

106TH CONGRESS  
2D SESSION

# S. 2525

To provide for the implementation of a system of licensing for purchasers of certain firearms and for a record of sale system for those firearms, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 9, 2000

Mrs. FEINSTEIN (for herself, Mr. LAUTENBERG, Mrs. BOXER, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To provide for the implementation of a system of licensing for purchasers of certain firearms and for a record of sale system for those firearms, and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Firearm Licensing and Record of Sale Act of 2000”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for  
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Definitions.

## TITLE I—LICENSING

- Sec. 101. Licensing requirement.
- Sec. 102. Application requirements.
- Sec. 103. Issuance of license.
- Sec. 104. Renewal of license.
- Sec. 105. Revocation of license.

## TITLE II—RECORD OF SALE OR TRANSFER

- Sec. 201. Sale and transfer requirements for qualifying firearms.
- Sec. 202. Firearm records.

## TITLE III—ADDITIONAL PROHIBITIONS

- Sec. 301. Universal background check requirement.
- Sec. 302. Failure to maintain or permit inspection of records.
- Sec. 303. Failure to report loss or theft of firearm.
- Sec. 304. Failure to provide notice of change of address.
- Sec. 305. Child access prevention.

## TITLE IV—ENFORCEMENT

- Sec. 401. Criminal penalties.
- Sec. 402. Regulations.
- Sec. 403. Inspections.
- Sec. 404. Orders.
- Sec. 405. Injunctive enforcement.

## TITLE V—FIREARM INJURY INFORMATION AND RESEARCH

- Sec. 501. Duties of the Secretary.

## TITLE VI—EFFECT ON STATE LAW

- Sec. 601. Effect on State law.
- Sec. 602. Certification of State firearm licensing and record of sale systems.

## TITLE VII—RELATIONSHIP TO OTHER LAW

- Sec. 701. Subordination to Arms Export Control Act.

## TITLE VIII—INAPPLICABILITY

- Sec. 801. Inapplicability to governmental authorities.

## TITLE IX—EFFECTIVE DATE

- Sec. 901. Effective date of amendments.

**1 SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

3 (1) the manufacture, distribution, and importa-  
 4 tion of firearms is inherently commercial in nature;

1           (2) firearms regularly move in interstate com-  
2 merce;

3           (3) firearms trafficking is so prevalent and  
4 widespread in and among the States that it is usu-  
5 ally impossible to distinguish between intrastate  
6 trafficking and interstate trafficking;

7           (4) to the extent that firearms trafficking is  
8 intrastate in nature, it arises out of and is substan-  
9 tially connected with a commercial transaction,  
10 which, when viewed in the aggregate, substantially  
11 affects interstate commerce;

12           (5) because the intrastate and interstate traf-  
13 ficking of firearms are so commingled, full regula-  
14 tion of interstate commerce requires the incidental  
15 regulation of intrastate commerce; and

16           (6) it is in the national interest and within the  
17 role of the Federal Government to ensure that the  
18 regulation of firearms is uniform among the States,  
19 that law enforcement can quickly and effectively  
20 trace firearms used in crime, and that firearms own-  
21 ers know how to use and safely store their firearms.

22           (b) PURPOSES.—The purposes of this Act and the  
23 amendments made by this Act are—

24           (1) to protect the public against the unreason-  
25 able risk of injury and death associated with the un-

1 recorded sale or transfer of qualifying firearms to  
2 criminals and youth;

3 (2) to ensure that owners of qualifying firearms  
4 are knowledgeable in the safe use, handling, and  
5 storage of those firearms;

6 (3) to restrict the availability of qualifying fire-  
7 arms to criminals, youth, and other persons prohib-  
8 ited by Federal law from receiving firearms; and

9 (4) to facilitate the tracing of qualifying fire-  
10 arms used in crime by Federal and State law en-  
11 forcement agencies.

12 **SEC. 3. DEFINITIONS.**

13 (a) IN GENERAL.—In this Act:

14 (1) FIREARM; LICENSED DEALER; LICENSED  
15 MANUFACTURER.—The terms “firearm”, “licensed  
16 dealer”, and “licensed manufacturer” have the  
17 meanings given those terms in section 921(a) of title  
18 18, United States Code.

19 (2) QUALIFYING FIREARM.—The term “quali-  
20 fying firearm” has the meaning given the term in  
21 section 921(a) of title 18, United States Code, as  
22 amended by subsection (b) of this section.

23 (3) SECRETARY.—The term “Secretary” means  
24 the Secretary of the Treasury.

1           (4) STATE.—The term “State” means each of  
2           the several States of the United States and the Dis-  
3           trict of Columbia.

4           (b) AMENDMENT TO TITLE 18, UNITED STATES  
5 CODE.—Section 921(a) of title 18, United States Code,  
6 is amended by adding at the end the following:

7           “(35) The term ‘qualifying firearm’—

8           “(A) means—

9           “(i) any handgun ; or

10           “(ii) any semiautomatic firearm that  
11           can accept any detachable ammunition  
12           feeding device; and

13           “(B) does not include any antique.”.

## 14           **TITLE I—LICENSING**

### 15           **SEC. 101. LICENSING REQUIREMENT.**

16           Section 922 of title 18, United States Code, is  
17 amended by inserting after subsection (y) the following:

18           “(z) FIREARM LICENSING REQUIREMENT.—

19           “(1) IN GENERAL.—It shall be unlawful for any  
20           person other than a licensee to possess a qualifying  
21           firearm on or after the applicable date, unless that  
22           person has been issued a firearm license—

23           “(A) under title I of the Firearm Licensing  
24           and Record of Sale Act of 2000, which license

1 has not been invalidated or revoked under that  
2 title; or

3 “(B) pursuant to a State firearm licensing  
4 and record of sale system certified under sec-  
5 tion 602 of the Firearm Licensing and Record  
6 of Sale Act of 2000, which license has not been  
7 invalidated or revoked under State law.

8 “(2) APPLICABLE DATE.—In this subsection,  
9 the term ‘applicable date’ means—

10 “(A) with respect to a qualifying firearm  
11 that is acquired by the person before the date  
12 of enactment of the Firearm Licensing and  
13 Record of Sale Act of 2000, 10 years after such  
14 date of enactment; and

15 “(B) with respect to a qualifying firearm  
16 that is acquired by the person on or after the  
17 date of enactment of the Firearm Licensing and  
18 Record of Sale Act of 2000, 1 year after such  
19 date of enactment.”.

20 **SEC. 102. APPLICATION REQUIREMENTS.**

21 (a) IN GENERAL.—In order to be issued a firearm  
22 license under this title, an individual shall submit to the  
23 Secretary (in accordance with the regulations promulgated  
24 under subsection (b)) an application, which shall include—

1           (1) a current, passport-sized photograph of the  
2           applicant that provides a clear, accurate likeness of  
3           the applicant;

4           (2) the name, address, and date and place of  
5           birth of the applicant;

6           (3) any other name that the applicant has ever  
7           used or by which the applicant has ever been known;

8           (4) a clear thumb print of the applicant, which  
9           shall be obtained from the applicant when the appli-  
10          cation is submitted;

11          (5) with respect to each category of person pro-  
12          hibited under Federal law from obtaining a firearm,  
13          a statement that the individual is not such a person;

14          (6) a certification by the applicant that appli-  
15          cant will keep any firearm owned by the applicant  
16          safely stored and out of the possession of juveniles;

17          (7) a certificate attesting to the completion at  
18          the time of application of a written firearms exam-  
19          ination, which shall test the knowledge and ability of  
20          the applicant regarding—

21                 (A) the safe storage of firearms, particu-  
22                 larly in the vicinity of juveniles;

23                 (B) the safe handling of firearms;

24                 (C) the use of firearms in the home and  
25                 the risks associated with such use;

1           (D) the legal responsibilities of firearms  
2 owners, including Federal, State, and local laws  
3 relating to requirements for the possession and  
4 storage of firearms, and relating to reporting  
5 requirements with respect to firearms; and

6           (E) any other subjects, as the Secretary  
7 determines to be appropriate;

8           (8) the date on which the application was sub-  
9 mitted; and

10          (9) the signature of the applicant.

11          (b) REGULATIONS GOVERNING SUBMISSION.—The  
12 Secretary shall promulgate regulations specifying proce-  
13 dures for the submission of applications to the Secretary  
14 under this section, which regulations shall—

15           (1) provide for submission of the application  
16 through a licensed dealer or an office or agency of  
17 the Federal Government designated by the Sec-  
18 retary;

19           (2) require the applicant to provide clear evi-  
20 dence of the identity and age of the applicant to the  
21 licensed dealer or to the office or agency of the Fed-  
22 eral Government, as applicable, at the time of sub-  
23 mission of the application to that dealer, office, or  
24 agency; and

1           (3) require that a completed application be for-  
2           warded to the Secretary not later than 48 hours  
3           after the application is submitted to the licensed  
4           dealer or office or agency of the Federal Govern-  
5           ment, as applicable.

6           (c) FEES.—

7           (1) IN GENERAL.—The Secretary shall charge  
8           and collect from each applicant for a license under  
9           this title a fee in an amount determined in accord-  
10          ance with paragraph (2).

11          (2) FEE AMOUNT.—The amount of the fee col-  
12          lected under this subsection shall be not less than  
13          the amount determined by the Secretary to be nec-  
14          essary to ensure that the total amount of all fees  
15          collected under this subsection during a fiscal year  
16          is sufficient to cover the costs of carrying out this  
17          title during that fiscal year, except that such amount  
18          shall not exceed \$25.

19 **SEC. 103. ISSUANCE OF LICENSE.**

20          (a) IN GENERAL.—The Secretary shall issue a fire-  
21          arm license to an applicant who has submitted an applica-  
22          tion that meets the requirements of section 102, if the in-  
23          dividual is not prohibited by subsection (g) or (n) of sec-  
24          tion 922 of title 18, United States Code, from receiving  
25          a firearm.

1 (b) EFFECT OF ISSUANCE TO PROHIBITED PER-  
2 SON.—A firearm license issued under this section shall be  
3 null and void if issued to a person who is prohibited by  
4 subsection (g) or (n) of section 922 of title 18, United  
5 States Code, from receiving a firearm.

6 (c) FORM OF LICENSE.—A firearm license issued  
7 under this section shall be in the form of a tamper-resist-  
8 ant card, and shall include—

9 (1) the photograph of the licensed individual  
10 submitted with the application;

11 (2) the address of the licensed individual;

12 (3) the date of birth of the licensed individual;

13 (4) a license number, unique to each licensed  
14 individual;

15 (5) the expiration date of the license, which  
16 shall be the date that is 5 years after the initial an-  
17 niversary of the date of birth of the licensed indi-  
18 vidual following the date on which the license is  
19 issued (or in the case of a license renewal, following  
20 the date on which the license is renewed under sec-  
21 tion 104);

22 (6) the signature of the licensed individual pro-  
23 vided on the application, or a facsimile thereof; and

24 (7) centered at the top of the license, capital-  
25 ized, and in bold-face type, the following statement:

1       “FIREARM LICENSE—NOT VALID FOR ANY  
2                                   OTHER PURPOSE”.

3 **SEC. 104. RENEWAL OF LICENSE.**

4       (a) APPLICATION FOR RENEWAL.—

5               (1) IN GENERAL.—In order to renew a firearm  
6       license issued under this title, not later than 30 days  
7       before the expiration date of the license, the licensed  
8       individual shall submit to the Secretary (in accord-  
9       ance with the regulations promulgated under para-  
10      graph (3)), in a form approved by the Secretary, an  
11      application for renewal of the license.

12              (2) CONTENTS.—An application submitted  
13      under paragraph (1) shall include—

14                      (A) a current, passport-sized photograph of  
15                      the applicant that provides a clear, accurate  
16                      likeness of the applicant;

17                      (B) current proof of identity of the li-  
18                      censed individual; and

19                      (C) the address of the licensed individual.

20              (3) REGULATIONS GOVERNING SUBMISSION.—

21      The Secretary shall promulgate regulations speci-  
22      fying procedures for the submission of applications  
23      under this subsection.

24              (b) ISSUANCE OF RENEWED LICENSE.—Upon ap-  
25      proval of an application submitted under subsection (a),

1 the Secretary shall issue a renewed license, which shall  
2 meet the requirements of section 103(c), except that the  
3 license shall include the current photograph and address  
4 of the licensed individual, as provided in the application  
5 submitted under this section, and the expiration date of  
6 the renewed license, as provided in section 103(c)(5).

7 **SEC. 105. REVOCATION OF LICENSE.**

8 (a) IN GENERAL.—If an individual to whom a license  
9 has been issued under this title subsequently becomes a  
10 person who is prohibited by subsection (g) or (n) of section  
11 922 of title 18, United States Code, from receiving a  
12 firearm—

13 (1) the license is revoked; and

14 (2) the individual shall promptly return the li-  
15 cense to the Secretary.

16 (b) ADMINISTRATIVE ACTION.—Upon receipt by the  
17 Secretary of notice that an individual to whom a license  
18 has been issued under this title has become a person de-  
19 scribed in subsection (a), the Secretary shall ensure that  
20 the individual promptly returns the license to the Sec-  
21 retary.

1     **TITLE II—RECORD OF SALE OR**  
2                     **TRANSFER**

3     **SEC. 201. SALE OR TRANSFER REQUIREMENTS FOR QUALI-**  
4                     **FYING FIREARMS.**

5             Section 922 of title 18, United States Code, is  
6 amended by inserting after subsection (z) (as added by  
7 section 101 of this Act) the following:

8             “(aa) UNAUTHORIZED SALE OR TRANSFER OF A  
9 QUALIFYING FIREARM.—It shall be unlawful for any per-  
10 son other than a licensee to sell, deliver, or otherwise  
11 transfer a qualifying firearm to, or receive a qualifying  
12 firearm from, any person other than a licensee unless, at  
13 the time and place of the transfer or receipt—

14             “(1) the transferee presents to a licensed dealer  
15 a valid firearm license issued to the transferee—

16             “(A) under title I of the Firearm Licensing  
17 and Record of Sale Act of 2000; or

18             “(B) pursuant to a State firearm licensing  
19 and record of sale system certified under sec-  
20 tion 602 of the Firearm Licensing and Record  
21 of Sale Act of 2000 established by the State in  
22 which the transfer or receipt occurs;

23             “(2) the licensed dealer contacts the Secretary  
24 or the head of the State agency that administers the  
25 certified system described in paragraph (1)(B), as

1 applicable, and receives notice that the transferee  
2 has been issued a firearm license described in para-  
3 graph (1); and

4 “(3) the licensed dealer records on a document  
5 (which, in the case of a sale, shall be the sales re-  
6 ceipt) a tracking authorization number provided by  
7 the Secretary or the head of the State agency, as ap-  
8 plicable, as evidence that the licensed dealer has  
9 verified the validity of the license.”.

10 **SEC. 202. FIREARM RECORDS.**

11 (a) SUBMISSION OF SALE OR TRANSFER REPORTS.—

12 Not later than 14 days after the date on which the trans-  
13 fer of qualifying firearm is processed by a licensed dealer  
14 under section 922(aa) of title 18, United States Code (as  
15 added by section 201 of this title), the licensed dealer shall  
16 submit to the Secretary (or, in the case of a licensed dealer  
17 located in a State that has a State firearm licensing and  
18 record of sale system certified under section 602, to the  
19 head of the State agency that administers that system)  
20 a report of that transfer, which shall include information  
21 relating to—

22 (1) the manufacturer of the firearm;

23 (2) the model name or number of the firearm;

24 (3) the serial number of the firearm;

1 (4) the date on which the firearm was received  
2 by the transferee;

3 (5) the number of a valid firearm license issued  
4 to the transferee under title I; and

5 (6) the name and address of the individual who  
6 transferred the firearm to the transferee.

7 (b) FEDERAL RECORD OF SALE SYSTEM.—Not later  
8 than 9 months after the date of enactment of this Act,  
9 the Secretary shall establish and maintain a Federal  
10 record of sale system, which shall include the information  
11 included in each report submitted to the Secretary under  
12 subsection (a).

13 (c) ELIMINATION OF PROHIBITION ON ESTABLISH-  
14 MENT OF SYSTEM OF REGISTRATION.—Section 926(a) of  
15 title 18, United States Code, is amended by striking the  
16 second sentence.

17 **TITLE III—ADDITIONAL**  
18 **PROHIBITIONS**

19 **SEC. 301. UNIVERSAL BACKGROUND CHECK REQUIRE-**  
20 **MENT.**

21 Section 922 of title 18, United States Code, is  
22 amended by inserting after subsection (aa) (as added by  
23 section 201 of this Act) the following:

24 “(bb) UNIVERSAL BACKGROUND CHECK REQUIRE-  
25 MENT.—It shall be unlawful for any person other than a

1 licensee to sell, deliver, or otherwise transfer a firearm to  
 2 any person other than a licensee, unless that transfer is  
 3 processed through a licensed dealer in accordance with  
 4 subsection (t).”.

5 **SEC. 302. FAILURE TO MAINTAIN OR PERMIT INSPECTION**  
 6 **OF RECORDS.**

7 Section 922 of title 18, United States Code, is  
 8 amended by inserting after subsection (bb) (as added by  
 9 section 301 of this title) the following:

10 “(cc) **FAILURE TO MAINTAIN OR PERMIT INSPEC-**  
 11 **TION OF RECORDS.**—It shall be unlawful for a licensed  
 12 manufacturer or a licensed dealer to fail to maintain such  
 13 records, or to supply such information (including firearm  
 14 transfer information that a licensed dealer has agreed to  
 15 provide), as the Secretary may require in order to ascer-  
 16 tain compliance with the Firearm Licensing and Record  
 17 of Sale Act of 2000 and the regulations and orders issued  
 18 under that Act.”.

19 **SEC. 303. FAILURE TO REPORT LOSS OR THEFT OF FIRE-**  
 20 **ARM.**

21 Section 922 of title 18, United States Code, is  
 22 amended by inserting after subsection (cc) (as added by  
 23 section 302 of this title) the following:

24 “(dd) **FAILURE TO REPORT LOSS OR THEFT OF**  
 25 **FIREARM.**—It shall be unlawful for any person who owns

1 a qualifying firearm to fail to report the loss or theft of  
2 the firearm to the Secretary within 72 hours after the loss  
3 or theft is discovered.”.

4 **SEC. 304. FAILURE TO PROVIDE NOTICE OF CHANGE OF AD-**  
5 **DRESS.**

6 Section 922 of title 18, United States Code, is  
7 amended by inserting after subsection (dd) (as added by  
8 section 303 of this title) the following:

9 “(ee) FAILURE TO PROVIDE NOTICE OF CHANGE OF  
10 ADDRESS.—It shall be unlawful for any individual to  
11 whom a firearm license has been issued under title I of  
12 the Firearm Licensing and Record of Sale Act of 2000  
13 to fail to report to the Secretary a change in the address  
14 of that individual within 60 days of that change of ad-  
15 dress.”.

16 **SEC. 305. CHILD ACCESS PREVENTION.**

17 Section 922 of title 18, United States Code, is  
18 amended by inserting after subsection (ee) (as added by  
19 section 304 of this title) the following:

20 “(ff) CHILD ACCESS PREVENTION.—

21 “(1) DEFINITION OF CHILD.—In this sub-  
22 section, the term ‘child’ means an individual who has  
23 not attained the age of 18 years.

24 “(2) PROHIBITION AND PENALTIES.—Except as  
25 provided in paragraph (3), it shall be unlawful for

1 any person to keep a loaded firearm, or an unloaded  
2 firearm and ammunition for the firearm, any 1 of  
3 which has been shipped or transported in interstate  
4 or foreign commerce, within any premises that is  
5 under the custody or control of that person, if—

6 “(A) that person—

7 “(i) knows, or recklessly disregards  
8 the risk, that a child is capable of gaining  
9 access to the firearm; and

10 “(ii) either—

11 “(I) knows, or recklessly dis-  
12 regards the risk, that a child will use  
13 the firearm to cause the death of, or  
14 serious bodily injury (as defined in  
15 section 1365 of this title) to, the child  
16 or any other person; or

17 “(II) knows, or reasonably should  
18 know, that possession of the firearm  
19 by a child is unlawful under Federal  
20 or State law; and

21 “(B) a child uses the firearm and thereby  
22 causes the death of, or serious bodily injury to,  
23 the child or any other person.

24 “(3) EXCEPTIONS.—Paragraph (2) does not  
25 apply if—

1           “(A) at the time the child obtained access,  
2           the firearm was secured with a secure gun stor-  
3           age or safety device;

4           “(B) the person is a peace officer, a mem-  
5           ber of the Armed Forces, or a member of the  
6           National Guard, and the child obtains the fire-  
7           arm during, or incidental to, the performance of  
8           the official duties of the person in that capacity;

9           “(C) the child uses the firearm in a lawful  
10          act of self-defense or defense of 1 or more other  
11          persons; or

12          “(D) the person has no reasonable expecta-  
13          tion, based on objective facts and cir-  
14          cumstances, that a child is likely to be present  
15          on the premises on which the firearm is kept.”.

## 16           **TITLE IV—ENFORCEMENT**

### 17   **SEC. 401. CRIMINAL PENALTIES.**

18           (a) FAILURE TO OBTAIN FIREARM LICENSE; FAIL-  
19   URE TO COMPLY WITH QUALIFYING FIREARM SALE OR  
20   TRANSFER REQUIREMENTS; FAILURE TO MAINTAIN OR  
21   PERMIT INSPECTION OF RECORDS.—Section 924(a) of  
22   title 18, United States Code, is amended by adding at the  
23   end the following:

1 “(7) Whoever knowingly violates subsection (z), (aa),  
2 or (cc) of section 922 shall be fined under this title, im-  
3 prisoned not more than 2 years, or both.”

4 (b) FAILURE TO COMPLY WITH UNIVERSAL BACK-  
5 GROUND CHECKS; FAILURE TO TIMELY REPORT LOSS OR  
6 THEFT OF A QUALIFYING FIREARM; FAILURE TO PRO-  
7 VIDE NOTICE OF CHANGE OF ADDRESS.—Section  
8 924(a)(5) of title 18, United States Code, is amended by  
9 striking “(s) or (t)” and inserting “(s), (t), (bb), (dd), or  
10 (ee)”.

11 (c) CHILD ACCESS PREVENTION.—Section 924(a) of  
12 title 18, United States Code, is amended by adding at the  
13 end the following:

14 “(8) Whoever violates section 922(ff) shall be fined  
15 under this title, imprisoned not more than 3 years, or  
16 both.”

17 **SEC. 402. REGULATIONS.**

18 (a) IN GENERAL.—The Secretary shall issue such  
19 regulations governing the licensing of possessors of quali-  
20 fying firearms and the recorded sale of qualifying fire-  
21 arms, consistent with this Act and the amendments made  
22 by this Act, as the Secretary determines to be reasonably  
23 necessary to reduce or prevent deaths or injuries resulting  
24 from qualifying firearms, and to assist law enforcement

1 in the apprehension of owners or users of qualifying fire-  
2 arms used in criminal activity.

3 (b) MAXIMUM INTERVAL BETWEEN ISSUANCE OF  
4 PROPOSED AND FINAL REGULATION.—Not later than 120  
5 days after the date on which the Secretary issues a pro-  
6 posed regulation under subsection (a) with respect to a  
7 matter, the Secretary shall issue a final regulation with  
8 respect to the matter.

9 **SEC. 403. INSPECTIONS.**

10 In order to ascertain compliance with this Act, the  
11 amendments made by this Act, and the regulations and  
12 orders issued under this Act, the Secretary may, during  
13 regular business hours, enter any place in which firearms  
14 or firearm products are manufactured, stored, or held, for  
15 distribution in commerce, and inspect those areas where  
16 the products are so manufactured, stored, or held.

17 **SEC. 404. ORDERS.**

18 The Secretary may issue an order prohibiting the sale  
19 or transfer of any firearm that the Secretary finds has  
20 been transferred or distributed in violation of this Act, an  
21 amendment made by this Act, or a regulation issued under  
22 this Act.

23 **SEC. 405. INJUNCTIVE ENFORCEMENT.**

24 Upon the request of the Secretary, the Attorney Gen-  
25 eral may bring an action to restrain any violation of this

1 Act or an amendment made by this Act in the district  
2 court of the United States for any district in which the  
3 violation has occurred, or in which the defendant is found  
4 or transacts business.

5 **TITLE V—FIREARM INJURY**  
6 **INFORMATION AND RESEARCH**

7 **SEC. 501. DUTIES OF THE SECRETARY.**

8 (a) IN GENERAL.—The Secretary shall—

9 (1) establish and maintain a firearm injury in-  
10 formation clearinghouse to collect, investigate, ana-  
11 lyze, and disseminate data and information relating  
12 to the causes and prevention of death and injury as-  
13 sociated with firearms;

14 (2) conduct continuing studies and investiga-  
15 tions of firearm-related deaths and injuries; and

16 (3) collect and maintain current production and  
17 sales figures for each licensed manufacturer.

18 (b) AVAILABILITY OF INFORMATION.—Periodically,  
19 but not less frequently than annually, the Secretary shall  
20 make available to the public a report on the activities of  
21 the Secretary under subsection (a).



1           (1) requires the system to satisfy the require-  
2           ments applicable to the Federal firearm licensing  
3           system established under title I and the Federal fire-  
4           arm record of sale system established under section  
5           202(b), in cooperation with State and local law en-  
6           forcement agencies and other appropriate State and  
7           local agencies; and

8           (2) requires the head of the State agency that  
9           administers the system to submit to the Federal fire-  
10          arm record of sale system established under section  
11          202(b) a copy of each report submitted to the head  
12          of that agency under section 202(a).

## 13       **TITLE VII—RELATIONSHIP TO** 14       **OTHER LAW**

### 15       **SEC. 701. SUBORDINATION TO ARMS EXPORT CONTROL** 16       **ACT.**

17          In the event of any conflict between any provision of  
18          this Act or an amendment made by this Act, and any pro-  
19          vision of the Arms Export Control Act (22 U.S.C. 2751),  
20          the provision of the Arms Export Control Act shall con-  
21          trol.

1     **TITLE VIII—INAPPLICABILITY**

2     **SEC. 801. INAPPLICABILITY TO GOVERNMENTAL AUTHORITIES.**  
3                     **TIES.**

4             This Act and the amendments made by this Act do  
5 not apply to any department or agency of the United  
6 States, of a State, or of a political subdivision of a State,  
7 or to any official conduct of any officer or employee of  
8 such a department or agency.

9     **TITLE IX—EFFECTIVE DATE**

10    **SEC. 901. EFFECTIVE DATE OF AMENDMENTS.**

11            The amendments made by this Act shall take effect  
12 1 year after the date of enactment of this Act.

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