

107TH CONGRESS
1ST SESSION

H. R. 422

To require ballistics testing of the firearms manufactured in or imported into the United States that are most commonly used in crime, and to provide for the compilation, use, and availability of ballistics information for the purpose of curbing the use of firearms in crime.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2001

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

A BILL

To require ballistics testing of the firearms manufactured in or imported into the United States that are most commonly used in crime, and to provide for the compilation, use, and availability of ballistics information for the purpose of curbing the use of firearms in crime.

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 “Bullet Tracing Act
5 To Reduce Gun Violence”.

1 **SEC. 2. PROHIBITION ON TRANSFER OF CERTAIN FIRE-**
2 **ARMS BY LICENSED FIREARMS MANUFAC-**
3 **TURER OR LICENSED FIREARMS IMPORTER**
4 **BEFORE TEST FIRING AND CREATION OF**
5 **BALLISTICS RECORD.**

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

9 **“§ 931. Test firing and automated storage of ballistics**
10 **records**

11 “(a) A licensed manufacturer or licensed importer
12 shall not transfer to any person a firearm of a make and
13 model that is on the list most recently issued under sub-
14 section (b), before—

15 “(1) test firing the firearm;

16 “(2) preparing ballistics records of the fired
17 bullet and cartridge casings from the test fire; and

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

20 “(b) The Secretary shall compile and cause to be pub-
21 lished in the Federal Register, on an annual basis, a list
22 of the 50 firearms, by manufacturer and model name, that
23 have been most frequently used by criminals in the United
24 States.

25 “(c)(1)(A) With respect to each violation of sub-
26 section (a) by a licensed manufacturer or licensed im-

1 porter, the Secretary may, after notice and opportunity
 2 for hearing, suspend for not more than 5 years or revoke
 3 the license of the licensee, impose on the licensee a civil
 4 fine of not more than \$20,000, or both.

5 “(B) An action of the Secretary under this paragraph
 6 may be reviewed only as provided in section 923(f).

7 “(2) The suspension or revocation of a license or the
 8 imposition of a civil fine under paragraph (1) shall not
 9 preclude any administrative remedy that is available to the
 10 Secretary under other law.”.

11 (b) DEFINITION OF BALLISTICS.—Section 921(a) of
 12 such title is amended by adding at the end the following:

13 “(35) The term ‘ballistics’ means a comparative anal-
 14 ysis of fired bullets or cartridge casings to identify the
 15 firearm from which the bullets or cartridge casings were
 16 discharged, through the identification of the unique char-
 17 acteristics that each firearm imprints on bullets and car-
 18 tridge casings.”.

19 (c) CLERICAL AMENDMENT.—The table of sections
 20 for such chapter is amended by adding at the end the fol-
 21 lowing:

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

22 (d) EFFECTIVE DATE.—The amendments made by
 23 this section shall take effect 1 year after the date of the
 24 enactment of this Act.

1 **SEC. 3. COMPILATION, USE, AND AVAILABILITY OF BALLIS-**
2 **TICS INFORMATION.**

3 (a) FEDERAL ASSISTANCE TO FIREARM MANUFAC-
4 TURERS AND IMPORTERS.—The Attorney General and the
5 Secretary of the Treasury (in this section referred to as
6 the “Secretary”) shall assist qualified firearms manufac-
7 turers and qualified firearms importers in—

8 (1) obtaining use of new and upgraded comput-
9 erized ballistics equipment and bullet recovery equip-
10 ment owned by the Federal Government, to be
11 placed at the sites of licensed manufacturers and li-
12 censed importers;

13 (2) training personnel necessary to develop and
14 maintain a database of ballistics records, research,
15 and evaluation; and

16 (3) taking any other steps necessary to imple-
17 ment effective ballistics testing.

18 (b) QUALIFIED FIREARMS MANUFACTURERS AND
19 QUALIFIED FIREARMS IMPORTERS.—A manufacturer or
20 importer of firearms shall be considered qualified for as-
21 sistance under subsection (a) only if the Secretary deter-
22 mines that the manufacturer or importer—

23 (1) provides the Secretary with 24-hour online
24 access to the ballistics records which the manufac-
25 turer or importer is required to prepare and make

1 available pursuant to section 931 of title 18, United
2 States Code;

3 (2) keeps such records in accordance with uni-
4 form recordkeeping practices established by the Sec-
5 retary; and

6 (3) meets such other requirements as the Sec-
7 retary establishes relating to the creation and pres-
8 ervation of ballistics records.

9 (c) ANNUAL REPORTS ON EFFECTS OF THIS ACT.—
10 Not later than 1 year after the date of the enactment of
11 this section and annually thereafter, the Attorney General
12 and the Secretary shall submit to the Congress a report
13 regarding the effects of this Act, including the number of
14 Federal and State criminal investigations, arrests, indict-
15 ments, and prosecutions of all cases in which access to
16 ballistics records provided under section 931 of title 18,
17 United States Code, served as a valuable investigative tool.

18 (d) DEFINITIONS.—In this section, the terms “li-
19 censed manufacturer”, “licensed importer”, “firearm”,
20 and “ballistics” shall have the meanings given in section
21 921(a) of title 18, United States Code.

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