

109TH CONGRESS
1ST SESSION

H. R. 4363

To provide grants to enable States to include iris scan information from certain convicted criminals in State criminal records systems, to provide for the use of the information by the National Instant Criminal Background Check System, and to require Federal firearms dealers to obtain iris scan information from prospective firearms purchasers.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2005

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

A BILL

To provide grants to enable States to include iris scan information from certain convicted criminals in State criminal records systems, to provide for the use of the information by the National Instant Criminal Background Check System, and to require Federal firearms dealers to obtain iris scan information from prospective firearms purchasers.

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 “Iris Scan Security Act
5 of 2005”.

1 **SEC. 2. GRANTS TO ENABLE STATES TO INCLUDE IRIS SCAN**
2 **INFORMATION FROM CERTAIN CONVICTED**
3 **CRIMINALS IN STATE CRIMINAL RECORDS**
4 **SYSTEMS; USE OF INFORMATION IN PER-**
5 **FORMING INSTANT CRIMINAL BACKGROUND**
6 **CHECKS OF PROSPECTIVE FIREARMS PUR-**
7 **CHASERS.**

8 (a) IN GENERAL.—The Attorney General may award
9 grants to enable States to—

10 (1) include in State criminal records systems
11 iris scan information obtained from individuals who
12 are prohibited by Federal or State law from pos-
13 sessing or receiving a firearm by reason of having
14 been convicted in a court in the State of a crime
15 punishable by imprisonment for a term exceeding 1
16 year or a misdemeanor crime of domestic violence;
17 and

18 (2) provide such information electronically to
19 the NICS system.

20 (b) APPLICATION.—To request a grant under this
21 section, a State shall submit an application to the Attor-
22 ney General in such form and containing such information
23 as the Attorney General may require.

24 (c) PROVISION OF INFORMATION TO NICS SYS-
25 TEM.—As a condition of receiving a grant under this sec-
26 tion, the State—

1 (1) shall provide to the NICS system such in-
2 formation from the data base referred to in sub-
3 section (a) as the Attorney General may require, at
4 such times and in such manner as the Attorney Gen-
5 eral may require; and

6 (2) shall not disclose any information in the
7 data base except for a law enforcement purpose.

8 (d) USE OF INFORMATION BY NICS SYSTEM.—The
9 Attorney General shall prescribe such regulations as may
10 be necessary to ensure that the NICS system is equipped
11 to receive iris scan information provided pursuant to sub-
12 section (c)(1) of this section, and to use the information
13 in responding to requests from licensees for information
14 about whether receipt of a firearm by a prospective trans-
15 feree would violate subsection (g) or (n) of section 922
16 of title 18, United States Code, or State law.

17 (e) DEFINITIONS.—In this section:

18 (1) FIREARM.—The term “firearm” has the
19 meaning given in section 921(a)(3) of title 18,
20 United States Code.

21 (2) LICENSEE.—The term “licensee” has the
22 meaning given in section 103(j)(1) of the Brady
23 Handgun Violence Prevention Act.

24 (3) MISDEMEANOR CRIME OF DOMESTIC VIO-
25 LENCE.—The term “misdemeanor crime of domestic

1 violence” has the meaning given in section
2 921(a)(33) of title 18, United States Code.

3 (4) NICS SYSTEM.—The term “NICS system”
4 means the national instant criminal background
5 check system established under section 103 of the
6 Brady Handgun Violence Prevention Act.

7 **SEC. 3. REQUIREMENT THAT FEDERAL FIREARMS DEALERS**
8 **OBTAIN IRIS SCAN INFORMATION FROM PRO-**
9 **SPECTIVE FIREARMS PURCHASERS AND PRO-**
10 **VIDE THE INFORMATION TO THE INSTANT**
11 **CHECK SYSTEM.**

12 Section 922(t)(1)(A) of title 18, United States Code,
13 is amended to read as follows:

14 “(A) before the completion of the transfer,
15 the licensee—

16 “(i) performs an electronic scan of an
17 iris of such other person with a device de-
18 signed to perform such a scan;

19 “(ii) contacts the national instant
20 criminal background check system estab-
21 lished under section 103 of such Act; and

22 “(iii) provides the system, electroni-
23 cally, with the information obtained from
24 the scan;”.

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