by striking "\$1,000" 3 and inserting "\$10,000"; 4 (5) in paragraph (2)(B) by striking "\$50" and 5 inserting "\$1,000"; 6 (6) in paragraph (3)(A) by striking "\$1,000" 7 8 and inserting "\$10,000"; and (7) in paragraph (3)(B) by striking "\$200 for 9 3 years, except that the fee for renewal of a valid 10 license shall be \$90 for 3 years' and inserting 11 "\$1,000 per year". 12 13 SEC. 304. ACTION ON FIREARMS LICENSE APPLICATION. 14 Section 923(d)(2) of title 18, United States Code, is 15 amended by striking "forty-five-day" and inserting "180day". 16 17 SEC. 305. INSPECTION OF FIREARMS LICENSEES' INVEN-18 **TORY AND RECORDS.** 19 Section 923(g)(1)(B)(ii) of title 18, United States Code, is amended by striking "once during any twelve-20 month period" and inserting "3 times during any 12-21 22 month period, or at any time with respect to records relat-23 ing to a firearm involved in a criminal investigation".

1	SEC. 306. REQUIREMENT OF BUSINESS LIABILITY INSUR-
2	ANCE.
3	Section 923(d)(1) of title 18, United States Code, as
4	amended by section 302, is amended—
5	(1) by striking ''and'' at the end of subpara-
6	graph (E);
7	(2) by striking the period at the end of sub-
8	paragraph (F) and inserting ''; and''; and
9	(3) by adding at the end the following new sub-
10	paragraph:
11	"(G) the applicant certifies that the busi-
12	ness is covered by an insurance policy providing
13	personal injury protection to any person in-
14	jured, while engaged in lawful activity, by a
15	handgun obtained through the negligence of the
16	applicant, to a limit of \$100,000 for loss sus-
17	tained by any such person as a result of bodily
18	injury or death.".
19	SEC. 307. LICENSE FOR AMMUNITION DEALERS.
20	Chapter 44 of title 18, United States Code, is amend-
21	ed—
22	(1) in section 922(a)(1)(B)—
23	(A) by striking "or licensed manufacturer"
24	and inserting ", licensed manufacturer, or li-
25	censed dealer"; and

1	(B) by striking ''or manufacturing'' and
2	inserting '', manufacturing, or dealing'';
3	(2) in section $922(a)(2)$ by inserting "or ammu-
4	nition" after "any firearm";
5	(3) in section 922(a)(3) by inserting ''or ammu-
6	nition" after "firearm" each place it appears;
7	(4) in section $922(a)(5)$ by inserting "or ammu-
8	nition" after "firearm" each place it appears;
9	(5) in section $922(b)(2)$ by inserting "or ammu-
10	nition" after "firearm" each place it appears;
11	(6) in section $922(b)(3)$ by inserting "or ammu-
12	nition" after "firearm" each place it appears;
13	(7) in section 922(b)(5) by striking ''armor-
14	piercing'';
15	(8) in section 923(a) by striking '', or importing
16	or manufacturing" and inserting "or";
17	(9) in section 923(g)(1)(A)—
18	(A) by inserting ''or ammunition'' after
19	"firearms" the first place it appears;
20	(B) by striking ''firearms'' the second
21	place it appears; and
22	(C) by striking ''licensed collector, or any
23	licensed importer or manufacturer of ammuni-
24	tion" and inserting "or licensed collector"; and
25	(10) in section 923(g)(2)—

	23
1	(A) by inserting "or ammunition" after
2	"firearms"; and
3	(B) by inserting "or ammunition" after
4	''firearm''.
5	SEC. 308. CHECK OF FIREARM STORE EMPLOYEES.
6	(a) PROHIBITION.—Section 923 of title 18, United
7	States Code, as amended by section 204(b), is amended
8	by adding at the end the following new subsection:
9	"(n) A licensed importer, licensed manufacturer, or
10	licensed dealer shall not employ any person in a position
11	in which the person would have unsupervised access to
12	firearms or ammunition unless—
13	"(1) in the case of access to handguns or hand-
14	gun ammunition, the person has a valid State hand-
15	gun license; and
16	"(2) in the case of access to firearms other
17	than handguns or ammunition other than handgun
18	ammunition—
19	"(A) the person is at least 18 years of age;
20	"(B) the licensee has contacted the na-
21	tional system designated by the Attorney Gen-
22	eral pursuant to the Brady Handgun Violence
23	Prevention Act and the system has notified the
24	licensee that the possession of a firearm by the

person would not violate Federal, State, or local
 law; and

"(C) the licensee has verified the identity 3 4 of the person by examining a valid identification document (as defined in section 1028) of the 5 person containing a photograph of the person.". 6 (b) PENALTY.—Section 924(a)(1)(B) of title 18, 7 United States Code, as amended by section 301(d), is 8 amended by striking "or (y) of section 922" and inserting 9 "'or (y) of section 922, or section 923". 10

11 SEC. 309. PROHIBITION OF SALES BY LICENSEES OTHER 12 THAN ON LICENSED PREMISES.

13 Section 923(j) of title 18, United States Code, is14 amended to read as follows:

15 "(j) A licensed importer, licensed manufacturer, or
16 licensed dealer shall not sell, deliver, or otherwise transfer
17 a firearm from any motorized or towed vehicle or at a loca18 tion other than the location specified on the license.".

19 SEC. 310. RESPONSES TO REQUESTS FOR INFORMATION.

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 respond immediately to a re24 quest by the Secretary for information contained in the
25 records required to be kept by this chapter as may be re-

quired in the conduct of a criminal investigation. The re quested information shall be provided orally or in writing,
 as the Secretary may require.".

4 SEC. 311. REPORTS OF THEFT OR LOSS OF FIREARMS.

5 Section 923(g) of title 18, United States Code, as
6 amended by section 310, is amended by adding at the end
7 the following new paragraph:

8 "(7) Each licensee shall report the theft or loss of 9 a firearm from the licensee's inventory or collection, within 10 24 hours after the theft or loss is discovered, to the Sec-11 retary, the chief law enforcement officer of the State (as 12 defined in section 922(u)(7)), and appropriate local au-13 thorities.".

14 SEC. 312. DEFINITION OF FIREARM EXPANDED TO INCLUDE 15 COMPONENT PARTS.

Section 921(a)(3)(B) of title 18, United States Code, is amended by striking "or receiver" and inserting ", receiver, barrel, stock, ammunition magazine, or any part of the action".

20 SEC. 313. COMMON CARRIER DELIVERY TO LICENSEES.

Section 922(f)(2) of title 18, United States Code, is
amended to read as follows:

23 "(2) It shall be unlawful for any common or contract
24 carrier to deliver in interstate or foreign commerce any
25 firearm or ammunition without—

 "(A) examining the Federal firearms or ammunition license of the recipient; and
 "(B) obtaining written acknowledgement of receipt from the recipient of the package or other container in which there is a firearm or ammunition.".
 SEC. 314. CIVIL LIABILITY FOR VIOLATION OF FIREARM
 LAW.

8 Section 924 of title 18, United States Code, is 9 amended by adding at the end the following new sub-10 section:

"(i)(1) Any person who sells, delivers, or otherwise
transfers any firearm or ammunition in violation of Federal law shall be liable for all damages proximately caused
by such sale, delivery, or other transfer.

15 "(2) An action to recover damages under paragraph (1) may be brought in a United States district court by, 16 or on behalf of, any person, or the estate of any person, 17 who suffers bodily injury or death as a result of the dis-18 charge of a firearm or ammunition sold, delivered, or 19 transferred in violation of Federal law. Prevailing plain-20 21 tiffs in such actions shall be awarded costs and reasonable 22 attorneys' fees. Punitive damages shall be recoverable by the plaintiff if the defendant is found to have intentionally 23 or recklessly violated the law. 24

"(3) No action under paragraph (2) may be brought
 by or on behalf of a person who was engaged in a criminal
 act against the person or property of another person at
 the time of the injury.

5 "(4) Nothing in this section shall be construed to pre6 empt or otherwise limit any other cause of action available
7 to any person.".

8 TITLE IV—PROHIBITED 9 WEAPONS

10 SEC. 401. PROHIBITED WEAPONS.

(a) PROHIBITION.—Section 922 of title 18, United
States Code, as amended by section 301(a), is amended
by adding at the end the following new subsection:

14 "(z)(1) Except as provided in paragraph (2), it shall
15 be unlawful for any person to manufacture, transfer, or
16 possess a prohibited weapon.

"(2) Paragraph (1) does not apply with respect to—
"(A) the manufacture by or for, transfer to or
by, or possession by or under the authority of, the
United States or any department or agency thereof
or a State, or a department, agency, or political subdivision thereof;

23 "(B) any lawful transfer or lawful possession of
24 a prohibited weapon that was lawfully possessed be25 fore the date this subsection takes effect; or

1	"(C) the manufacture, transfer, or possession of
2	any prohibited weapon by a licensed manufacturer
3	or licensed importer for the purposes of testing or
4	experimentation authorized by the Secretary.".
5	(b) DEFINITIONS.—Section 921 of title 18, United
6	States Code, as amended by section 101(b), is amended—
7	(1) in subsection (a)—
8	(A) in paragraph (28) by striking '''semi-
9	automatic rifle' means any repeating rifle'' and
10	inserting '''semiautomatic firearm' means any
11	repeating firearm''; and
12	(B) by adding at the end the following new
13	paragraphs:
14	"(31) The term 'prohibited weapon' means—
15	"(A) a firearm muffler or firearm silencer;
16	"(B) a short-barreled shotgun;
17	"(C) a short-barreled rifle;
18	"(D) a destructive device;
19	"(E) a semiautomatic assault weapon;
20	"(F) a Saturday-night-special handgun;
21	"(G) a nonsporting ammunition; and
22	"(H) a large-capacity ammunition feeding de-
23	vice.
24	"(32)(A) The term 'semiautomatic assault weapon'
25	means—

1	''(i) any of the firearms, or types, replicas, or
2	duplicates in any caliber of the firearms known as—
3	''(I) Norinco, Mitchell, and Poly Tech-
4	nologies Avtomat Kalashnikovs (all models);
5	''(II) Israeli Military Industries Uzi and
6	Galil;
7	''(III) Beretta AR–70;
8	"(IV) Colt AR–15 and Sporter;
9	''(V) Fabrique Nationale FN/FAL, FN/
10	LAR, and FNC;
11	"(VI) SWD M-10, M-11, M-11/9, and M-
12	12;
13	"(VII) Steyr AUG;
14	"(VIII) Intratec TEC-9, TEC-DC9 and
15	TEC-22; and
16	''(IX) revolving cylinder shotguns, such as
17	(but not limited to) the Street Sweeper and
18	Striker 12;
19	''(ii) a semiautomatic rifle that has an ability to
20	accept a detachable magazine and has at least 2 of
21	the following:
22	"(I) a folding or telescoping stock;
23	''(II) a pistol grip that protrudes conspicu-
24	ously beneath the action of the weapon;
25	''(III) a bayonet mount;

1	''(IV) a flash suppressor or barrel having
2	a threaded muzzle; and
3	''(V) a grenade launcher;
4	''(iii) a semiautomatic pistol that has an ability
5	to accept a detachable magazine and has at least 2
6	of the following:
7	''(I) an ammunition magazine that at-
8	taches to the pistol outside of the pistol grip;
9	''(II) a barrel having a threaded muzzle;
10	"(III) a shroud that is attached to or par-
11	tially or completely encircles the barrel and that
12	permits the shooter to hold the firearm with the
13	nontrigger hand without being burned;
14	''(IV) a manufactured weight of 50 ounces
15	or more when the pistol is unloaded; and
16	"(V) a semiautomatic version of an auto-
17	matic firearm; and
18	"(iv) a semiautomatic shotgun that has at least
19	2 of the following:
20	"(I) a folding or telescoping stock;
21	"(II) a pistol grip that protrudes conspicu-
22	ously beneath the action of the weapon;
23	"(III) a fixed magazine capacity in excess
24	of 5 rounds; and

	37
1	''(IV) an ability to accept a detachable
2	magazine.
3	''(B) The term 'semiautomatic assault weapon' shall
4	not apply to—
5	"(i) any of the firearms specified in Appendix
6	A to this section as such firearms were manufac-
7	tured on or prior to January 1, 1994; and
8	''(ii) any firearm that—
9	''(I) is manually operated by bolt, pump,
10	lever, or slide action;
11	"(II) has been rendered permanently inop-
12	erable; or
13	''(III) is an antique firearm.
14	''(33) The term 'Saturday-night-special handgun'
15	means—
16	''(A) any handgun that has a barrel, slide,
17	frame or receiver which is a die casting of zinc alloy
18	or any other nonhomogeneous metal which will melt
19	or deform at a temperature of less than 800 degrees
20	Fahrenheit;
21	"(B) any pistol which does not have a positive
22	manually operated safety device, a double action re-
23	volver which does not have a safety feature which
24	automatically causes the hammer to retract to a
25	point where the firing pin does not rest upon the

primer of the cartridge, or any single action revolver
which does not have a safety feature which by manual operation causes the hammer to retract to a
point where the firing pin does not rest upon the
primer of the cartridge;

6 "(C) any revolver with a safety device which 7 cannot withstand the impact of a weight equal to the 8 weight of the revolver dropping from a distance of 9 36 inches in a line parallel to the barrel upon the 10 rear of the hammer spur, a total of 5 times;

"(D) any pistol that has a combined length and 11 height less than 10 inches with the height (right 12 angle measurement to barrel without magazine or 13 extension) being at least 4 inches and the length 14 15 being at least 6 inches, or any revolver that has a barrel length of less than 3 inches or has an overall 16 17 frame (with conventional grips) length (not diago-18 nal) of less than $4\frac{1}{2}$ inches; or

19 "(E)(i) uses ammunition of the following cali-20 bers—

21 "(I) .22 short;

- 22 "(II) .25; or
- 23 "(III) .32; and

24 "(ii) has an overall weight, while unloaded, of25 less than 18 ounces.

1	''(34) The term 'nonsporting ammunition' means—
2	''(A) any of the ammunition, or types, replicas,
3	or duplicates of the ammunition known as—
4	"(i) Dragon's Breath; or
5	"(ii) .50 caliber BMG;
6	"(B) any ammunition that contains an incendi-
7	ary or explosive charge;
8	"(C) any handgun ammunition measuring more
9	than .45 inches in diameter; or
10	''(D) any handgun ammunition that produces a
11	force at the muzzle in excess of 1,200 foot pounds.
12	''(35) The term 'large-capacity ammunition feeding
12 13	"(35) The term 'large-capacity ammunition feeding device'—
13	device'—
13 14	device'— "(A) means a magazine, belt, drum, feed strip,
13 14 15	device'— "(A) means a magazine, belt, drum, feed strip, or similar device which has a capacity of, or which
13 14 15 16	device'— "(A) means a magazine, belt, drum, feed strip, or similar device which has a capacity of, or which can be readily restored or converted to accept, more
 13 14 15 16 17 	device'— "(A) means a magazine, belt, drum, feed strip, or similar device which has a capacity of, or which can be readily restored or converted to accept, more than 6 rounds of ammunition, or any combination of
 13 14 15 16 17 18 	device'— "(A) means a magazine, belt, drum, feed strip, or similar device which has a capacity of, or which can be readily restored or converted to accept, more than 6 rounds of ammunition, or any combination of parts from which such device can be assembled; but
 13 14 15 16 17 18 19 	device'— "(A) means a magazine, belt, drum, feed strip, or similar device which has a capacity of, or which can be readily restored or converted to accept, more than 6 rounds of ammunition, or any combination of parts from which such device can be assembled; but "(B) does not include an attached tubular de-
 13 14 15 16 17 18 19 20 	device'— "(A) means a magazine, belt, drum, feed strip, or similar device which has a capacity of, or which can be readily restored or converted to accept, more than 6 rounds of ammunition, or any combination of parts from which such device can be assembled; but "(B) does not include an attached tubular de- vice designed to accept, and capable of operating
 13 14 15 16 17 18 19 20 21 	device'— "(A) means a magazine, belt, drum, feed strip, or similar device which has a capacity of, or which can be readily restored or converted to accept, more than 6 rounds of ammunition, or any combination of parts from which such device can be assembled; but "(B) does not include an attached tubular de- vice designed to accept, and capable of operating only with, .22 caliber rimfire ammunition."; and

"APPENDIX A

Centerfire Rifles—Autoloaders

Browning BAR Mark II Safari Semi-Auto Rifle

Browning BAR Mark II Safari Magnum Rifle Browning High-Power Rifle Heckler & Koch Model 300 Rifle Iver Johnson M–1 Carbine Iver Johnson 50th Anniversary M–1 Carbine Marlin Model 9 Camp Carbine Marlin Model 45 Carbine Remington Nylon 66 Auto-Loading Rifle Remington Model 7400 Auto Rifle Remington Model 7400 Rifle Remington Model 7400 Special Purpose Auto Rifle Ruger Mini-14 Autoloading Rifle (w/o folding stock) Ruger Mini Thirty Rifle

Centerfire Rifles—Lever & Slide

Browning Model 81 BLR Lever-Action Rifle Browning Model 81 Long Action BLR Browning Model 1886 Lever-Action Carbine Browning Model 1886 High Grade Carbine Cimarron 1860 Henry Replica Cimarron 1866 Winchester Replicas Cimarron 1873 Short Rifle Cimarron 1873 Sporting Rifle Cimarron 1873 30" Express Rifle Dixie Engraved 1873 Rifle E.M.F. 1866 Yellowboy Lever Actions E.M.F. 1860 Henry Rifle E.M.F. Model 73 Lever-Action Rifle Marlin Model 336CS Lever-Action Carbine Marlin Model 30AS Lever-Action Carbine Marlin Model 444SS Lever-Action Sporter Marlin Model 1894S Lever-Action Carbine Marlin Model 1894CS Carbine Marlin Model 1894CL Classic Marlin Model 1895SS Lever-Action Rifle Mitchell 1858 Henry Replica Mitchell 1866 Winchester Replica Mitchell 1873 Winchester Replica Navy Arms Military Henry Rifle Navy Arms Henry Trapper Navy Arms Iron Frame Henry Navy Arms Henry Carbine Navy Arms 1866 Yellowboy Rifle Navy Arms 1873 Winchester-Style Rifle Navy Arms 1873 Sporting Rifle Remington 7600 Slide Action Remington Model 7600 Special Purpose Slide Action Rossi M92 SRC Saddle-Ring Carbine Rossi M92 SRS Short Carbine Savage 99C Lever-Action Rifle Uberti Henry Rifle Uberti 1866 Sporting Rifle Uberti 1873 Sporting Rifle Winchester Model 94 Side Eject Lever-Action Rifle

Winchester Model 94 Trapper Side Eject Winchester Model 94 Big Bore Side Eject Winchester Model 94 Ranger Side Eject Lever-Action Rifle Winchester Model 94 Wrangler Side Eject

Centerfire Rifles—Bolt Action

Alpine Bolt-Action Rifle A-Square Caesar Bolt-Action Rifle A-Square Hannibal Bolt-Action Rifle Anschutz 1700D Classic Rifles Anschutz 1700D Custom Rifles Anschutz 1700D Bavarian Bolt-Action Rifle Anschutz 1733D Mannlicher Rifle Barret Model 90 Bolt-Action Rifle Beeman/HW 60J Bolt-Action Rifle Blaser R84 Bolt-Action Rifle BRNO 537 Sporter Bolt-Action Rifle BRNO ZKB 527 Fox Bolt-Action Rifle BRNO ZKK 600, 601, 602 Bolt-Action Rifles Browning A-Bolt Rifle Browning A-Bolt Stainless Stalker Browning A-Bolt Left Hand Browning A-Bolt Short Action Browning Euro-Bolt Rifle Browning A-Bolt Gold Medallion Browning A-Bolt Micro Medallion Century Centurion 14 Sporter Century Enfield Sporter #4 Century Swedish Sporter #38 Century Mauser 98 Sporter Cooper Model 38 Centerfire Sporter Dakota 22 Sporter Bolt-Action Rifle Dakota 76 Classic Bolt-Action Rifle Dakota 76 Short Action Rifles Dakota 76 Safari Bolt-Action Rifle Dakota 416 Rigby African E.A.A./Sabatti Rover 870 Bolt-Action Rifle Auguste Francotte Bolt-Action Rifles Carl Gustaf 2000 Bolt-Action Rifle Heym Magnum Express Series Rifle Howa Lightning Bolt-Action Rifle Howa Realtree Camo Rifle Interarms Mark X Viscount Bolt-Action Rifle Interarms Mini-Mark X Rifle Interarms Mark X Whitworth Bolt-Action Rifle Interarms Whitworth Express Rifle Iver Johnson Model 5100A1 Long-Range Rifle KDF K15 American Bolt-Action Rifle Krico Model 600 Bolt-Action Rifle Krico Model 700 Bolt-Action Rifles Mauser Model 66 Bolt-Action Rifle Mauser Model 99 Bolt-Action Rifle McMillan Signature Classic Sporter McMillan Signature Super Varminter

McMillan Signature Alaskan McMillan Signature Titanium Mountain Rifle McMillan Classic Stainless Sporter McMillan Talon Safari Rifle McMillan Talon Sporter Rifle Midland 1500S Survivor Rifle Navy Arms TU-33/40 Carbine Parker-Hale Model 81 Classic Rifle Parker-Hale Model 81 Classic African Rifle Parker-Hale Model 1000 Rifle Parker-Hale Model 1100M African Magnum Parker-Hale Model 1100 Lightweight Rifle Parker-Hale Model 1200 Super Rifle Parker-Hale Model 1200 Super Clip Rifle Parker-Hale Model 1300C Scout Rifle Parker-Hale Model 2100 Midland Rifle Parker-Hale Model 2700 Lightweight Rifle Parker-Hale Model 2800 Midland Rifle Remington Model Seven Bolt-Action Rifle Remington Model Seven Youth Rifle Remington Model Seven Custom KS Remington Model Seven Custom MS Rifle Remington 700 ADL Bolt-Action Rifle Remington 700 BDL Bolt-Action Rifle Remington 700 BDL Varmint Special Remington 700 BDL European Bolt-Action Rifle Remington 700 Varmint Synthetic Rifle Remington 700 BDL SS Rifle Remington 700 Stainless Synthetic Rifle Remington 700 MTRSS Rifle Remington 700 BDL Left Hand Remington 700 Camo Synthetic Rifle Remington 700 Safari Remington 700 Mountain Rifle Remington 700 Custom KS Mountain Rifle Remington 700 Classic Rifle Ruger M77 Mark II Rifle Ruger M77 Mark II Magnum Rifle Ruger M77RL Ultra Light Ruger M77 Mark II All-Weather Stainless Rifle Ruger M77 RSI International Carbine Ruger M77 Mark II Express Rifle Ruger M77VT Target Rifle Sako Hunter Rifle Sako Fiberclass Sporter Sako Safari Grade Bolt Action Sako Hunter Left-Hand Rifle Sako Classic Bolt Action Sake Hunter LS Rifle Sako Deluxe Lightweight Sako Super Deluxe Sporter Sako Mannlicher-Style Carbine Sako Varmint Heavy Barrel Sako TRG-S Bolt-Action Rifle Sauer 90 Bolt-Action Rifle

43 Savage 110CY Youth/Ladies Rifle Savage 110WLE One of One Thousand Limited Edition Rifle

Savage 110G Bolt-Action Rifle

Savage 110GXP3 Bolt-Action Rifle Savage 110F Bolt-Action Rifle Savage 110FXP3 Bolt-Action Rifle Savage 110GV Varmint Rifle Savage 112FV Varmint Rifle Savage Model 112FVS Varmint Rifle Savage Model 112BV Heavy Barrel Varmint Rifle Savage 116FSS Bolt-Action Rifle Savage model 116FSK Kodiak Rifle Savage 110FP Police Rifle Steyr-Mannlicher Sporter Models SL, L, M, S, S/T Steyr-Mannlicher Luxus Model L, M, S Steyr-Mannlicher Model M Professional Rifle Tikka Bolt-Action Rifle Tikka Premium Grade Rifles Tikka Varmint/Continental Rifle Tikka Whitetail/Battue Rifle Ultra Light Arms Model 20 Rifle Ultra Light Arms Model 28, Model 40 Rifles Voere VEC 91 Lightning Bolt-Action Rifle Voere Model 2165 Bolt-Action Rifle Voere Model 2155, 2150 Bolt-Action Rifles Weatherby Mark V Deluxe Bolt-Action Rifle Weatherby Lasermark V Rifle Weatherby Mark V Crown Custom Rifles Weatherby Mark V Sporter Rifle Weatherby Mark V Safari Grade Custom Rifles Weatherby Weathermark Rifle Weatherby Weathermark Alaskan Rifle Weatherby Classicmark No. 1 Rifle Weatherby Weatherguard Alaskan Rifle Weatherby Vanguard VGX Deluxe Rifle Weatherby Vanguard Classic Rifle Weatherby Vanguard Classic No. 1 Rifle Weatherby Vanguard Weatherguard Rifle Wichita Classic Rifle Wichita Varmint Rifle Winchester Model 70 Sporter Winchester Model 70 Sporter WinTuff Winchester Model 70 SM Sporter Winchester Model 70 Stainless Rifle Winchester Model 70 Varmint Winchester Model 70 Synthetic Heavy Varmint Rifle Winchester Model 70 DBM Rifle Winchester Model 70 DBM-S Rifle Winchester Model 70 Featherweight Winchester Model 70 Featherweight WinTuff Winchester Model 70 Featherweight Classic

Winchester Model 70 Lightweight Rifle

Winchester Ranger Rifle

Winchester Model 70 Super Express Magnum

Winchester Model 70 Super Grade

Winchester Model 70 Custom Sharpshooter Winchester Model 70 Custom Sporting Sharpshooter Rifle

Centerfire Rifles—Single Shot

Armsport 1866 Sharps Rifle, Carbine Brown Model One Single Shot Rifle Browning Model 1885 Single Shot Rifle Dakota Single Shot Rifle Desert Industries G-90 Single Shot Rifle Harrington & Richardson Ultra Varmint Rifle Model 1885 High Wall Rifle Navy Arms Rolling Block Buffalo Rifle Navy Arms #2 Creedmoor Rifle Navy Arms Sharps Cavalry Carbine Navy Arms Sharps Plains Rifle New England Firearms Handi-Rifle Red Willow Armory Ballard No. 5 Pacific Red Willow Armory Ballard No. 1.5 Hunting Rifle Red Willow Armory Ballard No. 8 Union Hill Rifle Red Willow Armory Ballard No. 4.5 Target Rifle Remington-Style Rolling Block Carbine Ruger No. 1B Single Shot Ruger No. 1A Light Sporter Ruger No. 1H Tropical Rifle Ruger No. 1S Medium Sporter Ruger No. 1 RSI International Ruger No. 1V Special Varminter C. Sharps Arms New Model 1874 Old Reliable C. Sharps Arms New Model 1875 Rifle C. Sharps Arms 1875 Classic Sharps C. Sharps Arms New Model 1875 Target & Long Range Shiloh Sharps 1874 Long Range Express Shiloh Sharps 1874 Montana Roughrider Shiloh Sharps 1874 Military Carbine Shiloh Sharps 1874 Business Rifle Shiloh Sharps 1874 Military Rifle Sharps 1874 Old Reliable Thompson/Center Contender Carbine Thompson/Center Stainless Contender Carbine Thompson/Center Contender Carbine Survival System Thompson/Center Contender Carbine Youth Model Thompson/Center TCR '87 Single Shot Rifle Uberti Rolling Block Baby Carbine

Drillings, Combination Guns, Double Rifles

Baretta Express SSO O/U Double Rifles Baretta Model 455 SxS Express Rifle Chapuis RGExpress Double Rifle Auguste Francotte Sidelock Double Rifles Auguste Francotte Boxlock Double Rifle Heym Model 55B O/U Double Rifle Heym Model 55FW O/U Combo Gun Heym Model 88b Side-by-Side Double Rifle Kodiak Mk. IV Double Rifle Kreighoff Teck O/U Combination Gun Kreighoff Trumpf Drilling Merkel Over/Under Combination Guns Merkel Drillings Merkel Model 160 Side-by-Side Double Rifles Merkel Over/Under Double Rifles Savage 24F O/U Combination Gun Savage 24F-12T Turkey Gun Springfield Inc. M6 Scout Rifle/Shotgun Tikka Model 412S Combination Gun Tikka Model 412S Double Fire A. Zoli Rifle-Shotgun O/U Combo

Rimfire Rifles—Autoloaders

AMT Lightning 25/22 Rifle AMT Lightning Small-Game Hunting Rifle II AMT Magnum Hunter Auto Rifle Anschutz 525 Deluxe Auto Armscor Model 20P Auto Rifle Browning Auto-22 Rifle Browning Auto-22 Grade VI Krico Model 260 Auto Rifle Lakefield Arms Model 64B Auto Rifle Marlin Model 60 Self-Loading Rifle Marlin Model 60ss Self-Loading Rifle Marlin Model 70 HC Auto Marlin Model 990l Self-Loading Rifle Marlin Model 70P Papoose Marlin Model 922 Magnum Self-Loading Rifle Marlin Model 995 Self-Loading Rifle Norinco Model 22 ATD Rifle Remington Model 522 Viper Autoloading Rifle Remington 552BDL Speedmaster Rifle Ruger 10/22 Autoloading Carbine (w/o folding stock) Survival Arms AR–7 Explorer Rifle Texas Remington Revolving Carbine Voere Model 2115 Auto Rifle

Rimfire Rifles—Lever & Slide Action

Browning BL-22 Lever-Action Rifle Marlin 39TDS Carbine Marlin Model 39AS Golden Lever-Action Rifle Remington 572BDL Fieldmaster Pump Rifle Norinco EM-321 Pump Rifle Rossi Model 62 SA Pump Rifle Rossi Model 62 SAC Carbine Winchester Model 9422 Lever-Action Rifle Winchester Model 9422 Magnum Lever-Action Rifle

Rimfire Rifles—Bolt Actions & Single Shots

Anschutz Achiever Bolt-Action Rifle Anschutz 1416D/1516D Classic Rifles Anschutz 1418D/1518D Mannlicher rifles

Anschutz 1700D Classic Rifles Anschutz 1700D Custom Rifles Anschutz 1700 FWT Bolt-Action Rifle Anschutz 1700D Graphite Custom Rifle Anschutz 1700D Bavarian Bolt-Action Rifle Armscor Model 14P Bolt-Action Rifle Armscor Model 1500 Rifle BRNO ZKM-452 Deluxe Bolt-Action Rifle BRNO ZKM 452 Deluxe Beeman/HW 60-J-ST Bolt-Action Rifle Browning A-Bolt 22 Bolt-Action Rifle Browning A-Bolt Gold Medallion Cabanas Phaser Rifle Cabanas Master Bolt-Action Rifle Cabanas Espronceda IV Bolt-Action Rifle Cabanas Leyre Bolt-Action Rifle Chipmunk Single Shot Rifle Cooper Arms Model 36S Sporter Rifle Dakota 22 Sporter Bolt-Action Rifle Krico Model 300 Bolt-Action Rifles Lakefield Arms Mark II Bolt-Action Rifle Lakefield Arms Mark I Bolt-Action Rifle Magtech Model MT-22C Bolt-Action Rifle Marlin Model 880 Bolt-Action Rifle Marlin Model 881 Bolt-Action Rifle Marlin Model 882 Bolt-Action Rifle Marlin Model 883 Bolt-Action Rifle Marlin Model 883SS Bolt-Action Rifle Marlin Model 25MN Bolt-Action Rifle Marlin Model 25N Bolt-Action Repeater Marlin Model 15YN "Little Buckaroo" Mauser Model 107 Bolt-Action Rifle Mauser Model 201 Bolt-Action Rifle Navy Arms TU-KKW Training Rifle Navy Arms TU-33/40 Carbine Navy Arms TU-KKW Sniper Trainer Norinco JW-27 Bolt-Action Rifle Norinco JW-15 Bolt-Action Rifle Remington 541-T Remington 40–XR Rimfire Custom sporter Remington 541-T HB Bolt-Action Rifle Remington 581–S Sportsman Rifle Ruger 77/22 Rimfire Bolt-Action Rifle Ruger K77/22 Varmint Rifle Ultra Light arms Model 20 RF Bolt-Action Rifle Winchester Model 52B Sporting Rifle

Competition Rifles—Centerfire & Rimfire

Anschutz 64–MS Left Silhouette Anschutz 1808D RT Super Match 54 Target Anschutz 1827B Biathlon Rifle Anschutz 1903D Match Rifle Anschutz 1803D Itermediate Match Anschutz 1911 Match Rifle

Anschutz 54.18MS REP Deluxe Silhouette Rifle Anschutz 1913 Super Match Rifle Anschutz 1907 Match Rifle Anschutz 1910 Super Match II Anschutz 54.18MS Silhouette Rifle Anschutz Super Match 54 Target Model 2013 Anschutz Super Match 54 Target Model 2007 Beeman/Feinwerkbau 2600 Target Rifle Cooper Arms Model TRP-1 ISU Standard Rifle E.A.A./Weihrauch HW 60 Target Rifle E.A.A./HW 660 Match Rifle Finnish Lion Standard Target Rifle Krico Model 360 S2 Biathlon Rifle Krico Model 400 Match Rifle Krico Model 360S Biathlon Rifle Krico Model 500 Kricotronic Match Rifle Krico Model 600 Sniper Rifle Krico Model 600 Match Rifle Lakefield Arms Model 90B Target Rifle Lakefield Arms Model 91T Target Rifle Lakefield Arms Model 92S Silhouette Rifle Marlin Model 2000 Target Rifle Mauser Model 86-SR Specialty Rifle McMillan M-86 Sniper Rifle McMillan Combo M-87/M-88 50-Caliber Rifle McMillan 300 Phoenix Long Range Rifle McMillan M-89 Sniper Rifle McMillan National Match Rifle McMillan Long Range Rifle Parker-Hale M-87 Target Rifle Parker-Hale M-85 Sniper Rifle Remington 40–XB Rangemaster Target Centerfire Remington 40-XR KS Rimfire Position Rifle Remington 40-XBBR KS Remington 40-XC KS National Match Course Rifle Sako TRG-21 Bolt-Action Rifle Steyr-Mannlicher Match SPG–UIT Rifle Steyr-Mannlicher SSG P-I Rifle Steyr-Mannlicher SSG P–III Rifle Steyr-Mannlicher SSG P-IV Rifle Tanner Standard UIT Rifle Tanner 50 Meter Free Rifle Tanner 300 Meter Free Rifle Wichita Silhouette Rifle

Shotguns-Autoloaders

American Arms/Franchi Black Magic 48/AL Benelli Super Black Eagle Shotgun Benelli Super Black Eagle Slug Gun Benelli M1 Super 90 Field Auto Shotgun Benelli Montefeltro Super 90 20-Gauge Shotgun Benelli Montefeltro Super 90 Shotgun Benelli M1 Sporting Special Auto Shotgun Benelli Black Eagle Competition Auto Shotgun

Beretta A-303 Auto Shotgun Beretta 390 Field Auto Shotgun Beretta 390 Super Trap, Super Skeet Shotguns Beretta Vittoria Auto Shotgun Beretta Model 1201F Auto Shotgun Browning BSA 10 Auto Shotgun Browning BSA 10 Stalker Auto Shotgun Browning A-500R Auto Shotgun Browning A–500G Auto Shotgun Browning A–500G Sporting Clays Browning Auto-5 Light 12 and 20 Browning Auto-5 Stalker Browning Auto-5 Magnum 20 Browning Auto-5 Magnum 12 Churchill Turkey Automatic Shotgun Cosmi Automatic Shotgun Maverick Model 60 Auto Shotgun Mossberg Model 5500 Shotgun Mossberg Model 9200 Regal Semi-Auto Shotgun Mossberg Model 9200 USST Auto Shotgun Mossberg Model 9200 Camo Shotgun Mossberg Model 6000 Auto Shotgun Remington Model 1100 Shotgun Remington 11–87 Premier Shotgun Remington 11-87 Sporting Clays Remington 11–87 Premier Skeet Remington 11–87 Premier Trap Remington 11-87 Special Purpose Magnum Remington 11–87 SPS–T Camo Auto Shotgun Remington 11–87 Special Purpose Deer Gun Remington 11-87 SPS-BG-Camo Deer/Turkey Shotgun Remington 11-87 SPS-Deer Shotgun Remington 11–87 Special Purpose Synthetic Camo Remington SP-10 Magnum-Camo Auto Shotgun Remington SP-10 Magnum Auto Shotgun Remington SP-10 Magnum Turkey Combo Remington 1100 LT-20 Auto Remington 1100 Special Field Remington 1100 20-Gauge Deer Gun Remington 1100 LT-20 Tournament Skeet Winchester Model 1400 Semi-Auto Shotgun

Shotguns—Slide Actions

Browning Model 42 Pump Shotgun Browning BPS Pump Shotgun Browning BPS Stalker Pump Shotgun Browning BPS Pigeon Grade Pump Shotgun Browning BPS Pump Shotgun (Ladies and Youth Model) Browning BPS Game Gun Turkey Special Browning BPS Game Gun Deer Special Ithaca Model 87 Supreme Pump Shotgun Ithaca Model 87 Deerslayer Shotgun Ithaca Deerslayer II Rifled Shotgun Ithaca Model 87 Turkey Gun 49

Ithaca Model 87 Deluxe Pump Shotgun Magtech Model 586–VR Pump Shotgun Maverick Models 88, 91 Pump Shotguns Mossberg Model 500 Sporting Pump Mossberg Model 500 Camo Pump Mossberg Model 500 Muzzleloader Combo Mossberg Model 500 Trophy Slugster Mossberg Turkey Model 500 Pump Mossberg Model 500 Bantam Pump Mossberg Field Grade Model 835 Pump Shotgun Mossberg Model 835 Regal Ulti-Mag Pump Remington 870 Wingmaster Remington 870 Special Purpose Deer Gun Remington 870 SPS-BG-Camo Deer/Turkey Shotgun Remington 870 SPS-Deer Shotgun Remington 870 Marine Magnum Remington 870 TC Trap Remington 870 Special Purpose Synthetic Camo Remington 870 Wingmaster Small Gauges Remington 870 Express Rifle Sighted Deer Gun Remington 879 SPS Special Purpose Magnum Remington 870 SPS-T Camo Pump Shotgun Remington 870 Special Field Remington 870 Express Turkey Remington 870 High Grades **Remington 870 Express** Remington Model 870 Express Youth Gun Winchester Model 12 Pump Shotgun Winchester Model 42 High Grade Shotgun Winchester Model 1300 Walnut Pump Winchester Model 1300 Slug Hunter Deer Gun Winchester Model 1300 Ranger Pump Gun Combo & Deer Gun Winchester Model 1300 Turkey Gun Winchester Model 1300 Ranger Pump Gun

Shotguns-Over/Unders

American Arms/Franchi Falconet 2000 O/U American Arms Silver I O/U American Arms Silver II Shotgun American Arms Silver Skeet O/U American Arms/Franchi Sporting 2000 O/U American Arms Silver Sporting O/U American Arms Silver Trap O/U American Arms WS/OU 12, TS/OU 12 Shotguns American Arms WT/OU 10 Shotgun Armsport 2700 O/U Goose Gun Armsport 2700 Series O/U Armsport 2900 Tri-Barrel Shotgun Baby Bretton Over/Under Shotgun Beretta Model 686 Ultralight O/U Beretta ASE 90 Competition O/U Shotgun Beretta Over/Under Field Shotguns Beretta Onyx Hunter Sport O/U Shotgun Beretta Model SO5, SO6, SO9 Shotguns

50 Beretta Sporting Clay Shotguns Beretta 687EL Sporting O/U Beretta 682 Super Sporting O/U Beretta Series 682 Competition Over/Unders Browning Citori O/U Shotgun Browning Superlight Citori Over/Under Browning Lightning Sporting Clays Browning Micro Citori Lightning Browning Citori Plus Trap Combo Browning Citori Plus Trap Gun Browning Citori O/U Skeet Models Browning Citori O/U Trap Models **Browning Special Sporting Clays** Browning Citori GTI Sporting Clays Browning 325 Sporting Clays Centurion Over/Under Shotgun Chapuis Over/Under Shotgun Connecticut Valley Classics Classic Sporter O/U Connecticut Valley Classics Classic Field Waterfowler Charles Daly Field Grade O/U Charles Daly Lux Over/Under E.A.A./Sabatti Sporting Clays Pro-Gold O/U E.A.A./Sabatti Falcon-Mon Over/Under Kassnar Grade I O/U Shotgun Krieghoff K-80 Sporting Clays O/U Krieghoff K–80 Skeet Shotgun Krieghoff K–80 International Skeet Krieghoff K–80 Four-Barrel Skeet Set Krieghoff K–80/RT Shotguns

Krieghoff K-80 O/U Trap Shotgun Laurona Silhouette 300 Sporting Clays Laurona Silhouette 300 Trap Laurona Super Model Over/Unders Ljutic LM–6 Deluxe O/U Shotgun Marocchi Conquista Over/Under Shotgun Marocchi Avanza O/U Shotgun Merkel Model 200E O/U Shotgun Merkel Model 200E Skeet, Trap Over/Unders Merkel Model 203E, 303E Over/Under Shotguns Perazzi Mirage Special Sporting O/U Perazzi Mirage Special Four-Gauge Skeet Perazzi Sporting Classic O/U Perazzi MX7 Over/Under Shotguns Perazzi Mirage Special Skeet Over/Under Perazzi MX8/MX8 Special Trap, Skeet

Perazzi MX8/20 Over/Under Shotgun Perazzi MX9 Single Over/Under Shotguns

Perazzi MX12 Hunting Over/Under

Perazzi MX28, MX410 Game O/U Shotguns

Perazzi MX20 Hunting Over/Under Piotti Boss Over/Under Shotgun

Remington Peerless Over/Under Shotgun

Remington Peerless Over/Under Shot

Ruger Red Label O/U Shotgun Ruger Sporting Clays O/U Shotgun San Marco Field Special O/U Shotgun San Marco 10-Ga. O/U Shotgun SKB Model 505 Deluxe Over/Under Shotgun SKB Model 685 Over/Under Shotgun SKB Model 885 Over/Under Trap, Skeet, Sporting Clays Stoeger/IGA Condor I O/U Shotgun Stoeger/IGA ERA 2000 Over/Under Shotgun Techni-Mec Model 610 Over/Under Tikka Model 412S Field Grade Over/Under Weatherby Athena Grade IV O/U Shotguns Weatherby Athena Grade V Classic Field O/U Weatherby Orion O/U Shotguns Weatherby II, III Classic Field O/Us Weatherby Orion II Classic Sporting Clays O/U Weatherby Orion II Sporting Clays O/U Winchester Model 1001 O/U Shotgun Winchester Model 1001 Sporting Clays O/U Pietro Zanoletti Model 2000 Field O/U

Shotguns—Side by Sides

American Arms Brittany Shotgun American Arms Gentry Double Shotgun American Arms Derby Side-by-Side American Arms Grulla #2 Double Shotgun American Arms WS/SS 10 American Arms TS/SS 10 Double Shotgun American Arms TS/SS 12 Side-by-Side Arrieta Sidelock Double Shotguns Armsport 1050 Series Double Shotguns Arizaga Model 31 Double Shotgun **AYA Boxlock Shotguns AYA Sidelock Double Shotguns** Beretta Model 452 Sidelock Shotgun Beretta Side-by-Side Field Shotguns Crucelegui Hermanos Model 150 Double Chapuis Side-by-Side Shotgun E.A.A./Sabatti Saba-Mon Double Shotgun Charles Daly Model Dss Double Ferlib Model F VII Double Shotgun Auguste Francotte Boxlock Shotgun Auguste Francotte Sidelock Shotgun Garbi Model 100 Double Garbi Model 101 Side-by-Side Garbi Model 103A, B Side-by-Side Garbi Model 200 Side-by-Side Bill Hanus Birdgun Doubles Hatfield Uplander Shotgun Merkell Model 8, 47E Side-by-Side Shotguns Merkel Model 47LSC Sporting Clays Double Merkel Model 47S, 147S Side-by-Sides Parker Reproductions Side-by-Side Piotti King No. 1 Side-by-Side Piotti Lunik Side-by-Side Piotti King Extra Side-by-Side

Piotti Piuma Side-by-Side Precision Sports Model 600 Series Doubles Rizzini Boxlock Side-by-Side Rizzini Sidelock Side-by-Side Stoeger/IGA Uplander Side-by-Side Shotgun Ugartechea 10-Ga. Magnum Shotgun

Shotguns—Bolt Actions & Single Shots

Armsport Single Barrel Shotgun Browning BT-99 Competition Trap Special Browning BT–99 Plus Trap Gun Browning BT-99 Plus Micro Browning Recoilless Trap Shotgun Browning Micro Recoilless Trap Shotgun Desert Industries Big Twenty Shotgun Harrington & Richardson Topper Model 098 Harrington & Richardson Topper Classic Youth Shotgun Harrington & Richardson N.W.T.F. Turkey Mag Harrington & Richardson Topper Deluxe Model 098 Krieghoff KS–5 Trap Gun Krieghoff KS-5 Special Krieghoff K-80 Single Barrel Trap Gun Ljutic Mono Gun Single Barrel Ljutic LTX Super Deluxe Mono Gun Ljutic Recoilless Space Gun Shotgun Marlin Model 55 Goose Gun Bolt Action New England Firearms Turkey and Goose Gun New England Firearms N.W.T.F. Shotgun New England Firearms Tracker Slug Gun New England Firearms Standard Pardner New England Firearms Survival Gun Perazzi TM1 Special Single Trap Remington 90-T Super Single Shotgun Snake Charmer II Shotgun Stoeger/IGA Reuna Single Barrel Shotgun Thompson/Center TCR '87 Hunter Shotgun.".

(c) REGISTRATION OF FUTURE TRANSFERS OF PRO HIBITED WEAPONS.—Section 5845(a) of the Internal
 Revenue Code of 1986 is amended in the first sentence—
 (1) by striking "and" at the end of paragraph
 (7); and
 (2) by striking the period at the end of para graph (8) and inserting "; and (9) a prohibited

weapon (as defined in section 921 of title 18, United
 States Code).".

3 (d) IDENTIFICATION MARKING.—Section 923(i) of 4 title 18, United States Code, is amended by adding at the 5 end the following new sentence: "The serial number of any 6 prohibited weapon manufactured after the date of enact-7 ment of this section shall clearly show the date on which 8 the weapon was manufactured.".

9 (e) PENALTY.—

10 (1) VIOLATION OF SECTION 922(2).—Section
11 924(a)(1)(B) of title 18, United States Code, as
12 amended by section 308(b), is amended by striking
13 "or (y)" and inserting "(y), or (z)".

(2) USE OR POSSESSION DURING CRIME OF VIOLENCE OR DRUG TRAFFICKING CRIME.—Section
924(c)(1) of title 18, United States Code, is amended in the first sentence by inserting ", or semiautomatic assault weapon" after "short-barreled shotgun,".

20 SEC. 402. FIREARMS AND CHILD SAFETY.

(a) UNLAWFUL ACT.—Section 922 of title 18, United
States Code, is amended by adding at the end the following new subsection:

"(aa)(1) It shall be unlawful for a person to manufac ture or import a firearm that does not have as an integral
 part a device or devices that—

4 "(A) prevent a child of less than 7 years of age
5 from discharging the firearm by reason of the
6 amount of strength, dexterity, cognitive skill, or
7 other ability required to cause a discharge;

8 "(B) prevent a firearm that has a removable 9 magazine from discharging when the magazine has 10 been removed; and

"(C) in the case of a handgun other than a revolver, clearly indicate whether the magazine or
chamber contains a round of ammunition.

"(2) Paragraph (1) does not apply with respect to
the manufacture or importation by or for the United
States or a department or agency thereof or a State or
a department, agency, or political subdivision thereof.".

(b) PENALTY.—Section 924(a) (5) of title 18, United
States Code, as amended by section 204(c), is amended
by striking "or (x)" and inserting "(x), or (aa)".

(c) EFFECTIVE DATE.—The amendments made by
this section shall become effective on the date that is 1
year after the date of enactment of this Act.

SEC. 403. INCREASED TAX ON HANDGUNS AND HANDGUN AMMUNITION. (a) INCREASED TAX.—Section 4181 of the Internal Revenue Code of 1986 (relating to imposition of tax on

5 firearms) is amended—

6 (1) by striking "10 percent" and inserting "30
7 percent";

8 (2) by striking "Shells, and cartridges" and in-9 serting "ammunition other than handgun ammuni-10 tion (as defined in section 921 of title 18, United 11 States Code)"; and

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

13 "ARTICLES TAXABLE AT 50 PERCENT

14 "Any handgun ammunition (as defined in section 92115 of title 18, United States Code).".

(b) TAXES ON HANDGUNS AND HANDGUN AMMUNITION TO HEALTH CARE TRUST FUND.—Subchapter A of
chapter 98 of the Internal Revenue Code of 1986 (relating
to trust fund code) is amended by adding at the end the
following new section:

21 "SEC. 9512. HEALTH CARE TRUST FUND.

"(a) ESTABLISHMENT OF THE TRUST FUND.—There
is established in the Treasury of the United States a trust
fund to be known as the 'Health Care Trust Fund', consisting of such amounts as may be appropriated or credited to such Trust Fund as provided in this section.

1 "(b) TRANSFERS TO THE FUND.—There are hereby 2 appropriated to the Health Care Trust Fund amounts 3 equivalent to the taxes received in the Treasury under sec-4 tion 4181 which are attributable to the tax on articles sub-5 ject to the 30-percent and 50-percent tax rates.

"(c) Expenditures From the Trust Fund.— 6 7 Funds in the Health Care Trust Fund shall be available. as provided in appropriations Acts, only for the purpose 8 9 of making grants to assist hospitals, trauma centers or 10 other health care providers that have incurred substantial uncompensated costs in providing medical care to gunshot 11 victims except that no single hospital, trauma center or 12 health care provider may receive more than 1 percent of 13 the funds appropriated under this section. 14

15 "(d) ELIGIBILITY FOR TRUST FUND MONEYS.—A
16 hospital, trauma center or other health care provider is
17 eligible to apply for grants from the Trust Fund for any
18 calendar year if the hospital, trauma center or health care
19 provider—

20 "(1) is in compliance with Federal and State
21 certification and licensing requirements;

22 "(2) is a not-for-profit entity; and

23 "(3) has incurred substantial uncompensated
24 costs during the previous calendar year in providing
25 medical care to gunshot victims.

"(e) REGULATIONS FOR TRUST FUND.—The Sec retary shall, not later than 60 days after the date of enact ment of this section and in consultation with the Secretary
 of Health and Human Services, issue such regulations as
 are necessary to implement the provisions of this section.".

6 (c) TECHNICAL AMENDMENT.—The table of sections
7 for subchapter A of chapter 98 of the Internal Revenue
8 Code of 1986 is amended by adding at the end the follow9 ing new item:

"Sec. 9512. Health Care Trust Fund.".

10 TITLE V—GUN EXCHANGE TAX 11 INCENTIVES

12 SEC. 501. MODIFICATIONS TO CERTAIN LIMITATIONS ON 13 CHARITABLE DEDUCTION.

(a) GENERAL RULE.—Subsection (e) of section 170
of the Internal Revenue Code of 1986 (relating to certain
contributions of ordinary income and capital gain property) is amended by adding at the end the following new
paragraph:

19 "(6) SPECIAL RULES FOR GUN EXCHANGE PRO20 GRAM CONTRIBUTIONS.—

21 "(A) DEDUCTION ALLOWED FOR FULL
22 MARKET VALUE.—The deduction under sub23 section (a) for any qualified gun exchange pro24 gram contribution shall be an amount equal to
25 its fair market value and no reduction under

1	paragraph (1)(A) shall be made in the amount
2	of such contribution.
3	"(B) INCREASE IN CORPORATE PERCENT-
4	AGE LIMITATION.—The limitation of subsection
5	(b)(2) shall be increased by the lesser of—
6	''(i) the aggregate amount of qualified
7	gun exchange program contributions made
8	by the taxpayer during the taxable year, or
9	''(ii) 5 percent of the taxpayer's tax-
10	able income computed as provided in sub-
11	section (b)(2).
12	"(C) QUALIFIED GUN EXCHANGE PRO-
13	GRAM CONTRIBUTION.—For purposes of this
14	paragraph, the term 'qualified gun exchange
15	program contribution' means any charitable
16	contribution of property described in paragraph
17	(1) of section 1221 or of a coupon or similar in-
18	strument which may be used to acquire prop-
19	erty so described if—
20	''(i) such contribution is to a govern-
21	mental unit described in subsection $(c)(1)$
22	or to an organization described in sub-
23	section $(c)(2)$ which is designated by a gov-
24	ernmental unit as a qualified recipient of
25	gun exchange program contributions,

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1	''(ii) the property (or coupon or simi-
2	lar instrument) is to be transferred in ex-
3	change for firearms to persons surrender-
4	ing firearms to a governmental unit in a
5	gun exchange program established and ad-
6	ministered by such governmental unit, and
7	''(iii) the taxpayer received from the
8	governmental unit or organization des-
9	ignated under clause (i) a written state-
10	ment that the property (or coupon or simi-
11	lar instrument) was transferred as pro-
12	vided in clause (ii).".
13	(b) EFFECTIVE DATE.—The amendment made by

13 (b) EFFECTIVE DATE.—The amendment made by
14 subsection (a) shall apply to contributions made after the
15 date of the enactment of this Act.

16 SEC. 502. MODEL PROGRAM.

17 (a) MODEL PROGRAM.—The Attorney General shall18 develop a written model program for business-sponsored19 gun exchange programs.

(b) DISTRIBUTION.—Not later than 3 months after
the date of enactment of this Act, the Attorney General
shall make available such model to States, units of local
governments, and businesses.

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- HR 3932 SC——3 HR 3932 SC——4
- HR 3932 SC-5