

108TH CONGRESS
1ST SESSION

H. R. 24

To require ballistics testing of firearms manufactured in or imported into the United States, 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

JANUARY 7, 2003

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

A BILL

To require ballistics testing of firearms manufactured in or imported into the United States, 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 FIREARM BY LI-**
2 **CENSED FIREARMS MANUFACTURER OR LI-**
3 **CENSED FIREARMS IMPORTER BEFORE TEST**
4 **FIRING AND TRANSMISSION OF BALLISTICS**
5 **RECORDS.**

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 transmission of ballistics**
10 **records**

11 “(a) A licensed manufacturer or licensed importer
12 shall not transfer a firearm to any person before—

13 “(1) test firing the firearm;

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

16 “(3) transmitting the records to the Attorney
17 General.

18 “(b)(1)(A) With respect to each violation of sub-
19 section (a) by a licensee, the Attorney General may, after
20 notice and opportunity for hearing, suspend for not more
21 than 5 years or revoke the license of the licensee, impose
22 on the licensee a civil fine of not more than \$20,000, or
23 both.

24 “(B) An action of the Attorney General under this
25 paragraph may be reviewed only as provided in section
26 923(f).

1 “(2) The suspension or revocation of a license or the
2 imposition of a civil fine under paragraph (1) shall not
3 preclude any administrative remedy that is available to the
4 Attorney General under other law.

5 “(3) Whoever knowingly violates subsection (a) shall
6 be fined under this title, imprisoned not more than 5
7 years, or both.”.

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

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

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

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

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

22 **SEC. 3. COMPILATION, USE, AND AVAILABILITY OF BALLIS-**
23 **TICS INFORMATION.**

24 (a) COMPILATION OF INFORMATION.—The Attorney
25 General shall compile, in electronic form, the ballistics

1 records transmitted pursuant to section 931(a)(3) of title
2 18, United States Code, and shall make the compilation
3 available for use in Federal, State, and local criminal in-
4 vestigations, arrests, indictments, and prosecutions.

5 (b) FEDERAL ASSISTANCE TO FIREARM MANUFAC-
6 TURERS AND IMPORTERS.—The Attorney General shall
7 assist qualified firearms manufacturers and qualified fire-
8 arms importers in—

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

14 (2) training personnel necessary to develop,
15 maintain, research, and evaluate a database con-
16 taining ballistics information on firearms possessed
17 by the manufacturers or importers, and to record
18 and transmit to the Attorney General such informa-
19 tion; and

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

22 (c) QUALIFIED FIREARMS MANUFACTURERS AND
23 QUALIFIED FIREARMS IMPORTERS.—A manufacturer or
24 importer of firearms shall be considered qualified for as-
25 sistance under subsection (b) only if the Attorney General

1 determines that the manufacturer or importer meets such
2 uniform requirements as the Attorney General establishes
3 relating to the creation, preservation, and transmission of
4 ballistics records described in section 931(a) of title 18,
5 United States Code.

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

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

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