

106TH CONGRESS
2D SESSION

H. R. 4066

To enhance the enforcement of gun violence laws.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2000

Mrs. MCCARTHY of New York (for herself, Mr. CONYERS, Mr. BLAGOJEVICH, Mr. PASCRELL, Mrs. MORELLA, Mrs. LOWEY, Ms. DELAURO, Mr. WEINER, Mr. DELAHUNT, Ms. ESHOO, Mr. FRANK of Massachusetts, Mr. BARRETT of Wisconsin, Mr. BERMAN, Mr. KENNEDY of Rhode Island, Mr. STARK, Mr. CARDIN, Mr. NADLER, Ms. NORTON, Mr. WYNN, Mr. SERRANO, Mr. WEXLER, Ms. MILLENDER-MCDONALD, Ms. SCHAKOWSKY, Mrs. JONES of Ohio, Mrs. MALONEY of New York, Mr. HOEFFEL, Mr. MEEHAN, Mrs. NAPOLITANO, Mr. ACKERMAN, Mr. VENTO, Ms. BROWN of Florida, Mrs. TAUSCHER, Ms. WOOLSEY, Ms. CARSON, Mr. EVANS, Mrs. MINK of Hawaii, Mr. RANGEL, Ms. JACKSON-LEE of Texas, Mr. HASTINGS of Florida, and Mr. MOORE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To enhance the enforcement of gun violence laws.

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 “Act for Effective Na-
5 tional Firearms Objectives for Responsible, Common-sense
6 Enforcement of 2000” or the “ENFORCE Act”.

1 **TITLE I—THE CRIMINAL GUN**
2 **TRAFFICKER APPREHENSION**
3 **ACT OF 2000**

4 **SEC. 101. COMMON-SENSE DEFINITION OF “LICENSED**
5 **DEALER”.**

6 Section 921(a)(22) of title 18, United States Code,
7 is amended in the first sentence by inserting “; *And fur-*
8 *ther provided*, That it shall be presumed that the intent
9 underlying the sale or disposition of a firearm is predomi-
10 nantly one of obtaining livelihood and pecuniary gain if
11 a person transfers more than 50 firearms in any period
12 of 12 consecutive months, or more than 30 firearms in
13 any period of 30 consecutive days excluding any infrequent
14 transfer of a firearm by gift, bequest, intestate succession,
15 or other means by an individual to a parent, child, grand-
16 parent, or grandchild of the individual” before the period.

17 **SEC. 102. REQUIREMENT THAT LICENSEE OPERATE FROM**
18 **FIXED PREMISES.**

19 Section 923(d)(1)(E)(i) of title 18, United States
20 Code, is amended by striking “premises” and inserting
21 “fixed premises primarily devoted to the sale of firearms
22 and conspicuously designated to the public as such, other
23 than a private residence”.

1 **SEC. 103. SECURE STORAGE OF FIREARMS INVENTORIES.**

2 (a) STORAGE REQUIREMENTS.—Section 923 of title
3 18, United States Code is amended by adding at the end
4 the following:

5 “(m) It shall be unlawful for any licensed importer,
6 licensed manufacturer, or licensed dealer (other than a
7 dealer as defined in section 921(a)(11)(B)) to store any
8 firearms on the premises described in subsection
9 (d)(1)(E)(i) in a manner not in conformity with regula-
10 tions issued by the Secretary. In issuing such regulations,
11 the Secretary shall take into consideration the type and
12 quantity of the firearms to be stored, as well as the stand-
13 ards of safety and security recognized in the firearms in-
14 dustry.”.

15 (b) PENALTIES.—Section 924 of title 18, United
16 States Code, is amended—

17 (1) in subsection (a)(1), by inserting “, or (o)”
18 before “of this section”; and

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

20 “(o) The Secretary may, after notice and opportunity
21 for hearing, suspend or revoke any license issued under
22 this chapter or may subject the licensee to a civil penalty
23 of not more than \$10,000 if the holder of such license
24 has knowingly violated section 923(m). The Secretary’s
25 actions under this subsection may be reviewed only as pro-
26 vided in section 923(f).”.

1 (c) CONDITION OF LICENSING.—Section
2 923(d)(1)(F) of title 18, United States Code is amended—

3 (1) in clause (ii)(II), by striking “and” the sec-
4 ond place it appears;

5 (2) in clause (iii), by striking the period and in-
6 serting “; and”; and

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

8 “(iv) within 30 days after the application is ap-
9 proved the firearms inventory of the business will be
10 stored in compliance with section 923(m) and regu-
11 lations issued thereunder; and”.

12 (d) EFFECTIVE DATE.—The amendments made by
13 this section shall be effective 180 days after the date of
14 enactment.

15 **SEC. 104. REQUIRING THEFTS FROM COMMON CARRIERS**
16 **TO BE REPORTED.**

17 (a) Section 922(f) of title 18, United States Code,
18 is amended by adding at the end the following:

19 “(3)(A) It shall be unlawful for any common or con-
20 tract carrier to fail to report the theft or loss of a firearm
21 within 48 hours after the theft or loss is discovered. The
22 theft or loss shall be reported to the Secretary and to the
23 appropriate local authorities.

1 “(B) The Secretary may impose a civil fine of not
2 more than \$10,000 on any person who knowingly violates
3 subparagraph (A).”.

4 (b) Section 924(a)(1)(B) of title 18, United States
5 Code, is amended by striking “(f),” and inserting “(f)(1),
6 (f)(2),”.

7 **TITLE II—THE CRIMINAL GUN**
8 **DEALER DETECTION ACT OF**
9 **2000**

10 **SEC. 201. RECORDKEEPING INSPECTIONS.**

11 Section 923(g)(1)(B)(ii)(I) of title 18, United States
12 Code, is amended by striking “once” and inserting “4
13 times”.

14 **SEC. 202. DISPOSAL OF PERSONAL FIREARMS COLLECTION**
15 **BY CERTAIN LICENSEES MADE SUBJECT TO**
16 **REGULATIONS.**

17 Section 923(e) of title 18, United States Code, is
18 amended by striking the second sentence and inserting the
19 following: “A personal collection of firearms of a licensed
20 manufacturer, licensed importer, or licensed dealer shall
21 be considered part of the business inventory of the licensee
22 for purposes of this chapter, except that the provisions of
23 this chapter applicable to the disposition of a firearm from
24 the business inventory of a licensee shall not apply to the
25 infrequent transfer of a firearm by gift, bequest, intestate

1 succession, or other means from the personal collection of
2 firearms of a licensee to a parent, child, grandparent, or
3 grandchild of the licensee.”.

4 **SEC. 203. SUSPENSION OF FIREARMS DEALER’S LICENSE**
5 **AND CIVIL PENALTIES FOR VIOLATIONS OF**
6 **THE GUN CONTROL ACT.**

7 Subsections (e) and (f) of section 923 of title 18,
8 United States Code, are amended to read as follows:

9 “(e) The Secretary may, after notice and opportunity
10 for hearing, suspend or revoke any license issued under
11 this section, or may subject the licensee to a civil penalty
12 of not more than \$10,000 per violation, if the holder of
13 such license has willfully violated any provision of this
14 chapter or any rule or regulation prescribed by the Sec-
15 retary under this chapter. The Secretary may, after notice
16 and opportunity for hearing, suspend or revoke the license
17 of, or assess a civil penalty of not more than \$10,000 on,
18 a dealer who willfully transfers armor piercing ammuni-
19 tion. The Secretary may at any time compromise, miti-
20 gate, or remit the liability with respect to any willful viola-
21 tion of this chapter or any rule or regulation prescribed
22 by the Secretary under this chapter. The Secretary’s ac-
23 tions under this subsection may be reviewed only as pro-
24 vided in subsection (f) of this section.

1 “(f)(1) Any person whose application for a license is
2 denied and any holder of a license which is suspended or
3 revoked or who is assessed a civil penalty shall receive a
4 written notice from the Secretary stating specifically the
5 grounds upon which the application was denied or upon
6 which the license was suspended or revoked or the civil
7 penalty assessed. Any notice of a suspension or revocation
8 of a license shall be given to the holder of such license
9 before the effective date of the suspension or revocation.

10 “(2) If the Secretary denies an application for a li-
11 cense, or suspends or revokes a license, or assesses a civil
12 penalty, he shall, upon request by the aggrieved party,
13 promptly hold a hearing to review his denial, suspension,
14 revocation, or assessment. In the case of a suspension or
15 revocation of a license, the Secretary shall, upon the re-
16 quest of the holder of the license, stay the effective date
17 of the suspension or revocation. A hearing under this
18 paragraph shall be held at a location convenient to the
19 aggrieved party.

20 “(3) If after a hearing held under paragraph (2) the
21 Secretary decides not to reverse his decision to deny an
22 application or suspend or revoke a license or assess a civil
23 penalty, the Secretary shall give notice of his decision to
24 the aggrieved party. The aggrieved party may at any time
25 within sixty days after the date notice was given under

1 this paragraph file a petition with the United States dis-
2 trict court for the district in which he resides or has his
3 principal place of business for a de novo judicial review
4 of such denial, suspension, revocation, or assessment. In
5 a proceeding conducted under this subsection, the court
6 may consider any evidence submitted by the parties to the
7 proceeding whether or not such evidence was considered
8 at the hearing held under paragraph (2). If the court de-
9 cides that the Secretary was not authorized to deny the
10 application or to suspend or revoke the license or to assess
11 the civil penalty, the court shall order the Secretary to
12 take such action as may be necessary to comply with the
13 judgment of the court.”.

14 **TITLE III—THE VIOLENT FELON**
15 **GUN BAN ENFORCEMENT ACT**
16 **OF 2000**

17 **SEC. 301. ADMINISTRATIVE RELIEF FROM CERTAIN FIRE-**
18 **ARMS AND EXPLOSIVES PROHIBITIONS.**

19 (a) IN GENERAL.—(1) Section 925(c) of title 18,
20 United States Code, is amended—

21 (A) in the first sentence by inserting “(other
22 than a natural person)” before “who is prohibited”;

23 (B) in the fourth sentence—

1 (i) by inserting “person (other than a nat-
2 ural person) who is a” before “licensed im-
3 porter”; and

4 (ii) by striking “his” and inserting “the
5 person’s”; and

6 (C) in the fifth sentence, by inserting “(i) the
7 name of the person, (ii) the disability with respect
8 to which the relief is granted, (iii) if the disability
9 was imposed by reason of a criminal conviction of
10 the person, the crime for which and the court in
11 which the person was convicted, and (iv)” before
12 “the reasons therefor”.

13 (2) Section 845(b) of title 18, United States Code,
14 is amended—

15 (A) in the first sentence by inserting “(other
16 than a natural person)” before “may make applica-
17 tion to the Secretary”; and

18 (B) in the second sentence by inserting “(other
19 than a natural person)” before “who makes applica-
20 tion for relief”.

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

23 (1) applications for administrative relief and ac-
24 tions for judicial review that are pending on the date
25 of enactment of this Act; and

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

4 **SEC. 302. PERMANENT FIREARM PROHIBITION FOR CON-**
5 **VICTED VIOLENT FELONS AND SERIOUS**
6 **DRUG OFFENDERS.**

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

9 (1) in the first sentence—

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

11 (B) by redesignating subparagraphs (A)
12 and (B) as clauses (i) and (ii), respectively;

13 (2) in the second sentence, by striking “What”
14 and inserting the following:

15 “(B) What”; and

16 (3) by striking the third sentence and inserting
17 the following new subparagraph:

18 “(C) A State conviction shall not be considered to be
19 a conviction for purposes of this chapter if the person has
20 been pardoned, has had restored any civil rights taken
21 away by virtue of the conviction, or the conviction is ex-
22 punged, and—

23 “(i) the authority that grants the pardon, the
24 restoration of civil rights, or the expungement ex-
25 pressly authorizes the person to ship, transport, re-

1 ceive, and possess firearms and expressly determines
 2 that the circumstances regarding the conviction and
 3 the person’s record and reputation are such that the
 4 person is not likely to act in a manner that is dan-
 5 gerous to public safety, and that the granting of the
 6 relief is not contrary to the public interest; and

7 “(ii) the conviction was for an offense other
 8 than a serious drug offense (as defined in section
 9 924(e)(2)(A)) or violent felony (as defined in section
 10 924(e)(2)(B)).”.

11 **TITLE IV—THE INTENSIVE GUN**
 12 **VIOLENCE REDUCTION**
 13 **STRATEGY AND PROJECT**
 14 **EXILE IMPLEMENTATION ACT**
 15 **OF 2000**

16 **Subtitle A—Funding Provisions**

17 **SEC. 401. AUTHORIZATION OF FUNDING FOR FEDERAL DO-**
 18 **MESTIC VIOLENCE OFFENDER RECORD-**
 19 **KEEPING IMPROVEMENTS.**

20 (a) IN GENERAL.—In addition to all other amounts
 21 authorized to be appropriated which may be used for such
 22 purpose, there are authorized to be appropriated for fiscal
 23 year 2001, \$70,000,000 for the improvement of the na-
 24 tional instant criminal background check system estab-
 25 lished pursuant to section 103 of the Brady Handgun Vio-

1 lence Prevention Act (18 U.S.C. 922 note), including im-
2 provements with respect to the records specified in sub-
3 section (b), and especially records of domestic violence in-
4 cidents, including felony and misdemeanor convictions for
5 crimes of domestic violence and restraining orders with re-
6 spect to such incidents.

7 (b) RECORDS INCLUDED.—The records referred to in
8 subsection (a) are the following:

9 (1) The records described in paragraphs (1),
10 (2), and (3) of section 509(b) of the Omnibus Crime
11 Control and Safe Streets Act of 1968 (42 U.S.C.
12 3759(b)).

13 (2) The records required by the Attorney Gen-
14 eral under section 103 of the Brady Handgun Vio-
15 lence Prevention Act (18 U.S.C. 922 note), for the
16 purpose of implementing that Act.

17 **SEC. 402. AUTHORIZATION OF FUNDING FOR STATE AND**
18 **LOCAL DOMESTIC VIOLENCE OFFENDER REC-**
19 **ORDKEEPING IMPROVEMENTS.**

20 (a) GRANTS FOR STATE AND LOCAL DOMESTIC VIO-
21 LENCE OFFENDER RECORDKEEPING IMPROVEMENTS.—
22 Title III of the Violent Crime Control and Law Enforce-
23 ment Act of 1994 is amended by inserting after subtitle
24 X the following new subtitle:

1 **“Subtitle Y—Grants for State and**
2 **Local Domestic Violence Of-**
3 **fender Recordkeeping Improve-**
4 **ments**

5 **“SEC. 32501. GRANT AUTHORIZATION.**

6 “The Attorney General may make grants to State or
7 local law enforcement agencies for the purpose of improv-
8 ing the organization of criminal records, especially records
9 relating to convictions for crimes of domestic violence and
10 to restraining orders with respect to domestic violence,
11 and the reporting of such records to the national instant
12 criminal background check system established under sec-
13 tion 103 of the Brady Handgun Violence Prevention Act.

14 **“SEC. 32502. USE OF FUNDS.**

15 “Grants made by the Attorney General under this
16 subtitle shall be used to fund programs for the purpose
17 specified in section 32501.

18 **“SEC. 32503. APPLICATIONS.**

19 “(a) **ELIGIBILITY.**—In order to be eligible to receive
20 a grant under this subtitle for any fiscal year, a State or
21 local law enforcement agency shall submit an application
22 to the Attorney General in such form and containing such
23 information as the Attorney General may reasonably re-
24 quire.

1 “(b) REQUIREMENTS.—Each applicant shall
2 include—

3 “(1) a request for funds for the purpose speci-
4 fied in section 32501;

5 “(2) a description of the improvement that such
6 applicant will make in its organization of criminal
7 records, especially records relating to convictions for
8 crimes of domestic violence and to restraining orders
9 with respect to domestic violence, and its reporting
10 of such records to the national instant criminal
11 background check system; and

12 “(3) assurances that Federal funds received
13 under this subtitle shall be used to supplement, not
14 supplant, non-Federal funds that would otherwise be
15 available for activities funded under this section.

16 **“SEC. 32504. MATCHING REQUIREMENT.**

17 “The Federal share of a grant made under this sub-
18 title may not exceed 50 percent of the total costs of the
19 programs described in the applications submitted under
20 section 32503 for the fiscal year for which the programs
21 receive assistance under this subtitle.

22 **“SEC. 32505. AWARD OF GRANTS.**

23 “(a) IN GENERAL.—The Attorney General shall con-
24 sider, in awarding grants, demonstrated need and evidence

1 of the ability to make the improvements described in the
2 plan required under section 32503.

3 “(b) RESEARCH AND EVALUATION.—The Attorney
4 General shall use not more than 3 percent of the funds
5 available under this subtitle, and not less than 1 percent
6 of such funds, for the purposes of research and evaluation
7 of the activities carried out under this subtitle.

8 **“SEC. 32506. REPORTS.**

9 “(a) REPORT TO ATTORNEY GENERAL.—Law en-
10 forcement agencies that receive funds under this subtitle
11 shall submit to the Attorney General a report not later
12 than March 1 of each year that describes progress
13 achieved in carrying out the grant program for which
14 those funds were received.

15 “(b) REPORT TO CONGRESS.—The Attorney General
16 shall submit to the Congress a report by October 1 of each
17 year in which grants are made available under this subtitle
18 which shall contain a detailed statement regarding grant
19 awards, activities of grant recipients, a compilation of sta-
20 tistical information submitted by applicants, and an eval-
21 uation of programs established under this subtitle.

22 **“SEC. 32507. AUTHORIZATION OF APPROPRIATIONS.**

23 “There are authorized to be appropriated to carry out
24 this subtitle \$20,000,000 for fiscal year 2001.

1 **“SEC. 32508. DEFINITION.**

2 “In this subtitle, ‘State’ means a State, the District
3 of Columbia, the Commonwealth of Puerto Rico, the Com-
4 monwealth of the Northern Mariana Islands, American
5 Samoa, Guam, and the United States Virgin Islands.”.

6 (b) CLERICAL AMENDMENT.—The table of contents
7 in section 2 of the Violent Crime Control and Law En-
8 forcement Act of 1994 is amended by inserting after sub-
9 title X the following new subtitle:

“Subtitle Y—Grants for State and Local Domestic Violence Offender Recordkeeping
Improvements

“Sec. 32501. Grant authorization.

“Sec. 32502. Use of funds.

“Sec. 32503. Applications.

“Sec. 32504. Matching requirement.

“Sec. 32505. Award of grants.

“Sec. 32506. Reports.

“Sec. 32507. Authorization of appropriations.

“Sec. 32508. Definition.”.

10 **SEC. 403. AUTHORIZATION OF FUNDING FOR ADDITIONAL**
11 **ALCOHOL, TOBACCO AND FIREARMS OFFI-**
12 **CERS.**

13 In addition to all other amounts authorized to be ap-
14 propriated which may be used for such purpose, there are
15 authorized to be appropriated for fiscal year 2001,
16 \$53,000,000 for the hiring of 600 firearms agents and in-
17 spectors for the Bureau of Alcohol, Tobacco and Firearms.

18 **SEC. 404. AUTHORIZATION OF FUNDING FOR ADDITIONAL**
19 **STATE AND LOCAL GUN PROSECUTORS.**

20 (a) GRANTS FOR STATE AND LOCAL GUN PROSECU-
21 TORS.—Title III of the Violent Crime Control and Law
22 Enforcement Act of 1994 is amended by inserting after

1 subtitle Y (as added by this Act) the following new sub-
2 title:

3 **“Subtitle Z—Grants for State and**
4 **Local Gun Prosecutors**

5 **“SEC. 32601. GRANT AUTHORIZATION.**

6 “The Attorney General may make grants to State,
7 Indian tribal, or local prosecutors for the purpose of sup-
8 porting the creation or expansion of community-based jus-
9 tice programs for the prosecution of gun-related crimes.

10 **“SEC. 32602. USE OF FUNDS.**

11 “Grants made by the Attorney General under this
12 subtitle shall be used to fund programs for the hiring of
13 prosecutors and related personnel under which those pros-
14 ecutors and personnel utilize an interdisciplinary team ap-
15 proach to prevent, reduce, and respond to gun-related
16 crimes in partnership with communities.

17 **“SEC. 32603. APPLICATIONS.**

18 “(a) ELIGIBILITY.—In order to be eligible to receive
19 a grant under this subtitle for any fiscal year, a State,
20 Indian tribal, or local prosecutor, in conjunction with the
21 chief executive officer of the jurisdiction in which the pro-
22 gram will be placed, shall submit an application to the At-
23 torney General in such form and containing such informa-
24 tion as the Attorney General may reasonably require.

1 “(b) REQUIREMENTS.—Each applicant shall
2 include—

3 “(1) a request for funds for the purposes de-
4 scribed in section 32602;

5 “(2) a description of the communities to be
6 served by the grant, including the nature of the gun-
7 related crime in such communities; and

8 “(3) assurances that Federal funds received
9 under this subtitle shall be used to supplement, not
10 supplant, non-Federal funds that would otherwise be
11 available for activities funded under this section.

12 **“SEC. 32604. MATCHING REQUIREMENT.**

13 “The Federal share of a grant made under this sub-
14 title may not exceed 50 percent of the total costs of the
15 programs described in the applications submitted under
16 section 32603 for the fiscal year for which the programs
17 receive assistance under this subtitle.

18 **“SEC. 32605. AWARD OF GRANTS.**

19 “(a) IN GENERAL.—Except as provided in subsection
20 (b), the Attorney General shall consider the following facts
21 in awarding grants:

22 “(1) Demonstrated need and evidence of the
23 ability to provide the services described in the plan
24 required under section 32603.

1 “(2) The extent to which, as reflected in the
2 1998 Uniform Crime Report of the Federal Bureau
3 of Investigation, there is a high rate of firearm-re-
4 lated crime in the jurisdiction, measured either in
5 total or per capita.

6 “(3) The extent to which the jurisdiction has
7 experienced an increase in the total or per capita
8 rate of firearm-related crime as reported in the 3
9 most recent annual Uniform Crime Reports of the
10 Federal Bureau of Investigation.

11 “(4) The extent to which State and local law
12 enforcement agencies have pledged to cooperate with
13 Federal officials in responding to the illegal acquisi-
14 tion distribution, possession, and use of firearms
15 within the jurisdiction.

16 “(5) The extent to which the jurisdiction par-
17 ticipates in comprehensive firearm law enforcement
18 strategies, including programs such as the Youth
19 Crime Gun Interdiction Initiative (known as
20 ‘YCGII’), Project Achilles, Project Disarm, Project
21 Triggerlock, Project Exile, Project Surefire, and Op-
22 eration Ceasefire.

23 “(b) INDIAN TRIBES.—Not less than 5 percent of the
24 funds appropriated for grants under this subtitle in a fis-
25 cal year shall be awarded as grants to Indian tribes in

1 that fiscal year. In awarding grants to Indian tribes in
2 accordance with this subsection, the Attorney General
3 shall consider, to the extent practicable, the facts set forth
4 in subsection (a).

5 “(c) RESEARCH AND EVALUATION.—The Attorney
6 General shall use not more than 3 percent of the funds
7 available under this subtitle, and not less than 1 percent
8 of such funds, for the purposes of research and evaluation
9 of the activities carried out under this subtitle.

10 **“SEC. 32606. REPORTS.**

11 “(a) REPORT TO ATTORNEY GENERAL.—State, In-
12 dian tribal, and local prosecutors that receive funds under
13 this subtitle shall submit to the Attorney General a report
14 not later than March 1 of each year that describes
15 progress achieved in carrying out the grant program for
16 which those funds were received.

17 “(b) REPORT TO CONGRESS.—The Attorney General
18 shall submit to the Congress a report by October 1 of each
19 year in which grants are made available under this subtitle
20 which shall contain a detailed statement regarding grant
21 awards, activities of grant recipients, a compilation of sta-
22 tistical information submitted by applicants, and an eval-
23 uation of programs established under this subtitle.

1 **“SEC. 32607. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this subtitle \$150,000,000 for fiscal year 2001.

4 **“SEC. 32608. DEFINITIONS.**

5 “In this subtitle—

6 “‘Indian tribe’ means a tribe, band, pueblo, na-
7 tion, or other organized group or community of Indi-
8 ans, including an Alaska Native village (as defined
9 in or established under the Alaska Native Claims
10 Settlement Act (43 U.S.C. 1601 et seq.)), that is
11 recognized as eligible for the special programs and
12 services provided by the United States to Indians be-
13 cause of their status as Indians.

14 “‘State’ means a State, the District of Colum-
15 bia, the Commonwealth of Puerto Rico, the Com-
16 monwealth of the Northern Mariana Islands, Amer-
17 ican Samoa, Guam, and the United States Virgin Is-
18 lands.”.

19 (b) CLERICAL AMENDMENT.—The table of contents
20 in section 2 of the Violent Crime Control and Law En-
21 forcement Act of 1994 is amended by inserting after sub-
22 title Y (as added by this Act) the following new subtitle:

“Subtitle Z—Grants for State and Local Gun Prosecutors

“Sec. 32601. Grant authorization.
“Sec. 32602. Use of funds.
“Sec. 32603. Applications.
“Sec. 32604. Matching requirement.
“Sec. 32605. Award of grants.
“Sec. 32606. Reports.
“Sec. 32607. Authorization of appropriations.
“Sec. 32608. Definitions.”.

1 **SEC. 405. AUTHORIZATION OF FUNDING FOR ADDITIONAL**
2 **FEDERAL FIREARMS PROSECUTORS AND**
3 **GUN ENFORCEMENT TEAMS.**

4 (a) **ADDITIONAL FEDERAL FIREARMS PROSECU-**
5 **TORS.**—The Attorney General shall hire 114 additional
6 Federal prosecutors to prosecute violations of Federal fire-
7 arms laws.

8 (b) **GUN ENFORCEMENT TEAMS.**—

9 (1) **ESTABLISHMENT.**—The Attorney General
10 shall establish in each of the jurisdictions specified
11 in paragraph (3) a gun enforcement team that meets
12 the requirements of paragraph (2).

13 (2) **TEAM REQUIREMENTS.**—Each gun enforce-
14 ment team established under this subsection shall be
15 composed of—

16 (A) 1 coordinator, who shall be respon-
17 sible, with respect to the jurisdiction concerned,
18 for coordinating among Federal, State, and
19 local law enforcement—

20 (i) the appropriate forum for the pros-
21 ecution of crimes relating to firearms; and

22 (ii) efforts for the prevention of such
23 crimes; and

24 (B) 1 analyst, who shall be responsible,
25 with respect to the jurisdiction concerned, for
26 analyzing data relating to such crimes and rec-

1 ommending law enforcement strategies to re-
2 duce such crimes.

3 (3) COVERED JURISDICTIONS.—The jurisdic-
4 tions specified in this subsection are not more than
5 20 jurisdictions designated by the Attorney General
6 for purposes of this subsection as areas having high
7 rates of crimes relating to firearms.

8 (c) AUTHORIZATION OF APPROPRIATIONS.—In addi-
9 tion to all other amounts authorized to be appropriated
10 which may be used for such purpose, there are authorized
11 to be appropriated to carry out this section \$15,000,000
12 for fiscal year 2001.

13 **SEC. 406. YOUTH CRIME GUN INTERDICTION INITIATIVE**
14 **(YCGII).**

15 (a) IN GENERAL.—The Secretary of the Treasury
16 shall expand—

17 (1) to 50 the number of city and county law en-
18 forcement agencies that through the Youth Crime
19 Gun Interdiction Initiative (referred to in this sec-
20 tion as “YGCII”) submit identifying information re-
21 lating to all firearms recovered during law enforce-
22 ment investigations, including from individuals
23 under age 25, to the Secretary of the Treasury to
24 identify the types and origins of such firearms; and

1 (2) the resources devoted to law enforcement
2 investigations of illegal youth possessors and users
3 and of illegal firearms traffickers identified through
4 YCGII, including through the hiring of additional
5 agents, inspectors, intelligence analysts and support
6 personnel.

7 (b) SELECTION OF PARTICIPANTS.—The Secretary of
8 the Treasury, in consultation with Federal, State, and
9 local law enforcement officials, shall select cities and coun-
10 ties for participation in the program established under this
11 section.

12 (c) ESTABLISHMENT OF SYSTEM.—The Secretary of
13 the Treasury shall establish a system through which State
14 and local law enforcement agencies, through on-line com-
15 puter technology, can promptly provide firearms-related
16 information to the Secretary of the Treasury and access
17 information derived through YCGII as soon as such capa-
18 bility is available. Not later than 6 months after the date
19 of enactment of this Act, the Secretary shall submit to
20 the Chairman and Ranking Member of the Committees on
21 Appropriations of the House of Representatives and the
22 Senate, a report explaining the capacity to provide such
23 on-line access and the future technical and, if necessary,
24 legal changes required to make such capability available,
25 including cost estimates.

1 (d) REPORT.—Not later than one year after the date
2 of enactment of this section, and annually thereafter, the
3 Secretary of the Treasury shall submit to the Chairman
4 and Ranking Member of the Committees on Appropria-
5 tions of the House of Representatives and the Senate a
6 report regarding the types and sources of firearms recov-
7 ered from individuals, including those under the age of
8 25; regional, State and national firearms trafficking
9 trends; and the number of investigations and arrests re-
10 sulting from YCGII.

11 (e) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated to the Department of
13 the Treasury to carry out this section \$19,078,000 for fis-
14 cal year 2001.

15 **SEC. 407. LOCAL ANTI-GUN VIOLENCE MEDIA CAMPAIGNS.**

16 (a) GRANTS FOR LOCAL ANTI-GUN VIOLENCE MEDIA
17 CAMPAIGNS.—Title III of the Violent Crime Control and
18 Law Enforcement Act of 1994 is amended by adding after
19 subtitle Z (as added by this Act) the following new sub-
20 title:

1 **“Subtitle AA—Grants for Local**
2 **Anti-Gun Violence Media Cam-**
3 **paigns**

4 **“SEC. 32701. GRANT AUTHORIZATION.**

5 “The Attorney General may make grants to public
6 entities or private nonprofit entities for the purpose of
7 supporting the creation or expansion of local anti-gun vio-
8 lence media campaigns.

9 **“SEC. 32702. USE OF FUNDS.**

10 “Grants made by the Attorney General under this
11 subtitle shall be used to fund programs for media cam-
12 paigns on gun violence and gun safety, including cam-
13 paigns that highlight coordination among Federal, State,
14 and local law enforcement agencies, publicize penalties for
15 violations of firearms laws, and emphasize the safe storage
16 of firearms and the prevention of access to firearms by
17 children.

18 **“SEC. 32703. APPLICATIONS.**

19 “In order to be eligible to receive a grant under this
20 subtitle for any fiscal year, a public entity or private non-
21 profit entity shall submit an application to the Attorney
22 General in such form and containing such information as
23 the Attorney General may reasonably require.

1 **“SEC. 32704. MATCHING REQUIREMENT.**

2 “The Federal share of a grant made under this sub-
3 title may not exceed 50 percent of the total costs of the
4 programs described in the applications submitted under
5 section 32703 for the fiscal year for which the programs
6 receive assistance under this subtitle.

7 **“SEC. 32705. AUTHORIZATION OF APPROPRIATIONS.**

8 “There are authorized to be appropriated to carry out
9 this subtitle \$10,000,000 for fiscal year 2001.”.

10 (b) CLERICAL AMENDMENT.—The table of contents
11 in section 2 of the Violent Crime Control and Law En-
12 forcement Act of 1994 (as amended by this Act) is further
13 amended by inserting after subtitle Z the following new
14 subtitle:

“Subtitle AA—Grants for Local Anti-Gun Violence Media Campaigns

“Sec. 32701. Grant authorization.

“Sec. 32702. Use of funds.

“Sec. 32703. Applications.

“Sec. 32704. Matching requirement.

“Sec. 32705. Authorization of appropriations.”.

15 **SEC. 408. SMART GUN TECHNOLOGY.**

16 (a) IN GENERAL.—The Attorney General, acting
17 through the Director of the National Institute of Justice,
18 shall carry out a program for the research and develop-
19 ment of smart gun technology.

20 (b) DEFINITION.—For purposes of this section, the
21 term “smart gun technology” means a device, incor-
22 porated by manufacture and design into a handgun in
23 such a manner that the device cannot be readily removed

1 or deactivated, that allows the handgun to be fired only
2 by a particular individual, and may allow the handgun to
3 be personalized to an additional individual.

4 (c) AUTHORIZATION OF APPROPRIATIONS.—In addi-
5 tion to all other amounts authorized to be appropriated
6 which may be used for such purpose, there are authorized
7 to be appropriated to carry out this section \$10,000,000
8 for fiscal year 2001.

9 **Subtitle B—Ballistics Testing**

10 **SEC. 411. DEFINITION OF FORENSIC BALLISTICS.**

11 Section 921(a) of title 18, United States Code is
12 amended by adding at the end the following:

13 “(35) The term ‘forensic ballistics’ means a compara-
14 tive analysis of fired bullets and cartridge casings to iden-
15 tify the firearm from which the bullets or cartridge casings
16 were discharged through the identification of the unique
17 characteristics that each firearm imprints on bullets and
18 cartridge casings.”.

19 **SEC. 412. TEST FIRING AND AUTOMATED STORAGE OF FO-** 20 **RENSIC BALLISTICS RECORDS.**

21 (a) AMENDMENTS.—

22 (1) IN GENERAL.—Chapter 44 of title 18,
23 United States Code, is amended by adding at the
24 end the following:

1 **“§ 931. Test firing and automated storage of forensic**
2 **ballistics records**

3 “(a) PROHIBITION.—A licensed manufacturer or li-
4 censed importer shall not transfer a firearm to any person
5 before—

6 “(1) test firing the firearm;

7 “(2) preparing forensic ballistics records of the
8 fired bullet and cartridge casings from the test fire;
9 and

10 “(3) making the records available to the Sec-
11 retary for entry in a computerized database.

12 “(b) CIVIL PENALTIES.—

13 “(1) SUSPENSION OR REVOCATION OF LICENSE;
14 FINE.—

15 “(A) IN GENERAL.—With respect to each
16 violation of subsection (a) by a licensed manu-
17 facturer or licensed importer, the Secretary
18 may, after notice and opportunity for hearing,
19 suspend the license for up to 1 year or revoke
20 the license, impose on the licensee a civil fine of
21 not more than \$10,000, or both.

22 “(B) REVIEW.—An action of the Secretary
23 under this paragraph may be reviewed only as
24 provided in section 923(f).

25 “(2) ADMINISTRATIVE REMEDIES.—The sus-
26 pension or revocation of a license or the imposition

1 of a civil fine under paragraph (1) shall not preclude
2 any administrative remedy that is available to the
3 Secretary under other law.

4 “(c) FEDERAL ASSISTANCE TO MANUFACTURERS
5 AND LOCAL LAW ENFORCEMENT.—

6 “(1) IN GENERAL.—The Attorney General and
7 the Secretary shall assist firearm manufacturers and
8 importers in complying with subsection (a)
9 through—

10 “(A) the acquisition, disposition, and up-
11 grades of computerized forensic ballistics equip-
12 ment and bullet recovery equipment to be
13 placed at the sites of licensed manufacturers
14 and importers or at regional firearm centers es-
15 tablished by the Secretary;

16 “(B) the hiring or designation of personnel
17 necessary to develop and maintain a database
18 of forensic ballistics records, research, and eval-
19 uation; and

20 “(C) any other steps necessary to imple-
21 ment effective forensic ballistics testing.

22 “(2) ACCESS TO FORENSIC BALLISTICS
23 RECORDS.—The Attorney General and the Secretary
24 shall establish a system through which State and
25 local law enforcement agencies, through online com-

1 puter technology, can promptly access forensic ballis-
2 tics records stored under this section, as soon as the
3 capability to do so is available.

4 “(d) REPORT.—Not later than 1 year after the date
5 of enactment of this section and annually thereafter, the
6 Attorney General and the Secretary shall submit to the
7 Committee on the Judiciary of the Senate and the Com-
8 mittee on the Judiciary of the House of Representatives
9 a report regarding the effects of this section, including the
10 number of Federal and State criminal investigations, ar-
11 rests, indictments, and prosecutions of all cases in which
12 access to forensic ballistics records provided under this
13 section served as a valuable investigative tool.

14 “(e) INDUSTRY OUTREACH AND COOPERATION.—

15 “(1) IN GENERAL.—The Attorney General and
16 the Secretary shall work cooperatively with rep-
17 resentatives of the firearm industry (including fire-
18 arm manufacturers and importers) to—

19 “(A) provide education about the role of
20 forensic ballistics as part of a comprehensive
21 firearm crime reduction strategy; and

22 “(B) provide for coordination among Fed-
23 eral, State, and local law enforcement and regu-
24 latory agencies and the firearm industry to curb

1 firearm-related crime and illegal firearm traf-
2 ficking.

3 “(2) CONCENTRATED EFFORTS.—In imple-
4 menting paragraph (1), the Attorney General and
5 the Secretary shall concentrate on outreach with—

6 “(A) firearm manufacturers and importers
7 that have agreed to participate as a pilot site
8 for the National Integrated Ballistics Informa-
9 tion Network;

10 “(B) firearm manufacturers and importers
11 that manufacture or import more than 1,000
12 firearms per year, as reported in the Bureau of
13 Alcohol, Tobacco, and Firearms Annual Fire-
14 arms Manufacturing and Export Report or as
15 determined from information obtained in an-
16 nual regulatory inspection audits conducted by
17 the Secretary; and

18 “(C) firearm manufacturers and importers
19 that have a policy that requires the test firing
20 of all firearms prior to transfer.

21 “(3) ANNUAL REPORTS AND EVALUATION.—

22 “(A) ANNUAL REPORT.—Not later than 1
23 year after the date of enactment of this section
24 and annually thereafter, the Secretary and the
25 Attorney General shall submit to the Committee

1 on the Judiciary of the Senate and the Com-
2 mittee on the Judiciary of the House of Rep-
3 resentatives a report containing—

4 “(i) a statement of the number of
5 firearm manufacturers and importers and
6 other representatives of the firearm indus-
7 try participating in the outreach effort;

8 “(ii) the number and type of per-
9 sonnel of the Bureau of Alcohol, Tobacco
10 and Firearms and the Department of Jus-
11 tice hired or assigned to carry out this sub-
12 section;

13 “(iii) a summary of the activities es-
14 tablished by firearm manufacturers and
15 importers as a result of their participation
16 in the outreach effort;

17 “(iv) an evaluation of any changes in
18 firearm-related crime pertaining to par-
19 ticular types of firearms manufactured by
20 a firearm manufacturer or importer that is
21 an active participant in the outreach effort;

22 “(v) the volume of forensic ballistics
23 records compiled as a result of the manda-
24 tory forensic ballistics testing by partici-

1 pating firearm manufacturers and import-
2 ers;

3 “(vi) for each firearm manufacturer
4 and firearm importer, the number of times
5 a tracing request based on forensic ballis-
6 tics analysis resulted in the identification
7 of a firearm manufactured or imported by
8 the firearm manufacturer or firearm im-
9 porter; and

10 “(vii) an evaluation of the manner in
11 which the implementation of forensic bal-
12 listics testing affected the volume of pro-
13 duction or importation of firearms by par-
14 ticipating firearm manufacturers and fire-
15 arm importers.

16 “(B) AUTHORIZATION OF APPROPRIA-
17 TIONS.—There is authorized to be appropriated
18 to the Attorney General and the Secretary for
19 each of fiscal years 2000 through 2003,
20 \$38,306,000 to carry out this subsection, in-
21 cluding for—

22 “(i) installation of forensic ballistics
23 equipment and bullet recovery equipment;

24 “(ii) establishment of regional centers
25 for firearm testing;

1 “(iii) salaries and expenses of nec-
2 essary personnel; and

3 “(iv) research and evaluation.

4 “(f) MANDATORY FORENSIC BALLISTICS TESTING
5 OF FIREARMS IN FEDERAL CUSTODY.—The Secretary
6 and the Attorney General shall conduct mandatory foren-
7 sic ballistics testing of all firearms that are or have been
8 taken into the custody of, or procured or utilized by, their
9 respective agencies.”.

10 (2) CONFORMING AMENDMENT.—The table of
11 sections for chapter 44, United States Code, is
12 amended by adding at the end the following:

“931. Test firing and automated storage of forensic ballistics records.”.

13 (b) AUTHORIZATION OF APPROPRIATIONS.—For the
14 purpose of carrying out this section, there are authorized
15 to be appropriated to the Secretary of the Treasury and
16 the Attorney General \$38,000,000.

17 (c) REPORT.—Not later than 1 year after the date
18 of enactment of this Act, the Attorney General and the
19 Secretary shall submit to the Committee on Appropria-
20 tions of the Senate and the Committee on Appropriations
21 of the House of Representatives a report explaining—

22 (1) the capacity to provide the online access re-
23 quired under section 931(c)(2) of title 18, United
24 States Code, and the process by which the online ac-
25 cess will be implemented; and

1 (2) any future technical or legal changes that
2 may be required to make such a capability available,
3 including estimates of the costs of making those
4 changes.

5 (d) **EFFECTIVE DATE.**—The amendments made by
6 subsection (a) take effect on the date on which the Attor-
7 ney General and the Secretary of the Treasury certify that
8 the Department of Justice and the Department of the
9 Treasury have established a National Integrated Ballistics
10 Network.

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