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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Gun Violence Prevention Act of 1994”.

SEC. 2. FINDINGS AND DECLARATIONS.

The Congress finds and declares that—
(1) crime, particularly crime involving guns, is a pervasive, nationwide problem;

(2) crimes committed with guns threaten the peace and domestic tranquility of the citizens of the United States and threaten the security and general welfare of the Nation and its people;

(3) crimes committed with guns, and especially handguns, have created a substantial burden on interstate commerce;

(4) crime at the local level is exacerbated by the interstate movement of guns;

(5) guns and ammunition are easily concealed and transported across State lines in interstate commerce, and as a result, individual State action to regulate them is made less than effective by lax regulation in other States;

(6) in fact, even before the sale of a firearm, the gun, its component parts, ammunition, and the raw materials from which they are made have moved considerably in interstate commerce;

(7) while criminals move freely from State to State, ordinary citizens and foreign visitors may fear to travel to or through certain parts of the country due to concern about violent crime and gun violence,
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 im-
pact on interstate commerce and the foreign com-
merce of the United States;

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

(10) accordingly, it is necessary to establish na-
tional standards to promote the safe use of firearms
and to reduce gun violence, including handgun li-
censing and registration, expanded prohibitions
against firearm transfers to, or possession by, chil-
dren and persons likely to misuse or commit crimes
with firearms, requirements for gun safety and safe
storage, strengthened regulation of licensed manu-
facturers, importers, and dealers, and prohibitions
on the sale of semiautomatic assault weapons and
other dangerous weapons.
TITLE I—HANDGUN LICENSING AND REGISTRATION

SEC. 101. STATE LICENSE REQUIRED TO RECEIVE TRANSFER OF A HANDGUN.

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

"(u)(1) It shall be unlawful for any person to sell, deliver, or otherwise transfer a handgun to an individual (including an individual taking possession of a handgun as employee or agent of another person) who is not licensed 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—

"(i) examining the State handgun license;

"(ii) examining, in addition to the State handgun license, a valid identification document (as defined in section 1028) containing a photograph of the transferee; and

"(iii) contacting the chief law enforcement officer of the State that issued the State handgun license to confirm that the State handgun 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

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

“(ii) the transferee has presented to the transferor (or licensed dealer) a written statement, issued by the chief law enforcement officer of the State in which the transferee resides within the previous 10 days, stating that the transferee requires access to a handgun because of a threat to the life of the transferee or any member of the household of the transferee.

“(2) It shall be unlawful for any person to sell, deliver, or otherwise transfer handgun ammunition to an individual (including an individual taking possession of handgun ammunition as employee or agent of another person) who is not licensed under section 923 unless the transferor (or licensed dealer) has verified that the transferee possesses a valid State handgun license by—

“(A) examining the State handgun license; and
“(B) examining, in addition to the State handgun license, a valid identification document (as defined in section 1028) containing a photograph of the transferee.

“(3) It shall be unlawful for any individual (including an individual acting as employee or agent of another person) who is not licensed under section 923 to receive transfer of a handgun or handgun ammunition unless the individual possesses a valid State handgun license.

“(4)(A) As used in this subsection, the term ‘State handgun license’ means a license issued under a State law that provides for the issuance and revocation of licenses and the reporting of losses and thefts of handguns and handgun ammunition consistent with this paragraph.

“(B) A State handgun license shall—

“(i) be issued by the chief law enforcement officer of the State in which the licensee resides;

“(ii) contain, at a minimum, the licensee’s name, address, date of birth, physical description, a unique license number and a photograph of the licensee; and

“(iii) remain valid for a period of not more than 2 years, unless revoked.
“(C) A State handgun license shall not be issued unless the chief law enforcement officer of the State determines that the applicant—

“(i) is at least 21 years of age;

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

“(iii) is not prohibited from possessing or receiving a handgun under Federal, State, or local law, based upon name- and fingerprint-based search in all available Federal, State, and local recordkeeping systems, including the national system designated by the Attorney General pursuant to the Brady Handgun Violence Prevention Act; and

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

“(D) The chief law enforcement officer of the State may be authorized to charge a fee for issuance of a State handgun license.

“(E) If a chief law enforcement officer of the State determines that an individual is ineligible to receive a State handgun license and the individual in writing requests the officer to provide the reasons for that determination, the officer shall provide the reasons to the indi-
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).

“(ii) A person possessing a State handgun license that is revoked shall return the license to the chief law enforcement officer of the State in which the licensee resides within 10 days after receipt of notice of the revocation.

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

“(i) the Secretary;

“(ii) the chief law enforcement officer of the State; and

“(iii) appropriate local authorities, failure to report to be punishable by a civil penalty of $1,000 or such greater amount as State law may provide.

“(5)(A) As used in this subsection, the term ‘State handgun registration form’ means a form prescribed under State law consistent with this paragraph.

“(B) A State handgun registration form shall contain, at a minimum—
“(i) information identifying the transferee, including name, address, date of birth, and State handgun license number; and

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

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

“(D) The chief law enforcement officer of the State may be authorized to charge a fee for registering a handgun.

“(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.

“(B) A State handgun safety certificate shall be issued by the chief law enforcement officer of the State in which the applicant resides.

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

“(i) has completed a course, taught by law enforcement officers and designed by the chief law en-
enforcement officer of the State, of not less than 2 hours of instruction in handgun safety; and “(ii) has passed an examination, designed by the chief law enforcement officer of the State, testing the applicant’s knowledge of handgun safety. “(D) The chief law enforcement officer of the State may be authorized to charge a fee for the handgun safety course and examination described in subparagraph (C). “(7) As used in this subsection, the term ‘chief law enforcement officer of the State’ means the chief, or equivalent officer, of the State police force, or the designee of that officer.”.

(b) Definition of Handgun Ammunition.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following new paragraph:

“(30) The term ‘handgun ammunition’ means—

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

“(B) a primer, bullet, or propellant powder designed specifically for use in a handgun.”.

(c) Penalty.—Section 924(a)(1)(B) of title 18, United States Code, is amended by striking “or (q)” and inserting “(q), or (u)”.
(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.

(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,”.

(2) **Permanent Provision.**—Section 922(t) of title 18, United States Code, is amended by striking “firearm” each place it appears and inserting “firearm other than a handgun or ammunition other than handgun ammunition”.

(3) **Technical Correction.**—Section 922(t)(1)(B)(ii) of title 18, United States Code, is amended by inserting “or State law” after “section”.

(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-
sistent with the requirements of section 922(u) of title 18, United States Code.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for grants under paragraph (1) a total of $200,000,000 for fiscal year 1995 and all fiscal years thereafter.

TITLE II—RESTRICTIONS ON FIREARM POSSESSION

SEC. 201. PROHIBITION OF TRANSFER OF A FIREARM TO, OR POSSESSION OF A FIREARM BY, A PERSON CONVICTED OF A VIOLENT CRIME OR SUBJECT TO A PROTECTION ORDER.

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

(1) by striking “or” at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and by inserting “; or”; and

(3) by inserting after paragraph (7) the following new paragraph:

“(8)(A) is under indictment for, or has been convicted in any court of, an offense that—

“(i) involves the use, attempted use, or threatened use of physical force against another person; or
“(ii) by its nature involves a substantial risk that physical force against another person may be used in the course of committing the offense; or

“(B) is required, pursuant to an order issued by a court in a case involving the use, attempted use, or threatened use of physical force against another person, to refrain from contact with or maintain a minimum distance from that person.”.

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

(1) by striking “or” at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and by inserting “; or”; and

(3) by inserting after paragraph (7) the following new paragraph:

“(8)(A) has been convicted in any court of an offense that—

“(i) involves the use, attempted use, or threatened use of physical force against another person; or

“(ii) by its nature involves a substantial risk that physical force against another person
may be used in the course of committing the offense; or

“(B) is required, pursuant to an order issued by a court in a case involving the use, attempted use, or threatened use of physical force against another person, to refrain from contact with or maintain a minimum distance from that person.”.

SEC. 202. PROHIBITION OF TRANSFER OF A FIREARM OR AMMUNITION TO, OR POSSESSION OF A FIREARM OR AMMUNITION BY, A JUVENILE.

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

“(v)(1) It shall be unlawful for a person to sell, deliver, or otherwise transfer—

“(A) a handgun or handgun ammunition to any individual who the person knows or reasonably should know is less than 21 years of age; or

“(B) a firearm other than a handgun, or ammunition other than handgun ammunition, to any individual who the person knows or reasonably should know is less than 16 years of age.

“(2) It shall be unlawful for any person to knowingly possess and intentionally control—
“(A) a handgun or handgun ammunition if the person is less than 21 years of age; or

“(B) a firearm other than a handgun, or ammunition other than handgun ammunition, if the person is less than 16 years of age.

“(3) This subsection does not apply to—

“(A) a temporary transfer or temporary possession of a firearm or ammunition if the firearm or ammunition is possessed and used by the person who is underage—

“(i) with the personal supervision and consent of a person who is at least 21 years of age who is not prohibited by Federal, State, or local law from possessing a firearm;

“(ii) with the consent of the underage person’s parent or legal guardian; and

“(iii) in accordance with State and local law;

“(B) an underage person who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a firearm or ammunition in the line of duty;

“(C) a transfer by inheritance of title of a firearm or ammunition to an underage person, except that subsection (v)(2) shall apply to the possession
by an underage person as a result of such a transfer; 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.”.

(b) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following new paragraph:

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

SEC. 203. STORAGE OF FIREARMS AWAY FROM JUVENILES.

(a) OFFENSE.—Section 922 of title 18, United States Code, as amended by section 202(a), is amended by adding 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.

``(2) As used in this subsection—
(A) the term ‘juvenile’ means a person who
has not attained 16 years of age; and
(B) the term ‘adult’ means a person who has
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:
``(l) Each licensed dealer shall post conspicuously at
each of the dealer’s places of business the following warn-
ing in block letters that are not less than 1 inch in height:
``IT IS A FEDERAL CRIME TO STORE OR LEAVE
A LOADED FIREARM, OR AN UNLOADED
FIREARM AND ITS AMMUNITION, WHERE
AN UNSUPERVISED JUVENILE
CAN GAIN ACCESS.’’.

(c) PENALTY.—Section 924(a)(5) of title 18, United
States Code, is amended by striking ‘‘or (t)’’ and inserting
‘‘(t), or (w)’’.
SEC. 204. FEDERAL ARSENAL LICENSE.

(a) Offense.—Section 922 of title 18, United States Code, as amended by section 203(a), is amended by adding at the end the following new subsection:

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(x) It shall be unlawful for a person to possess more than 20 firearms or more than 1,000 rounds of ammunition unless the person—
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(1) is a licensed importer, licensed manufacturer, or licensed dealer; or
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(2) has been issued an arsenal license pursuant to section 923(m).
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(b) Arsenal License.—Section 923 of title 18, United States Code, as amended by section 203(b), is amended by adding at the end the following new subsection:

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(m)(1) The Secretary shall issue an arsenal license if—
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(A) the applicant has—
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(i) filed a sworn application with the Secretary, stating—
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(I) the applicant’s name, address, and date of birth;
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(II) that the applicant is at least 21 years of age; and
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“(III) that the applicant is not prohibited from possessing or receiving a fire-
arm under Federal, State, or local law;
“(ii) filed with the Secretary a certificate, dated within the previous 60 days, from the chief law enforcement officer of the applicant’s State of residence, stating that the applicant has not exhibited such a propensity for violence, instability, or disregard of the law as may render the applicant’s possession of an arsenal a danger to the community; and
“(iii) paid an arsenal license fee of $300 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)’’.
(d) **Effective Date.**—The amendments made by this section shall become effective on the date that is 180 days after the date of enactment of this Act.

**SEC. 205. RESTORATION OF FIREARM PRIVILEGES.**

(a) **Restoration by Secretary.**—

(1) **Repeal of authority.**—Section 925 of title 18, United States Code, is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(2) **Technical Amendments.**—(A) Section 922(d) of title 18, United States Code, is amended in the matter following paragraph (7) by striking “, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter”.

(B) Section 38(b)(1)(B)(i) of the Arms Export Control Act (22 U.S.C. 2778(b)(1)(B)(i)) is amended by striking “925(e)” and inserting “925(d)”.

(b) **Restoration by a State or the President.**—Section 921(a)(20) of title 18, United States Code, is amended—

(1) in the first sentence—

(A) by inserting “(A)” after “(20)”;}
(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) in the second sentence by striking "What" and inserting the following:

"(B) What"; and

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

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

"(I) the expungement, setting aside, pardon, or restoration of civil rights applies to a named person; and

"(II) the authority that grants the expungement, setting aside, pardon, or restoration of civil rights expressly authorizes the person to ship, transport, receive, and possess firearms and expressly determines that the circumstances regarding the conviction and the person's record and reputation are such that the person is not likely to act in a manner that is dangerous to
public safety and the granting of the relief
is not contrary to the public interest.
“(ii) Clause (i) shall not apply to a conviction of a serious drug offense (as defined in section 924(e)(2)(A)) or violent felony (as defined in section 924(e)(2)(B)).”.

**TITLE III—RESTRICTIONS ON GUN SELLERS**

**SEC. 301. PROHIBITION ON MULTIPLE HANDGUN TRANSFERS.**

(a) **IN GENERAL.**—Section 922 of title 18, United States Code, as amended by section 204(a), is amended by adding at the end the following new subsection:

“(y)(1) Except as provided in paragraph (2), it shall be unlawful for any person to—

“(A) receive transfer of more than 1 handgun during any 30-day period;

“(B) transfer to another person more than 1 handgun during any 30-day period; or

“(C) transfer a handgun to another person if the transferor knows or reasonably should know that such person has received transfer of another handgun during the previous 30-day period.

“(2) Paragraph (1) shall not apply to—
“(A) a transfer of a handgun to a person who is licensed under section 923;

“(B) a transfer of a handgun by inheritance;

“(C) a transfer of a handgun if another handgun is given by the transferee to the transferor in 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—

(A) the transferee is a private security company licensed to do business in the State where the transfer takes place; or
(B) the transferee is replacing a handgun that had been received and then stolen within the 30-day period; and

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

(c) Maintenance of Records.—Section 923(g)(3)(B) of title 18, United States Code, is amended by striking all of the paragraph after “entity” and by inserting “other than Federal, State, or local law enforcement 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).

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

Section 923(d)(1) of title 18, United States Code, is amended—
(1) by striking “and” at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(F)(i) the business to be conducted under the license is not prohibited by State or local law in the place where the business premise is located; and

“(ii) the applicant certifies that—

“(I) the business to be conducted under the license complies with the requirements of State and local law applicable to the conduct of the business; and

“(II) the applicant has notified local authorities, in a manner determined by the Secretary, of the filing of the application.”.

**SEC. 303. LICENSE APPLICATION FEES.**

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

(1) in paragraph (1)(A) by striking “$1,000” and inserting “$10,000”; and

(2) in paragraph (1)(B) by striking “$50” and inserting “$1,000”;
(3) in paragraph (1)(C) by striking "\$10\" and inserting "\$1,000\";
(4) in paragraph (2)(A) by striking "\$1,000\" and inserting "\$10,000\";
(5) in paragraph (2)(B) by striking "\$50\" and inserting "\$1,000\";
(6) in paragraph (3)(A) by striking "\$1,000\" and inserting "\$10,000\"; and
(7) in paragraph (3)(B) by striking "\$200 for 3 years, except that the fee for renewal of a valid license shall be \$90 for 3 years\" and inserting "\$1,000 per year\".

SEC. 304. ACTION ON FIREARMS LICENSE APPLICATION.
Section 923(d)(2) of title 18, United States Code, is amended by striking "forty-five-day" and inserting "180-day".

SEC. 305. INSPECTION OF FIREARMS LICENSEES' INVENTORY AND RECORDS.
Section 923(g)(1)(B)(ii) of title 18, United States Code, is amended by striking "once during any twelve-month period" and inserting "3 times during any 12-month period, or at any time with respect to records relating to a firearm involved in a criminal investigation\".
SEC. 306. REQUIREMENT OF BUSINESS LIABILITY INSURANCE.

Section 923(d)(1) of title 18, United States Code, as amended by section 302, is amended—

(1) by striking “and” at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(G) the applicant certifies that the business is covered by an insurance policy providing personal injury protection to any person injured, while engaged in lawful activity, by a handgun obtained through the negligence of the applicant, to a limit of $100,000 for loss sustained by any such person as a result of bodily injury or death.”.

SEC. 307. LICENSE FOR AMMUNITION DEALERS.

Chapter 44 of title 18, United States Code, is amended—

(1) in section 922(a)(1)(B)—

(A) by striking “or licensed manufacturer” and inserting “, licensed manufacturer, or licensed dealer”; and
(B) by striking “or manufacturing” and inserting “, manufacturing, or dealing”; (2) in section 922(a)(2) by inserting “or ammunition” after “any firearm”; (3) in section 922(a)(3) by inserting “or ammunition” after “firearm” each place it appears; (4) in section 922(a)(5) by inserting “or ammunition” after “firearm” each place it appears; (5) in section 922(b)(2) by inserting “or ammunition” after “firearm” each place it appears; (6) in section 922(b)(3) by inserting “or ammunition” after “firearm” each place it appears; (7) in section 922(b)(5) by striking “armor-piercing”;

(8) in section 923(a) by striking “, or importing or manufacturing” and inserting “or”; (9) in section 923(g)(1)(A)—

(A) by inserting “or ammunition” after “firearms” the first place it appears; (B) by striking “firearms” the second place it appears; and (C) by striking “licensed collector, or any licensed importer or manufacturer of ammunition” and inserting “or licensed collector”; and (10) in section 923(g)(2)—
(A) by inserting “or ammunition” after “firearms”; and
(B) by inserting “or ammunition” after “firearm”.

SEC. 308. CHECK OF FIREARM STORE EMPLOYEES.

(a) Prohibition.—Section 923 of title 18, United States Code, as amended by section 204(b), is amended by adding at the end the following new subsection:

“(n) A licensed importer, licensed manufacturer, or licensed dealer shall not employ any person in a position in which the person would have unsupervised access to firearms or ammunition unless—

“(1) in the case of access to handguns or handgun ammunition, the person has a valid State handgun license; and

“(2) in the case of access to firearms other than handguns or ammunition other than handgun ammunition—

“(A) the person is at least 18 years of age;

“(B) the licensee has contacted the national system designated by the Attorney General pursuant to the Brady Handgun Violence Prevention Act and the system has notified the 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 of the person by examining a valid identification document (as defined in section 1028) of the person containing a photograph of the person.”.

(b) **Penalty.**—Section 924(a)(1)(B) of title 18, United States Code, as amended by section 301(d), is amended by striking “or (y) of section 922” and inserting “or (y) of section 922, or section 923”.

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

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

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

SEC. 310. RESPONSES TO REQUESTS FOR INFORMATION.

Section 923(g) of title 18, United States Code, is amended by adding at the end the following new paragraph:

“(6) Each licensee shall respond immediately to a request by the Secretary for information contained in the 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.”

SEC. 311. REPORTS OF THEFT OR LOSS OF FIREARMS.
Section 923(g) of title 18, United States Code, as
amended by section 310, is amended by adding at the end
the following new paragraph:
“(7) Each licensee shall report the theft or loss of
a firearm from the licensee’s inventory or collection, within
24 hours after the theft or loss is discovered, to the Sec-
retary, the chief law enforcement officer of the State (as
defined in section 922(u)(7)), and appropriate local au-
thorities.”

SEC. 312. DEFINITION OF FIREARM EXPANDED TO INCLUDE
COMPONENT PARTS.
Section 921(a)(3)(B) of title 18, United States Code,
is amended by striking “or receiver” and inserting “, re-
ceiver, barrel, stock, ammunition magazine, or any part
of the action”.

SEC. 313. COMMON CARRIER DELIVERY TO LICENSEES.
Section 922(f)(2) of title 18, United States Code, is
amended to read as follows:
“(2) It shall be unlawful for any common or contract
carrier to deliver in interstate or foreign commerce any
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.

Section 924 of title 18, United States Code, is amended by adding at the end the following new subsection:

“(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.

“(2) An action to recover damages under paragraph (1) may be brought in a United States district court by, or on behalf of, any person, or the estate of any person, who suffers bodily injury or death as a result of the discharge of a firearm or ammunition sold, delivered, or transferred in violation of Federal law. Prevailing plaintiffs in such actions shall be awarded costs and reasonable attorneys’ fees. Punitive damages shall be recoverable by the plaintiff if the defendant is found to have intentionally or recklessly violated the law.
“(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.

“(4) Nothing in this section shall be construed to pre-empt or otherwise limit any other cause of action available to any person.”.

**TITLE IV—PROHIBITED WEAPONS**

**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:

“(z)(1) Except as provided in paragraph (2), it shall be unlawful for any person to manufacture, transfer, or 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;

“(B) any lawful transfer or lawful possession of a prohibited weapon that was lawfully possessed before the date this subsection takes effect; or
“(C) the manufacture, transfer, or possession of any prohibited weapon by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Secretary.”.

(b) DEFINITIONS.—Section 921 of title 18, United States Code, as amended by section 101(b), is amended—

(1) in subsection (a)—

(A) in paragraph (28) by striking “‘semi-automatic rifle’ means any repeating rifle” and inserting “‘semiautomatic firearm’ means any repeating firearm”; and

(B) by adding at the end the following new paragraphs:

“(31) The term ‘prohibited weapon’ means—

“(A) a firearm muffler or firearm silencer;

“(B) a short-barreled shotgun;

“(C) a short-barreled rifle;

“(D) a destructive device;

“(E) a semiautomatic assault weapon;

“(F) a Saturday-night-special handgun;

“(G) a nonsporting ammunition; and

“(H) a large-capacity ammunition feeding device.

“(32)(A) The term ‘semiautomatic assault weapon’
“(i) any of the firearms, or types, replicas, or duplicates in any caliber of the firearms known as—

“(I) Norinco, Mitchell, and Poly Technologies Avtomat Kalashnikovs (all models);

“(II) Israeli Military Industries Uzi and Galil;

“(III) Beretta AR-70;

“(IV) Colt AR-15 and Sporter;

“(V) Fabrique Nationale FN/FAL, FN/LAR, and FNC;

“(VI) SWD M-10, M-11, M-11/9, and M-12;

“(VII) Steyr AUG;

“(VIII) Intratec TEC-9, TEC-DC9 and TEC-22; and

“(IX) revolving cylinder shotguns, such as (but not limited to) the Street Sweeper and Striker 12;

“(ii) a semiautomatic rifle that has an ability to accept a detachable magazine and has at least 2 of the following:

“(I) a folding or telescoping stock;

“(II) a pistol grip that protrudes conspicuously beneath the action of the weapon;

“(III) a bayonet mount;
“(IV) a flash suppressor or barrel having a threaded muzzle; and
“(V) a grenade launcher;
“(iii) a semiautomatic pistol that has an ability to accept a detachable magazine and has at least 2 of the following:
“(I) an ammunition magazine that attaches to the pistol outside of the pistol grip;
“(II) a barrel having a threaded muzzle;
“(III) a shroud that is attached to or partially or completely encircles the barrel and that permits the shooter to hold the firearm with the nontrigger hand without being burned;
“(IV) a manufactured weight of 50 ounces or more when the pistol is unloaded; and
“(V) a semiautomatic version of an automatic firearm; and
“(iv) a semiautomatic shotgun that has at least 2 of the following:
“(I) a folding or telescoping stock;
“(II) a pistol grip that protrudes conspicuously beneath the action of the weapon;
“(III) a fixed magazine capacity in excess of 5 rounds; and
“(IV) an ability to accept a detachable magazine.

“(B) The term ‘semiautomatic assault weapon’ shall not apply to—

“(i) any of the firearms specified in Appendix A to this section as such firearms were manufactured on or prior to January 1, 1994; and

“(ii) any firearm that—

“(I) is manually operated by bolt, pump, lever, or slide action;

“(II) has been rendered permanently inoperable; or

“(III) is an antique firearm.

“(33) The term ‘Saturday-night-special handgun’ means—

“(A) any handgun that has a barrel, slide, frame or receiver which is a die casting of zinc alloy or any other nonhomogeneous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit;

“(B) any pistol which does not have a positive manually operated safety device, a double action revolver which does not have a safety feature which automatically causes the hammer to retract to a 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;

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

"(D) any pistol that has a combined length and height less than 10 inches with the height (right angle measurement to barrel without magazine or extension) being at least 4 inches and the length being at least 6 inches, or any revolver that has a barrel length of less than 3 inches or has an overall frame (with conventional grips) length (not diagonal) of less than 4½ inches; or

"(E)(i) uses ammunition of the following calibers—

"(I) .22 short;

"(II) .25; or

"(III) .32; and

"(ii) has an overall weight, while unloaded, of less than 18 ounces.
“(34) The term ‘nonsporting ammunition’ means—

“(A) any of the ammunition, or types, replicas, or duplicates of the ammunition known as—

“(i) Dragon’s Breath; or

“(ii) .50 caliber BMG;

“(B) any ammunition that contains an incendiary or explosive charge;

“(C) any handgun ammunition measuring more than .45 inches in diameter; or

“(D) any handgun ammunition that produces a force at the muzzle in excess of 1,200 foot pounds.

“(35) The term ‘large-capacity ammunition feeding 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 device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.”; and

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

“APPENDIX A

Centerfire Rifles—Autoloaders

Browning BAR Mark II Safari Semi-Auto Rifle

*HR 3932 SC*
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 1865 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
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<td>McMillan Classic Stainless Sporter</td>
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<td>McMillan Talon Safari Rifle</td>
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<td>McMillan Talon Sporter Rifle</td>
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<td>Midland 1500S Survivor Rifle</td>
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<td>Navy Arms TU-33/40 Carbine</td>
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<td>Parker-Hale Model 1000 Rifle</td>
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<td>Parker-Hale Model 1100M African Magnum</td>
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<td>Remington 700 BDL SS Rifle</td>
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<td>Remington 700 MTRSS Rifle</td>
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<td>Remington 700 BDL Left Hand</td>
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<td>Remington 700 Camo Synthetic Rifle</td>
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<td>Remington 700 Safari</td>
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<td>Sako Fiberclass Sporter</td>
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<td>Sako Safari Grade Bolt Action</td>
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<td>Sako Hunter Left-Hand Rifle</td>
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<td>Sako Hunter LS Rifle</td>
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<td>Sako Deluxe Lightweight</td>
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<td>Sako Super Deluxe Sporter</td>
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<td>Sako Mannlicher-Style Carbine</td>
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<td>Sako Varmint Heavy Barrel</td>
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<td>Sako TRG-S Bolt-Action Rifle</td>
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<td>Sauer 90 Bolt-Action Rifle</td>
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Savage 110G Bolt-Action Rifle
Savage 110CY Youth/Ladies Rifle
Savage 110WLE One of One Thousand Limited Edition Rifle
Savage 110GXP3 Bolt-Action Rifle
Savage 110F Bolt-Action Rifle
Savage 110F XP 3 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 116F SK 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. 1RISI International
- Ruger No. 1VS 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 H C Auto
Marlin Model 9901 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 572B DL 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
Armcor Model 14P Bolt-Action Rifle
Armcor 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 J W-27 Bolt-Action Rifle
Norinco J W-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 K 77/22 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 Intermediate 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/F einwerkbau 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-XCBR KS National Match Course Rifle
Sako TRG-21 Bolt-Action Rifle
Steyr-Mannlicher Match SPG-U1T 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/F ranchi 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 SP5-T Camo Auto Shotgun
Remington 11-87 Special Purpose Deer Gun
Remington 11-87 SP5-BG-Camo Deer/Turkey Shotgun
Remington 11-87 SP5-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
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 T/C 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 S05, S06, S09 Shotguns
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
Ruger Red Label O/U Shotgun
Ruger Sporting Clays O/U Shotgun
San Marco 12-Ga. Wildflower 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/U's
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 Prohibited 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 paragraph (8) and inserting “; and (9) a prohibited
weapon (as defined in section 921 of title 18, United States Code).”.

(d) IDENTIFICATION MARKING.—Section 923(i) of title 18, United States Code, is amended by adding at the end the following new sentence: “The serial number of any prohibited weapon manufactured after the date of enactment of this section shall clearly show the date on which the weapon was manufactured.”.

(e) PENALTY.—

(1) VIOLATION OF SECTION 922(2).—Section 924(a)(1)(B) of title 18, United States Code, as amended by section 308(b), is amended by striking “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,”.

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 manufacture or import a firearm that does not have as an integral part a device or devices that—

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

“(B) prevent a firearm that has a removable magazine from discharging when the magazine has 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 firearms) is amended—

(1) by striking “10 percent” and inserting “30 percent”; 

(2) by striking “Shells, and cartridges” and inserting “ammunition other than handgun ammunition (as defined in section 921 of title 18, United States Code)”;

and

(3) by inserting at the end the following:

“ARTICLES TAXABLE AT 50 PERCENT

“Any handgun ammunition (as defined in section 921 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:

“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.
(b) Transfers to the Fund.—There are hereby appropriated to the Health Care Trust Fund amounts equivalent to the taxes received in the Treasury under section 4181 which are attributable to the tax on articles subject to the 30-percent and 50-percent tax rates.

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

(d) Eligibility for Trust Fund Moneys.—A hospital, trauma center or other health care provider is eligible to apply for grants from the Trust Fund for any calendar year if the hospital, trauma center or health care provider—

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

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

(3) has incurred substantial uncompensated costs during the previous calendar year in providing medical care to gunshot victims.
"(e) Regulations for Trust Fund.—The Secretary shall, not later than 60 days after the date of enactment 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."

(c) Technical Amendment.—The table of sections for subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

"Sec. 9512. Health Care Trust Fund."

TITLE V—GUN EXCHANGE TAX INCENTIVES

SEC. 501. MODIFICATIONS TO CERTAIN LIMITATIONS ON 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:

"'(6) Special rules for gun exchange program contributions.—

(A) Deduction allowed for full market value.—The deduction under subsection (a) for any qualified gun exchange program contribution shall be an amount equal to its fair market value and no reduction under
paragraph (1)(A) shall be made in the amount of such contribution.

“(B) INCREASE IN CORPORATE PERCENTAGE LIMITATION.—The limitation of subsection (b)(2) shall be increased by the lesser of—

“(i) the aggregate amount of qualified gun exchange program contributions made by the taxpayer during the taxable year, or

“(ii) 5 percent of the taxpayer’s taxable income computed as provided in subsection (b)(2).

“(C) QUALIFIED GUN EXCHANGE PROGRAM CONTRIBUTION.—For purposes of this paragraph, the term ‘qualified gun exchange program contribution’ means any charitable contribution of property described in paragraph (1) of section 1221 or of a coupon or similar instrument which may be used to acquire property so described if—

“(i) such contribution is to a governmental unit described in subsection (c)(1) or to an organization described in subsection (c)(2) which is designated by a governmental unit as a qualified recipient of gun exchange program contributions,
“(ii) the property (or coupon or similar instrument) is to be transferred in exchange for firearms to persons surrendering firearms to a governmental unit in a gun exchange program established and administered by such governmental unit, and

“(iii) the taxpayer received from the governmental unit or organization designated under clause (i) a written statement that the property (or coupon or similar instrument) was transferred as provided in clause (ii).”.

(b) Effective Date.—The amendment made by subsection (a) shall apply to contributions made after the date of the enactment of this Act.

SEC. 502. MODEL PROGRAM.

(a) Model Program.—The Attorney General shall develop a written model program for business-sponsored 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.