

107TH CONGRESS
1ST SESSION

S. 890

To require criminal background checks on all firearms transactions occurring at events that provide a venue for the sale, offer for sale, transfer, or exchange of firearms, and to provide additional resources for gun crime enforcement.

IN THE SENATE OF THE UNITED STATES

MAY 15, 2001

Mr. MCCAIN (for himself, Mr. LIEBERMAN, Mr. SCHUMER, Mr. DEWINE, and Mr. CARPER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To require criminal background checks on all firearms transactions occurring at events that provide a venue for the sale, offer for sale, transfer, or exchange of firearms, and to provide additional resources for gun crime enforcement.

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 Show Loophole
5 Closing and Gun Law Enforcement Act of 2001”.

1 **TITLE I—GUN SHOW LOOPHOLE**
2 **CLOSING ACT OF 2001**

3 **SEC. 101. SHORT TITLE.**

4 This title may be cited as the “Gun Show Loophole
5 Closing Act of 2001”.

6 **SEC. 102. DEFINITIONS.**

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

9 “(35) SPECIAL FIREARMS EVENT.—The term
10 ‘special firearms event’—

11 “(A) means any event at which 75 or more
12 firearms are offered or exhibited for sale or ex-
13 change, if 1 or more of the firearms has been
14 shipped or transported in, or otherwise affects,
15 interstate or foreign commerce; and

16 “(B) does not include an offer or exhibit of
17 firearms for sale or exchange by an individual
18 from the personal collection of that individual,
19 at the private residence of that individual, if the
20 individual is not required to be licensed under
21 sections 923 and 931.

22 “(36) SPECIAL FIREARMS EVENT FREQUENT
23 OPERATOR.—The term ‘special firearms event fre-
24 quent operator’ means any person who operates 2 or
25 more special firearms events in a 6 month period.

1 “(37) SPECIAL FIREARMS EVENT INFREQUENT
2 OPERATOR.—The term ‘special firearms event infre-
3 quent operator’ means any person who operates not
4 more than 1 special firearms event in a 6 month pe-
5 riod.

6 “(38) SPECIAL FIREARMS EVENT LICENSEE.—
7 The term ‘special firearms event licensee’ means any
8 person who has obtained and holds a valid license in
9 compliance with section 931(d) and who is author-
10 ized to contact the national instant criminal back-
11 ground check system on behalf of another individual
12 who is not licensed under this chapter for the pur-
13 pose of conducting a background check for a poten-
14 tial firearms transfer at a special firearms event in
15 accordance with section 931(c).

16 “(39) SPECIAL FIREARMS EVENT VENDOR.—
17 The term ‘special firearms event vendor’ means any
18 person who is not required to be licensed under sec-
19 tion 923, who exhibits, sells, offers for sale, trans-
20 fers, or exchanges 1 or more firearms at a special
21 firearms event, regardless of whether or not the per-
22 son arranges with the special firearms event pro-
23 moter for a fixed location from which to exhibit, sell,
24 offer for sale, transfer, or exchange 1 or more fire-
25 arms.”.

1 **SEC. 103. REGULATION OF FIREARMS TRANSFERS AT SPE-**
 2 **CIAL FIREARMS EVENTS.**

3 (a) IN GENERAL.—Chapter 44 of title 18, United
 4 States Code, is amended by adding at the end the fol-
 5 lowing:

6 **“§ 931. Regulation of firearms transfers at special**
 7 **firearms events**

8 “(a) SPECIAL FIREARMS EVENT OPERATORS.—

9 “(1) REGISTRATION OF SPECIAL FIREARMS
 10 EVENT OPERATORS.—

11 “(A) IN GENERAL.—It shall be unlawful
 12 for any person to operate a special firearms
 13 event unless that person registers with the Sec-
 14 retary in accordance with regulations promul-
 15 gated by the Secretary.

16 “(B) FEES.—The Secretary shall be pro-
 17 hibited from imposing or collecting any fee from
 18 special firearms event operators in connection
 19 with the registration requirement in subpara-
 20 graph (A).

21 “(2) RESPONSIBILITIES OF SPECIAL FIREARMS
 22 EVENTS FREQUENT OPERATORS.—It shall be unlaw-
 23 ful for a special firearms events frequent operator to
 24 organize, plan, promote, or operate a special fire-
 25 arms event unless that operator—

1 “(A) has an annual operating license for
2 special firearms events frequent operators
3 issued by the Secretary pursuant to regulations
4 promulgated by the Secretary;

5 “(B) not later than 30 days before com-
6 mencement of the special firearms event, noti-
7 fies the Secretary of the date, time, duration,
8 and location of the special firearms event, the
9 vendors planning to participate, and any other
10 information concerning the special firearms
11 event as the Secretary may require by regula-
12 tion;

13 “(C) not later than 72 hours before com-
14 mencement of the special firearms event, sub-
15 mits to the Secretary an updated list of all spe-
16 cial firearms event vendors planning to partici-
17 pate, and any other information concerning
18 such vendors as the Secretary may require by
19 regulation;

20 “(D) before commencement of the special
21 firearms event, or in the case of a vendor who
22 arrives after the commencement of the event,
23 upon the arrival of the vendor, verifies the iden-
24 tity of each special firearms event vendor par-
25 ticipating in the special firearms event by exam-

1 ining a valid identification document (as defined
2 in section 1028(d)(2)) of the vendor containing
3 a photograph of the vendor;

4 “(E) before commencement of the special
5 firearms event, or in the case of a vendor who
6 arrives after the commencement of the event,
7 upon the arrival of the vendor, requires each
8 special firearms event vendor to sign—

9 “(i) a ledger with identifying informa-
10 tion concerning the vendor; and

11 “(ii) a notice advising the vendor of
12 the obligations of the vendor under this
13 chapter;

14 “(F) notifies each person who attends the
15 special firearms event of the requirements of
16 this chapter, in accordance with such regula-
17 tions as the Secretary shall prescribe;

18 “(G) not later than 5 days after the last
19 day of the special firearms event, submits to the
20 Secretary a copy of the ledger and notice de-
21 scribed in subparagraph (E); and

22 “(H) maintains a copy of the records de-
23 scribed in subparagraphs (C) through (E) at
24 the permanent place of business of the operator

1 for such period of time and in such form as the
2 Secretary shall require by regulation.

3 “(3) RESPONSIBILITIES OF SPECIAL FIREARMS
4 EVENTS INFREQUENT OPERATORS.—It shall be un-
5 lawful for a special firearms event infrequent oper-
6 ator to organize, plan, promote, or operate a special
7 firearms event unless that person—

8 “(A) not later than 30 days before com-
9 mencement of the special firearms event, noti-
10 fies the Secretary of the date, time, duration,
11 and location of the special firearms event;

12 “(B) not later than 72 hours before com-
13 mencement of the special firearms event, sub-
14 mits to the Secretary a list of all special fire-
15 arms event vendors planning to participate in
16 the special firearms event and any other infor-
17 mation concerning such vendors as the Sec-
18 retary may require by regulation;

19 “(C) before commencement of the special
20 firearms event, or in the case of a vendor who
21 arrives after the commencement of the event,
22 upon the arrival of the vendor, verifies the iden-
23 tity of each special firearms event vendor par-
24 ticipating in the special firearms event by exam-
25 ining a valid identification document (as defined

1 in section 1028(d)(2)) of the vendor containing
 2 a photograph of the vendor;

3 “(D) before commencement of the special
 4 firearms event, or in the case of a vendor who
 5 arrives after the commencement of the event,
 6 upon the arrival of the vendor, requires each
 7 special firearms event vendor to sign—

8 “(i) a ledger with identifying informa-
 9 tion concerning the vendor; and

10 “(ii) a notice advising the vendor of
 11 the obligations of the vendor under this
 12 chapter;

13 “(E) notifies each person who attends the
 14 special firearms event of the requirements of
 15 this chapter, in accordance with such regula-
 16 tions as the Secretary shall prescribe;

17 “(F) not later than 5 days after the last
 18 day of the special firearms event, submits to the
 19 Secretary a copy of the ledger and notice de-
 20 scribed in subparagraph (D); and

21 “(G) maintains a copy of the records de-
 22 scribed in subparagraphs (B) through (D) at
 23 the permanent place of business of the special
 24 firearms event promoter for such period of time

1 and in such form as the Secretary shall require
2 by regulation.

3 “(b) RESPONSIBILITIES OF TRANSFERORS OTHER
4 THAN LICENSEES.—

5 “(1) IN GENERAL.—If any part of a firearm
6 transaction takes place at a special firearms event,
7 or on the curtilage of the event, it shall be unlawful
8 for any person who is not licensed under this chap-
9 ter to transfer a firearm to another person who is
10 not licensed under this chapter, unless the firearm
11 is transferred through a licensed importer, licensed
12 manufacturer, licensed dealer, or a special firearms
13 event licensee in accordance with subsection (c).

14 “(2) CRIMINAL BACKGROUND CHECKS.—A per-
15 son who is subject to the requirement of paragraph
16 (1) shall not—

17 “(A) transfer the firearm to the transferee
18 until the licensed importer, licensed manufac-
19 turer, licensed dealer, or a special firearms
20 event licensee through which the transfer is
21 made makes the notification described in sub-
22 section (c)(2)(A); or

23 “(B) transfer the firearm to the transferee
24 if the person has been notified under subsection

1 (c)(2)(B) that the transfer would violate section
2 922 or would violate State law.

3 “(3) ABSENCE OF RECORDKEEPING REQUIRE-
4 MENTS.—Nothing in this section shall permit or au-
5 thorize the Secretary to impose recordkeeping re-
6 quirements on any nonlicensed special firearms event
7 vendor.

8 “(c) RESPONSIBILITIES OF LICENSEES.—A licensed
9 importer, licensed manufacturer, licensed dealer, or special
10 firearms event licensee who agrees to assist a person who
11 is not licensed under this chapter in carrying out the re-
12 sponsibilities of that person under subsection (b) with re-
13 spect to the transfer of a firearm shall—

14 “(1) except as provided in paragraph (2), com-
15 ply with section 922(t) as if transferring the firearm
16 from the inventory of the licensed importer, licensed
17 manufacturer, or licensed dealer to the designated
18 transferee (although a licensed importer, licensed
19 manufacturer, or licensed dealer complying with this
20 subsection shall not be required to comply again
21 with the requirements of section 922(t) in delivering
22 the firearm to the nonlicensed transferor);

23 “(2) not later than 3 business days (meaning a
24 day on which State offices are open), or if the event
25 is held in a State that has been certified by the At-

1 torney General under section 104 of the Gun Show
2 Loophole Closing Act of 2001, not later than 24
3 hours (or 3 business days if additional information
4 is required in order to verify disqualifying informa-
5 tion from a State that has not been certified by the
6 Attorney General) notify the nonlicensed transferor
7 and the nonlicensed transferee—

8 “(A) of any response from the national
9 criminal background check system, or if the li-
10 censee has had no response from the national
11 criminal background check system within the
12 time period set forth in paragraph (2), notify
13 the nonlicensed transferor that no response has
14 been received and that the transfer may pro-
15 ceed; and

16 “(B) of any receipt by the licensed im-
17 porter, licensed manufacturer, or licensed dealer
18 of a notification from the national instant
19 criminal background check system that the
20 transfer would violate section 922 or would vio-
21 late State law;

22 “(3) in the case of a transfer of 2 or more fire-
23 arms on a single day to a person other than a li-
24 censee, prepare a report of the multiple transfers,
25 which report shall be—

1 “(A) on a form specified by the Secretary;
2 and

3 “(B) not later than the close of business
4 on the date on which the multiple transfer oc-
5 curs, forwarded to—

6 “(i) the office specified on the form
7 described in subparagraph (A); and

8 “(ii) the appropriate State law en-
9 forcement agency of the jurisdiction in
10 which the transfer occurs; and

11 “(4) comply with all record keeping require-
12 ments under this chapter.

13 “(d) SPECIAL FIREARMS EVENT LICENSE.—

14 “(1) IN GENERAL.—The Secretary shall issue a
15 special firearms event license to a person who sub-
16 mits an application for a special firearms event li-
17 cense in accordance with this subsection.

18 “(2) APPLICATION.—The application required
19 by paragraph (1) shall be approved if—

20 “(A) the applicant is 21 years of age or
21 over;

22 “(B) the application includes a photograph
23 and the fingerprints of the applicant;

24 “(C) the applicant (including, in the case
25 of a corporation, partnership, or association,

1 any individual possessing, directly or indirectly,
2 the power to direct or cause the direction of the
3 management and policies of the corporation,
4 partnership, or association) is not prohibited
5 from transporting, shipping, or receiving fire-
6 arms or ammunition in interstate or foreign
7 commerce under subsection (g) or (n) of section
8 922;

9 “(D) the applicant has not willfully vio-
10 lated any of the provisions of this chapter or
11 regulations issued thereunder;

12 “(E) the applicant has not willfully failed
13 to disclose any material information required,
14 or has not made any false statement as to any
15 material fact, in connection with his application;
16 and

17 “(F) the applicant certifies that—

18 “(i) the applicant meets the require-
19 ments of subparagraphs (A) through (D)
20 of section 923(d)(1);

21 “(ii) the business to be conducted
22 under the license is not prohibited by State
23 or local law in the place where the licensed
24 premises is located; and

1 “(iii) the business will not be con-
2 ducted under the license until the require-
3 ments of State and local law applicable to
4 the business have been met.

5 “(3) APPLICATION AND APPROVAL.—

6 “(A) IN GENERAL.—On approval of an ap-
7 plication as provided in this subsection and pay-
8 ment by the applicant of a fee of \$200 for 3
9 years, and upon renewal of valid registration a
10 fee of \$90 for 3 years, the Secretary shall issue
11 to the applicant an instant check registration,
12 and advise the Attorney General of that reg-
13 istration.

14 “(B) NICS.—A special firearms licensee
15 may contact the national instant criminal back-
16 ground check system established under section
17 103 of the Brady Handgun Violence Prevention
18 Act (18 U.S.C. 922 note) for information about
19 any individual desiring to obtain a firearm at a
20 gun show from any special firearms event ven-
21 dor who has requested the assistance of the reg-
22 istrant in complying with subsection (c) with re-
23 spect to the transfer of the firearm, during the
24 3-year period that begins with the date the reg-
25 istration is issued.

1 “(4) REQUIREMENTS.—The requirements for a
2 special firearms event licensee shall not exceed the
3 requirements for a licensed dealer and the record
4 keeping requirements shall be the same.

5 “(5) RESTRICTIONS.—

6 “(A) BACKGROUND CHECKS.—A special
7 firearms event licensee may have access to the
8 national instant criminal background check sys-
9 tem to conduct a background check only at a
10 special firearms event and only on behalf of an-
11 other person.

12 “(B) TRANSFER OF FIREARMS.—A special
13 firearms event licensee shall not transfer a fire-
14 arm at a special firearms event.

15 “(e) FIREARM TRANSACTION DEFINED.—In this sec-
16 tion, the term ‘firearm transaction’—

17 “(1) includes the sale, offer for sale, transfer,
18 or exchange of a firearm; and

19 “(2) does not include—

20 “(A) the mere exhibition of a firearm; or

21 “(B) the sale, transfer, or exchange of fire-
22 arms between immediate family, including par-
23 ents, children, siblings, grandparents, and
24 grandchildren.”.

1 (b) PENALTIES.—Section 924(a) of title 18, United
2 States Code, is amended by adding at the end the fol-
3 lowing:

4 “(7)(A)(i) Whoever knowingly violates section
5 931(a)(1) shall be—

6 “(I) fined under this title, imprisoned not more
7 than 2 years, or both; and

8 “(II) in the case of a second or subsequent con-
9 viction, such person shall be fined under this title,
10 imprisoned not more than 5 years, or both.

11 “(ii) Whoever knowingly violates section 931(a)(2)
12 shall be fined under this title, imprisoned not more than
13 5 years, or both.

14 “(iii) Whoever knowingly violates section 931(a)(3)
15 shall be fined under this title, imprisoned not more than
16 2 years, or both.

17 “(B) Whoever knowingly violates section 931(b) shall
18 be—

19 “(i) fined under this title, imprisoned not more
20 than 2 years, or both; and

21 “(ii) in the case of a second or subsequent con-
22 viction, such person shall be fined under this title,
23 imprisoned not more than 5 years, or both.

1 “(C) Whoever knowingly violates section 931(c) shall
 2 be fined under this title, imprisoned not more than 5
 3 years, or both.

4 “(D) In addition to any other penalties imposed
 5 under this paragraph, the Secretary may, with respect to
 6 any person who violates any provision of section 931—

7 “(i) if the person is registered pursuant to sec-
 8 tion 931(a), after notice and opportunity for a hear-
 9 ing, suspend for not more than 6 months or revoke
 10 the registration of that person under section 931(a);
 11 and

12 “(ii) impose a civil fine in an amount equal to
 13 not more than \$10,000.”.

14 (c) TECHNICAL AND CONFORMING AMENDMENTS.—
 15 Chapter 44 of title 18, United States Code, is amended
 16 in the chapter analysis, by adding at the end the following:

“931. Regulation of firearms transfers at special firearms events.”.

17 **SEC. 104. OPTION FOR 24-HOUR BACKGROUND CHECKS AT**
 18 **SPECIAL FIREARMS EVENTS FOR STATES**
 19 **WITH COMPUTERIZED DISQUALIFYING**
 20 **RECORDS AND PROGRAMS TO IMPROVE**
 21 **STATE DATABASES.**

22 (a) OPTION FOR 24-HOUR REQUIREMENT.—

23 (1) IN GENERAL.—Effective 3 years after the
 24 date of enactment of this Act, a State may apply to

1 the Attorney General for certification of the 24-hour
2 verification authority of that State.

3 (2) CERTIFICATION.—The Attorney General
4 shall certify a State for 24-hour verification author-
5 ity only upon a clear showing by the State that not
6 less than 95 percent of all records containing infor-
7 mation that would disqualify an individual under
8 subsections (g) and (n) of section 922 of title 18,
9 United States Code, or under State law, is available
10 on computer records in the State, and is searchable
11 under the national instant criminal background
12 check system established under section 103 of the
13 Brady Handgun Violence Prevention Act (18 U.S.C.
14 922 note).

15 (3) DISQUALIFYING INFORMATION.—Such dis-
16 qualifying information shall include, at a minimum,
17 the disqualifying records for that State going back
18 30 years from the date of application to the Attor-
19 ney General for certification.

20 (4) 24-HOUR PROVISION.—Upon certification by
21 the Attorney General, the 24-hour provision in sec-
22 tion 931(c)(2) of title 18, United States Code, shall
23 apply to the verification process (for transfers be-
24 tween unlicensed persons) in that State unless addi-
25 tional information is required in order to verify dis-

1 qualifying information from a State that has not
2 been certified by the Attorney General, in which case
3 the 3 business day limit shall apply.

4 (5) ANNUAL REVIEW.—The Attorney General
5 shall annually review and revoke for any State not
6 in compliance the certification required in the
7 amendment made by paragraph (1).

8 (b) PRIORITY.—The Attorney General shall give pri-
9 ority to background check requests at special firearms
10 events made pursuant to section 931 of title 18, United
11 States Code, as added by this Act.

12 (c) STUDY.—Not later than 180 days after the date
13 of enactment of this Act, the Attorney General shall iden-
14 tify and report to Congress the reasons for delays in back-
15 ground checks at the Federal and State levels and include
16 recommendations for eliminating those delays.

17 (d) GRANT PROGRAM.—

18 (1) IN GENERAL.—The Attorney General is au-
19 thorized to make grants to States to assist in the
20 computerization of the criminal conviction records
21 and other disqualifying records of that State and
22 with other issues facing States that want to apply
23 for certification under section 104(a) of this title.

24 (2) AUTHORIZATION.—There are authorized to
25 be appropriated such sums as are necessary for fis-

1 cal years 2002 through 2004 to carry out this sub-
 2 section.

3 **SEC. 105. INSPECTION AUTHORITY.**

4 Section 923(g)(1)(B), of title 18, United States Code,
 5 is amended by striking “or licensed dealer” and inserting
 6 “licensed dealer, or special firearms event operator”.

7 **SEC. 106. INCREASED PENALTIES FOR SERIOUS RECORD-**
 8 **KEEPING VIOLATIONS BY LICENSEES.**

9 Section 924(a)(3) of title 18, United States Code, is
 10 amended to read as follows:

11 “(3)(A) Except as provided in subparagraph
 12 (B), any licensed dealer, licensed importer, licensed
 13 manufacturer, licensed collector, or special firearms
 14 event licensee who knowingly makes any false state-
 15 ment or representation with respect to the informa-
 16 tion required by this chapter to be kept in the
 17 records of a person licensed under this chapter, or
 18 violates section 922(m) shall be fined under this
 19 title, imprisoned not more than 1 year, or both.

20 “(B) If the violation described in subparagraph
 21 (A) is in relation to an offense—

22 “(i) under paragraph (1) or (3) of section
 23 922(b), such person shall be fined under this
 24 title, imprisoned not more than 5 years, or
 25 both; or

1 “(ii) under subsection (a)(6) or (d) of sec-
2 tion 922, such person shall be fined under this
3 title, imprisoned not more than 10 years, or
4 both.”.

5 **SEC. 107. INCREASED PENALTIES FOR VIOLATIONS OF**
6 **CRIMINAL BACKGROUND CHECK REQUIRE-**
7 **MENTS.**

8 Section 924(a) of title 18, United States Code, is
9 amended—

10 (1) in paragraph (5), by striking “subsection
11 (s) or (t) of section 922” and inserting “section
12 922(s)”; and

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

14 “(8) Whoever knowingly violates section 922(t)
15 shall be fined under this title, imprisoned not more
16 than 5 years, or both.”.

17 **SEC. 108. RULE OF INTERPRETATION.**

18 A provision of State law is not inconsistent with this
19 title or an amendment made by this title if the provision
20 imposes a regulation or prohibition of greater scope or a
21 penalty of greater severity than any prohibition or penalty
22 imposed by this title or an amendment made by this title.

1 **SEC. 109. EFFECTIVE DATE.**

2 This title and the amendments made by this title
3 shall take effect 180 days after the date of enactment of
4 this Act.

5 **TITLE II—GUN LAW**
6 **ENFORCEMENT ACT OF 2001**

7 **SEC. 201. SHORT TITLE.**

8 This title may be cited as the “Gun Law Enforcement
9 Act of 2001”.

10 **SEC. 202. STATE AND LOCAL GUN CRIME PROSECUTORS.**

11 (a) PURPOSE.—The purpose of this section is to—

12 (1) provide funding for State and local prosecu-
13 tors to focus on gun prosecutions in high gun crime
14 areas; and

15 (2) double funding for such programs from fis-
16 cal year 2001 to 2002.

17 (b) AUTHORIZATION.—There are authorized to be ap-
18 propriated \$150,000,000 for fiscal year 2002 to the Attor-
19 ney General to provide grants to States and units of local
20 government to support prosecutions in high gun crime
21 areas by State and local prosecutors.

22 **SEC. 203. NATIONAL PROJECT EXILE.**

23 (a) PURPOSE.—The purpose of this section is to pro-
24 vide funding to replicate the success of the Project EXILE
25 program.

1 (b) AUTHORIZATION.—There are authorized to be ap-
 2 propriated \$20,000,000 for fiscal year 2002 to the Attor-
 3 ney General to provide for additional Assistant United
 4 States Attorneys to establish not to exceed 100 Project
 5 EXILE programs with local United States Attorneys and
 6 local jurisdictions.

7 (c) MEDIA AWARENESS.—From amounts authorized
 8 by subsection (b), the Attorney General may provide funds
 9 to participating local jurisdictions.

10 **SEC. 204. FUNDING FOR ADDITIONAL ATF AGENTS.**

11 There are authorized to be appropriated \$18,000,000
 12 for fiscal year 2002 to the Secretary of the Treasury for
 13 the purpose of funding the hiring of an additional 200
 14 agents for the Bureau of Alcohol, Tobacco, and Firearms.

15 **SEC. 205. GUN TRACING AND YOUTH CRIME GUN INTERDIC-**
 16 **TION.**

17 There are authorized to be appropriated \$20,000,000
 18 for fiscal years 2002 through 2005 to the Secretary of
 19 the Treasury for the purpose of—

20 (1) funding additional resources for the Bureau
 21 of Alcohol, Tobacco, and Firearms to trace guns in-
 22 volved in gun crimes; and

23 (2) expanding the Youth Crime Gun Interdic-
 24 tion Initiative to 250 cities over the 4 years funding
 25 is authorized.

1 **SEC. 206. SMART GUN TECHNOLOGY.**

2 There are authorized to be appropriated \$10,000,000
3 for fiscal year 2002 to the National Institute for Justice
4 for the purpose of making grants to research entities de-
5 veloping technologies that limit the use of a gun to the
6 owner.

7 **SEC. 207. REPORT ON BRADY ENFORCEMENT.**

8 Not later than February 1 of each year—

9 (1) the Attorney General shall report to
10 Congress—

11 (A) the number of prosecutions resulting
12 from background checks conducted pursuant to
13 the Brady Handgun Violence Prevention Act;

14 (B) what barriers exist to prosecutions
15 under that Act; and

16 (C) what steps could be taken to maximize
17 prosecutions; and

18 (2) the Secretary of Treasury shall report to
19 Congress—

20 (A) the number of investigations conducted
21 pursuant to the Brady Handgun Violence Pre-
22 vention Act;

23 (B) the number of investigations initiated
24 but not pursued under that Act;

25 (C) the number of firearms retrieved as
26 transferred in contravention of that Act; and

- 1 (D) what barriers exist to investigations
- 2 under that Act.

○