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 -CITE-
 <BR>
 <A name=3Dhit0000></A> <B><I>18</I></B> <B><I>USC</I></B> Sec. 923 = 01/07/2011
 <P>
 -EXPCITE-
 <BR>
 TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
 <BR>
 PART I - CRIMES
 <BR>
 CHAPTER 44 - <B><I>FIREARMS</I></B>
 <P>
 -HEAD-
 <BR>
 Sec. 923. Licensing
 <P>
 -STATUTE-
 <BR>
 (a) No person shall engage in the business of importing,
 <BR>
 manufacturing, or dealing in <B><I>firearms</I></B>, or importing or

<BR>  
manufacturing ammunition, until he has filed an =  
<B><I>application</I></B> with  
<BR>  
and received a <B><I>license</I></B> to do so from the Attorney =  
General. The  
<BR>  
<B><I>application</I></B> shall be in such form and contain only =  
that information  
<BR>  
necessary to determine eligibility for licensing as the Attorney  
<BR>  
General shall by regulation prescribe and shall include a  
<BR>  
photograph and fingerprints of the <B><I>applicant</I></B>. Each =  
<B><I>applicant</I></B> shall  
<BR>  
pay a fee for obtaining such a <B><I>license</I></B>, a separate fee =  
being  
<BR>  
required for each place in which the <B><I>applicant</I></B> is to =  
do business,  
<BR>  
as follows:  
<BR>  
(1) If the <B><I>applicant</I></B> is a manufacturer --20  
<BR>  
(A) of destructive devices, ammunition for destructive devices  
<BR>  
or armor piercing ammunition, a fee of \$1,000 per year;  
<BR>  
(B) of <B><I>firearms</I></B> other than destructive devices, a =  
fee of \$50  
<BR>  
per year; or  
<BR>  
(C) of ammunition for <B><I>firearms</I></B>, other than =  
ammunition for  
<BR>  
destructive devices or armor piercing ammunition, a fee of \$10  
<BR>  
per year.  
<P>  
(2) If the <B><I>applicant</I></B> is an importer --20  
<BR>  
(A) of destructive devices, ammunition for destructive devices  
<BR>  
or armor piercing ammunition, a fee of \$1,000 per year; or  
<BR>  
(B) of <B><I>firearms</I></B> other than destructive devices or =  
ammunition  
<BR>  
for <B><I>firearms</I></B> other than destructive devices, or =  
ammunition other  
<BR>  
than armor piercing ammunition, a fee of \$50 per year.  
<P>  
(3) If the <B><I>applicant</I></B> is a dealer --20  
<BR>  
(A) in destructive devices or ammunition for destructive  
<BR>  
devices, a fee of \$1,000 per year; or  
<BR>  
(B) who is not a dealer in destructive devices, a fee of \$200

<BR>  
for 3 years, except that the fee for <B><I>renewal</I></B> of a =  
valid <B><I>license</I></B>  
<BR>  
shall be \$90 for 3 years.  
<P>  
(b) Any person desiring to be licensed as a collector shall file  
<BR>  
an <B><I>application</I></B> for such <B><I>license</I></B> with the =  
Attorney General. The  
<BR>  
<B><I>application</I></B> shall be in such form and contain only =  
that information  
<BR>  
necessary to determine eligibility as the Attorney General shall by  
<BR>  
regulation prescribe. The fee for such <B><I>license</I></B> shall =  
be \$10 per  
<BR>  
year. Any <B><I>license</I></B> granted under this subsection shall =  
only apply to  
<BR>  
transactions in curios and relics.  
<BR>  
(c) Upon the filing of a proper <B><I>application</I></B> and =  
payment of the  
<BR>  
prescribed fee, the Attorney General shall issue to a qualified  
<BR>  
<B><I>applicant</I></B> the appropriate <B><I>license</I></B> which, =  
subject to the provisions  
<BR>  
of this chapter and other <B><I>applicable</I></B> provisions of =  
law, shall  
<BR>  
entitle the licensee to transport, ship, and receive =  
<B><I>firearms</I></B> and  
<BR>  
ammunition covered by such <B><I>license</I></B> in interstate or =  
foreign  
<BR>  
commerce during the period stated in the <B><I>license</I></B>. =  
Nothing in this  
<BR>  
chapter shall be construed to prohibit a licensed manufacturer,  
<BR>  
importer, or dealer from maintaining and disposing of a personal  
<BR>  
collection of <B><I>firearms</I></B>, subject only to such =  
restrictions as apply  
<BR>  
in this chapter to dispositions by a person other than a licensed  
<BR>  
manufacturer, importer, or dealer. If any <B><I>firearm</I></B> is =  
so disposed of  
<BR>  
by a licensee within one year after its transfer from his business  
<BR>  
inventory into such licensee's personal collection or if such  
<BR>  
disposition or any other acquisition is made for the purpose of  
<BR>  
willfully evading the restrictions placed upon licensees by this  
<BR>

chapter, then such **<I>firearm</I>** shall be deemed part of =  
such licensee's  
<BR>  
business inventory, except that any licensed manufacturer,  
<BR>  
importer, or dealer who has maintained a **<I>firearm</I>** as =  
part of a  
<BR>  
personal collection for one year and who sells or otherwise  
<BR>  
disposes of such **<I>firearm</I>** shall record the description =  
of the  
<BR>  
**<I>firearm</I>** in a bound volume, containing the name and =  
place of  
<BR>  
residence and date of birth of the transferee if the transferee is  
<BR>  
an individual, or the identity and principal and local places of  
<BR>  
business of the transferee if the transferee is a corporation or  
<BR>  
other business entity: Provided, That no other recordkeeping shall  
<BR>  
be required.  
<BR>  
(d)(1) Any **<I>application</I>** submitted under subsection =  
(a) or (b) of  
<BR>  
this section shall be approved if --20  
<BR>  
(A) the **<I>applicant</I>** is twenty-one years of age or =  
over;  
<BR>  
(B) the **<I>applicant</I>** (including, in the case of a =  
corporation,  
<BR>  
partnership, or association, any individual possessing, directly  
<BR>  
or indirectly, the power to direct or cause the direction of the  
<BR>  
management and policies of the corporation, partnership, or  
<BR>  
association) is not prohibited from transporting, shipping, or  
<BR>  
receiving **<I>firearms</I>** or ammunition in interstate or =  
foreign  
<BR>  
commerce under section 922(g) and (n) of this chapter;  
<BR>  
(C) the **<I>applicant</I>** has not willfully violated any =  
of the  
<BR>  
provisions of this chapter or regulations issued thereunder;  
<BR>  
(D) the **<I>applicant</I>** has not willfully failed to =  
disclose any  
<BR>  
material information required, or has not made any false  
<BR>  
statement as to any material fact, in connection with his  
<BR>  
**<I>application</I>**;

(E) the ***applicant*** has in a State (i) premises from which he  
<BR> conducts business subject to ***license*** under this chapter or from  
<BR> which he intends to conduct such business within a reasonable  
<BR> period of time, or (ii) in the case of a collector, premises from  
<BR> which he conducts his collecting subject to ***license*** under this  
<BR> chapter or from which he intends to conduct such collecting  
<BR> within a reasonable period of time;

(F) the ***applicant*** certifies that --20

(i) the business to be conducted under the ***license*** is not  
<BR> prohibited by State or local law in the place where the  
<BR> licensed premise is located;

(ii)(I) within 30 days after the ***application*** is approved the  
<BR> business will comply with the requirements of State and local  
<BR> law ***applicable*** to the conduct of the business; and

(II) the business will not be conducted under the ***license***  
<BR> until the requirements of State and local law ***applicable*** to the  
<BR> business have been met; and

(iii) that the ***applicant*** has sent or delivered a form to be  
<BR> prescribed by the Attorney General, to the chief law  
<BR> enforcement officer of the locality in which the premises are  
<BR> located, which indicates that the ***applicant*** intends to apply  
<BR> for a ***Federal firearms license***;

(G) in the case of an ***application*** to be licensed as a dealer,  
<BR> the ***applicant*** certifies that secure gun storage or safety devices  
<BR> will be available at any place in which ***firearms*** are sold under  
<BR> the ***license*** to persons who are not licensees =

(subject to the

<BR>  
<BR> exception that in any case in which a secure gun storage or  
<BR>  
<BR> safety device is temporarily unavailable because of theft,  
<BR>  
<BR> casualty loss, consumer sales, backorders from a manufacturer, or  
<BR>  
<BR> any other similar reason beyond the control of the licensee, the  
<BR>  
<BR> dealer shall not be considered to be in violation of the  
<BR>  
<BR> requirement under this subparagraph to make available such a  
<BR>  
<BR> device).

<P>

(2) The Attorney General must approve or deny an =  
<B><I>application</I></B> for

<BR>  
<BR> a <B><I>license</I></B> within the 60-day period beginning on the =  
date it is  
<BR>  
<BR> received. If the Attorney General fails to act within such period,  
<BR>  
<BR> the <B><I>applicant</I></B> may file an action under section 1361 of =  
title 28 to  
<BR>  
<BR> compel the Attorney General to act. If the Attorney General  
<BR>  
<BR> approves an <B><I>applicant</I></B>'s <B><I>application</I></B>, =  
such <B><I>applicant</I></B> shall be issued  
<BR>  
<BR> a <B><I>license</I></B> upon the payment of the prescribed fee.

<BR>  
<BR> (e) The Attorney General may, after notice and opportunity for  
<BR>  
<BR> hearing, revoke any <B><I>license</I></B> issued under this section =  
if the holder  
<BR>  
<BR> of such <B><I>license</I></B> has willfully violated any provision =  
of this  
<BR>  
<BR> chapter or any rule or regulation prescribed by the Attorney  
<BR>  
<BR> General under this chapter or fails to have secure gun storage or  
<BR>  
<BR> safety devices available at any place in which =  
<B><I>firearms</I></B> are sold  
<BR>  
<BR> under the <B><I>license</I></B> to persons who are not licensees =  
(except that in  
<BR>  
<BR> any case in which a secure gun storage or safety device is  
<BR>  
<BR> temporarily unavailable because of theft, casualty loss, consumer  
<BR>  
<BR> sales, backorders from a manufacturer, or any other similar reason  
<BR>  
<BR> beyond the control of the licensee, the dealer shall not be  
<BR>  
<BR> considered to be in violation of the requirement to make available  
<BR>  
<BR> such a device). The Attorney General may, after notice and  
<BR>  
<BR>

opportunity for hearing, revoke the ***license*** of a =  
dealer who  
<BR>  
<BR>willfully transfers armor piercing ammunition. The Secretary's (!1)  
<BR>  
<BR>action under this subsection may be reviewed only as provided in  
<BR>  
<BR>subsection (f) of this section.  
<P>  
(f)(1) Any person whose ***application*** for a =  
<B><I>license</I></B> is denied and  
<BR>  
any holder of a ***license*** which is revoked shall receive =  
a written  
<BR>  
notice from the Attorney General stating specifically the grounds  
<BR>  
upon which the ***application*** was denied or upon which =  
the ***license*** was  
<BR>  
revoked. Any notice of a revocation of a ***license*** shall =  
be given to  
<BR>  
the holder of such ***license*** before the effective date =  
of the  
<BR>  
revocation.  
<BR>  
(2) If the Attorney General denies an ***application*** =  
for, or  
<BR>  
revokes, a ***license***, he shall, upon request by the =  
aggrieved party,  
<BR>  
promptly hold a hearing to review his denial or revocation. In the  
<BR>  
case of a revocation of a ***license***, the Attorney =  
General shall upon  
<BR>  
the request of the holder of the ***license*** stay the =  
effective date of  
<BR>  
the revocation. A hearing held under this paragraph shall be held  
<BR>  
at a location convenient to the aggrieved party.  
<BR>  
(3) If after a hearing held under paragraph (2) the Attorney  
<BR>  
General decides not to reverse his decision to deny an =  
<B><I>application</I></B>  
<BR>  
or revoke a ***license***, the Attorney General shall give =  
notice of his  
<BR>  
decision to the aggrieved party. The aggrieved party may at any  
<BR>  
time within sixty days after the date notice was given under this  
<BR>  
paragraph file a petition with the United States district court for  
<BR>  
the district in which he resides or has his principal place of  
<BR>  
business for a de novo judicial review of such denial or  
<BR>

revocation. In a proceeding conducted under this subsection, the  
<BR>  
<BR> court may consider any evidence submitted by the parties to the  
<BR>  
<BR> proceeding whether or not such evidence was considered at the  
<BR>  
<BR> hearing held under paragraph (2). If the court decides that the  
<BR>  
<BR> Attorney General was not authorized to deny the =  
<B><I>application</I></B> or to  
<BR>  
<BR> revoke the <B><I>license</I></B>, the court shall order the Attorney =  
General to  
<BR>  
<BR> take such action as may be necessary to comply with the judgment of  
<BR>  
<BR> the court.

<BR>  
<BR> (4) If criminal proceedings are instituted against a licensee  
<BR>  
<BR> alleging any violation of this chapter or of rules or regulations  
<BR>  
<BR> prescribed under this chapter, and the licensee is acquitted of  
<BR>  
<BR> such charges, or such proceedings are terminated, other than upon  
<BR>  
<BR> motion of the Government before trial upon such charges, the  
<BR>  
<BR> Attorney General shall be absolutely barred from denying or  
<BR>  
<BR> revoking any <B><I>license</I></B> granted under this chapter where =  
such denial  
<BR>  
<BR> or revocation is based in whole or in part on the facts which form  
<BR>  
<BR> the basis of such criminal charges. No proceedings for the  
<BR>  
<BR> revocation of a <B><I>license</I></B> shall be instituted by the =  
Attorney General  
<BR>  
<BR> more than one year after the filing of the indictment or  
<BR>  
<BR> information.

<BR>  
<BR> (g)(1)(A) Each licensed importer, licensed manufacturer, and  
<BR>  
<BR> licensed dealer shall maintain such records of importation,  
<BR>  
<BR> production, shipment, receipt, sale, or other disposition of  
<BR>  
<BR> <B><I>firearms</I></B> at his place of business for such period, and =  
in such  
<BR>  
<BR> form, as the Attorney General may by regulations prescribe. Such  
<BR>  
<BR> importers, manufacturers, and dealers shall not be required to  
<BR>  
<BR> submit to the Attorney General reports and information with respect  
<BR>  
<BR> to such records and the contents thereof, except as expressly  
<BR>  
<BR> required by this section. The Attorney General, when he has  
<BR>  
<BR> reasonable cause to believe a violation of this chapter has

<BR>  
occurred and that evidence thereof may be found on such premises,  
<BR>  
may, upon demonstrating such cause before a <B><I>Federal</I></B> =  
magistrate  
<BR>  
judge and securing from such magistrate judge a warrant authorizing  
<BR>  
entry, enter during business hours the premises (including places  
<BR>  
of storage) of any licensed <B><I>firearms</I></B> importer, =  
licensed  
<BR>  
manufacturer, licensed dealer, licensed collector, or any licensed  
<BR>  
importer or manufacturer of ammunition, for the purpose of  
<BR>  
inspecting or examining -=20  
<BR>  
(i) any records or documents required to be kept by such  
<BR>  
licensed importer, licensed manufacturer, licensed dealer, or  
<BR>  
licensed collector under this chapter or rules or regulations  
<BR>  
under this chapter, and  
<BR>  
(ii) any <B><I>firearms</I></B> or ammunition kept or stored by =  
such licensed  
<BR>  
importer, licensed manufacturer, licensed dealer, or licensed  
<BR>  
collector, at such premises.  
<P>  
(B) The Attorney General may inspect or examine the inventory and  
<BR>  
records of a licensed importer, licensed manufacturer, or licensed  
<BR>  
dealer without such reasonable cause or warrant -=20  
<BR>  
(i) in the course of a reasonable inquiry during the course of  
<BR>  
a criminal investigation of a person or persons other than the  
<BR>  
licensee;  
<BR>  
(ii) for ensuring compliance with the record keeping  
<BR>  
requirements of this chapter -=20  
<BR>  
(I) not more than once during any 12-month period; or  
<BR>  
(II) at any time with respect to records relating to a  
<BR>  
<B><I>firearm</I></B> involved in a criminal investigation that =  
is traced to  
<BR>  
the licensee; or  
<P>  
(iii) when such inspection or examination may be required for  
<BR>  
determining the disposition of one or more particular =  
<B><I>firearms</I></B> in  
<BR>

the course of a bona fide criminal investigation.

<P>

(C) The Attorney General may inspect the inventory and records of

<BR>

a licensed collector without such reasonable cause or warrant --20

<BR>

(i) for ensuring compliance with the record keeping

<BR>

requirements of this chapter not more than once during any twelve-

<BR>

month period; or

<BR>

(ii) when such inspection or examination may be required for

<BR>

determining the disposition of one or more particular =

<B><I>firearms</I></B> in

<BR>

the course of a bona fide criminal investigation.

<P>

(D) At the election of a licensed collector, the annual

<BR>

inspection of records and inventory permitted under this paragraph

<BR>

shall be performed at the office of the Attorney General designated

<BR>

for such inspections which is located in closest proximity to the

<BR>

premises where the inventory and records of such licensed collector

<BR>

are maintained. The inspection and examination authorized by this

<BR>

paragraph shall not be construed as authorizing the Attorney

<BR>

General to seize any records or other documents other than those

<BR>

records or documents constituting material evidence of a violation

<BR>

of law. If the Attorney General seizes such records or documents,

<BR>

copies shall be provided the licensee within a reasonable time. The

<BR>

Attorney General may make available to any <B><I>Federal</I></B>, =  
State, or local

<BR>

law enforcement agency any information which he may obtain by

<BR>

reason of this chapter with respect to the identification of

<BR>

persons prohibited from purchasing or receiving =

<B><I>firearms</I></B> or

<BR>

ammunition who have purchased or received <B><I>firearms</I></B> or =  
ammunition,

<BR>

together with a description of such <B><I>firearms</I></B> or =  
ammunition, and he

<BR>

may provide information to the extent such information may be

<BR>

contained in the records required to be maintained by this chapter,

<BR>

when so requested by any <B><I>Federal</I></B>, State, or local law =  
enforcement

<BR>

agency.

<BR>

(2) Each licensed collector shall maintain in a bound volume the nature of which the Attorney General may by regulations prescribe, records of the receipt, sale, or other disposition of = <B><I>firearms</I></B>.

<BR>

Such records shall include the name and address of any person to whom the collector sells or otherwise disposes of a = <B><I>firearm</I></B>. Such

<BR>

collector shall not be required to submit to the Attorney General reports and information with respect to such records and the contents thereof, except as expressly required by this section.

<BR>

(3)(A) Each licensee shall prepare a report of multiple sales or other dispositions whenever the licensee sells or otherwise

<BR>

disposes of, at one time or during any five consecutive business

<BR>

days, two or more pistols, or revolvers, or any combination of

<BR>

pistols and revolvers totalling two or more, to an unlicensed

<BR>

person. The report shall be prepared on a form specified by the

<BR>

Attorney General and forwarded to the office specified thereon and

<BR>

to the department of State police or State law enforcement agency

<BR>

of the State or local law enforcement agency of the local

<BR>

jurisdiction in which the sale or other disposition took place, not

<BR>

later than the close of business on the day that the multiple sale

<BR>

or other disposition occurs.

<BR>

(B) Except in the case of forms and contents thereof regarding a

<BR>

purchaser who is prohibited by subsection (g) or (n) of section 922

<BR>

of this title from receipt of a <B><I>firearm</I></B>, the =

<BR>

department of State police or State law enforcement agency or local law enforcement

<BR>

agency of the local jurisdiction shall not disclose any such form

<BR>

or the contents thereof to any person or entity, and shall destroy

<BR>

each such form and any record of the contents thereof no more than

<BR>

20 days from the date such form is received. No later than the date

<BR>

that is 6 months after the effective date of this subparagraph, and

<BR>

at the end of each 6-month period thereafter, the department of

<BR>  
State police or State law enforcement agency or local law  
<BR>  
<BR>enforcement agency of the local jurisdiction shall certify to the  
<BR>  
<BR>Attorney General of the United States that no disclosure contrary  
<BR>  
<BR>to this subparagraph has been made and that all forms and any  
<BR>  
<BR>record of the contents thereof have been destroyed as provided in  
<BR>  
<BR>this subparagraph.

<BR>  
(4) Where a <B><I>firearms</I></B> or ammunition business is =  
discontinued and  
<BR>  
<BR>succeeded by a new licensee, the records required to be kept by  
<BR>  
<BR>this chapter shall appropriately reflect such facts and shall be  
<BR>  
<BR>delivered to the successor. Where discontinuance of the business is  
<BR>  
<BR>absolute, such records shall be delivered within thirty days after  
<BR>  
<BR>the business discontinuance to the Attorney General. However, where  
<BR>  
<BR>State law or local ordinance requires the delivery of records to  
<BR>  
<BR>other responsible authority, the Attorney General may arrange for  
<BR>  
<BR>the delivery of such records to such other responsible authority.

<BR>  
(5)(A) Each licensee shall, when required by letter issued by the  
<BR>  
<BR>Attorney General, and until notified to the contrary in writing by  
<BR>  
<BR>the Attorney General, submit on a form specified by the Attorney  
<BR>  
<BR>General, for periods and at the times specified in such letter, all  
<BR>  
<BR>record information required to be kept by this chapter or such  
<BR>  
<BR>lesser record information as the Attorney General in such letter  
<BR>  
<BR>may specify.

<BR>  
(B) The Attorney General may authorize such record information to  
<BR>  
<BR>be submitted in a manner other than that prescribed in subparagraph

<BR>  
(A) of this paragraph when it is shown by a licensee that an  
<BR>  
<BR>alternate method of reporting is reasonably necessary and will not  
<BR>  
<BR>unduly hinder the effective administration of this chapter. A  
<BR>  
<BR>licensee may use an alternate method of reporting if the licensee  
<BR>  
<BR>describes the proposed alternate method of reporting and the need  
<BR>  
<BR>therefor in a letter <B><I>application</I></B> submitted to the =  
Attorney General,  
<BR>  
<BR>and the Attorney General approves such alternate method of

<BR>  
reporting.

<BR>  
(6) Each licensee shall report the theft or loss of a =  
<B><I>firearm</I></B>

<BR>  
from the licensee's inventory or collection, within 48 hours after  
<BR>  
the theft or loss is discovered, to the Attorney General and to the  
<BR>  
appropriate local authorities.

<BR>  
(7) Each licensee shall respond immediately to, and in no event  
<BR>  
later than 24 hours after the receipt of, a request by the Attorney  
<BR>  
General for information contained in the records required to be  
<BR>  
kept by this chapter as may be required for determining the  
<BR>  
disposition of 1 or more <B><I>firearms</I></B> in the course of a =  
bona fide  
<BR>  
criminal investigation. The requested information shall be provided  
<BR>  
orally or in writing, as the Attorney General may require. The  
<BR>  
Attorney General shall implement a system whereby the licensee can  
<BR>  
positively identify and establish that an individual requesting  
<BR>  
information via telephone is employed by and authorized by the  
<BR>  
agency to request such information.

<BR>  
(h) <B><I>Licenses</I></B> issued under the provisions of =  
subsection (c) of  
<BR>  
this section shall be kept posted and kept available for inspection  
<BR>  
on the premises covered by the <B><I>license</I></B>.

<BR>  
(i) Licensed importers and licensed manufacturers shall identify  
<BR>  
by means of a serial number engraved or cast on the receiver or  
<BR>  
frame of the weapon, in such manner as the Attorney General shall  
<BR>  
by regulations prescribe, each <B><I>firearm</I></B> imported or =  
manufactured by  
<BR>  
such importer or manufacturer.

<BR>  
(j) A licensed importer, licensed manufacturer, or licensed  
<BR>  
dealer may, under rules or regulations prescribed by the Attorney  
<BR>  
General, conduct business temporarily at a location other than the  
<BR>  
location specified on the <B><I>license</I></B> if such temporary =  
location is the  
<BR>  
location for a gun show or event sponsored by any national, State,  
<BR>

or local organization, or any affiliate of any such organization  
<BR>devoted to the collection, competitive use, or other sporting use  
<BR>of <B><I>firearms</I></B> in the community, and such location is in =  
the State  
<BR>which is specified on the <B><I>license</I></B>. Records of receipt =  
and  
<BR>disposition of <B><I>firearms</I></B> transactions conducted at such =  
temporary  
<BR>location shall include the location of the sale or other  
<BR>disposition and shall be entered in the permanent records of the  
<BR>licensee and retained on the location specified on the =  
<B><I>license</I></B>.  
<BR>Nothing in this subsection shall authorize any licensee to conduct  
<BR>business in or from any motorized or towed vehicle. Notwithstanding  
<BR>the provisions of subsection (a) of this section, a separate fee  
<BR>shall not be required of a licensee with respect to business  
<BR>conducted under this subsection. Any inspection or examination of  
<BR>inventory or records under this chapter by the Attorney General at  
<BR>such temporary location shall be limited to inventory consisting  
<BR>of, or records relating to, <B><I>firearms</I></B> held or disposed =  
at such  
<BR>temporary location. Nothing in this subsection shall be construed  
<BR>to authorize the Attorney General to inspect or examine the  
<BR>inventory or records of a licensed importer, licensed manufacturer,  
<BR>or licensed dealer at any location other than the location  
<BR>specified on the <B><I>license</I></B>. Nothing in this subsection =  
shall be  
<BR>construed to diminish in any manner any right to display, sell, or  
<BR>otherwise dispose of <B><I>firearms</I></B> or ammunition, which is =  
in effect  
<BR>before the date of the enactment of the <B><I>Firearms</I></B> =  
Owners' Protection  
<BR>Act, including the right of a licensee to conduct "curios or  
<BR>relics" <B><I>firearms</I></B> transfers and business away from =  
their business  
<BR>premises with another licensee without regard as to whether the  
<BR>location of where the business is conducted is located in the State

<BR>  
specified on the <B><I>license</I></B> of either licensee.

<BR>  
(k) Licensed importers and licensed manufacturers shall mark all  
<BR>  
armor piercing projectiles and packages containing such projectiles  
<BR>  
for distribution in the manner prescribed by the Attorney General  
<BR>  
by regulation. The Attorney General shall furnish information to  
<BR>  
each dealer licensed under this chapter defining which projectiles  
<BR>  
are considered armor piercing ammunition as defined in section  
<BR>  
921(a)(17)(B).

<BR>  
(l) The Attorney General shall notify the chief law enforcement  
<BR>  
officer in the appropriate State and local jurisdictions of the  
<BR>  
names and addresses of all persons in the State to whom a =  
<B><I>firearms</I></B>  
<BR>  
<B><I>license</I></B> is issued.

<P>

-SOURCE-

<BR>  
(Added Pub. L. 90-351, title IV, Sec. 902, June 19, 1968, 82 Stat.  
<BR>  
231; amended Pub. L. 90-618, title I, Sec. 102, Oct. 22, 1968, 82  
<BR>  
Stat. 1221; Pub. L. 92-377, title I, Sec. 165(b), Dec. 21, 1982, 96  
<BR>  
Stat. 1923; Pub. L. 99-308, Sec. 103, May 19, 1986, 100 Stat. 453;  
<BR>  
Pub. L. 99-360, Sec. 1(c), July 8, 1986, 100 Stat. 766; Pub. L. 99-  
<BR>  
408, Secs. 3-7, Aug. 28, 1986, 100 Stat. 921; Pub. L. 100-690,  
<BR>  
title VII, Sec. 7060(d), Nov. 18, 1988, 102 Stat. 4404; Pub. L. 101-  
<BR>  
647, title XXII, Sec. 2203(a), title XXXV, Sec. 3525, Nov. 29,  
<BR>  
1990, 104 Stat. 4857, 4924; Pub. L. 101-650, title III, Sec. 321,  
<BR>  
Dec. 1, 1990, 104 Stat. 5117; Pub. L. 103-159, title II, Sec. 201,  
<BR>  
title III, Sec. 303, Nov. 30, 1993, 107 Stat. 1544, 1545; Pub. L.  
<BR>  
103-322, title XI, Secs. 110102(d), 110103(d), 110105(2),  
<BR>  
110301(a), 110302-110307, title XXXIII, Sec. 330011(i), Sept. 13,  
<BR>  
1994, 108 Stat. 1998-2000, 2012-2014, 2145; Pub. L. 104-208, div.  
<BR>  
A, title I, Sec. 101(f) [title I, Sec. 118], Sept. 30, 1996, 110  
<BR>  
Stat. 3009-314, 3009-326; Pub. L. 104-294, title VI, Sec.  
<BR>  
603(j)(1), (k), (l), Oct. 11, 1996, 110 Stat. 3504, 3505; Pub. L.  
<BR>  
105-277, div. A, Sec. 101(b) [title I, Sec. 119(b), (c)], Oct. 21,  
<BR>

1998, 112 Stat. 2681-50, 2681-69; Pub. L. 107-296, title XI, Sec.  
<BR> 1112(f)(5), (6), Nov. 25, 2002, 116 Stat. 2276.)

<P>  
-REFTEXT-  
<BR>

REFERENCES IN TEXT

=20

<BR> The effective date of this subparagraph, referred to in subsec.  
<BR> (g)(3)(B), is the date of enactment of Pub. L. 103-159, which was  
<BR> approved Nov. 30, 1993.

<BR> The date of the enactment of the <B><I>Firearms</I></B> Owners' =  
Protection Act,  
<BR> referred to in subsec. (j), is the date of enactment of Pub. L. 99-  
<BR> 308, which was approved May 19, 1986.

<P>  
-MISC1-  
<BR>

AMENDMENTS

=20

<BR> 2002 - Subsecs. (a) to (g), (i) to (k). Pub. L. 107-296, Sec.  
<BR> 1112(f)(6), substituted "Attorney General" for "Secretary" wherever  
<BR> appearing.

<BR> Subsec. (l). Pub. L. 107-296, Sec. 1112(f)(5), substituted  
<BR> "Attorney General" for "Secretary of the Treasury".

<BR> 1998 - Subsec. (d)(1)(G). Pub. L. 105-277, Sec. 101(b) [title I,  
<BR> Sec. 119(b)], added subpar. (G).

<BR> Subsec. (e). Pub. L. 105-277, Sec. 101(b) [title I, Sec. 119(c)],  
<BR> inserted before period at end of first sentence "or fails to have  
<BR> secure gun storage or safety devices available at any place in  
<BR> which <B><I>firearms</I></B> are sold under the =  
<B><I>license</I></B> to persons who are not  
<BR> licensees (except that in any case in which a secure gun storage or  
<BR> safety device is temporarily unavailable because of theft, casualty  
<BR> loss, consumer sales, backorders from a manufacturer, or any other  
<BR> similar reason beyond the control of the licensee, the dealer shall  
<BR> not be considered to be in violation of the requirement to make  
<BR> available such a device)".

<BR> 1996 - Subsec. (g)(1)(B)(ii). Pub. L. 104-294, Sec. 603(k),  
<BR> substituted "; or" for period at end of subcl. (II) and realigned  
<BR>

margins.

<BR>

Subsec. (g)(3)(A). Pub. L. 104-294, Sec. 603(j)(1), amended

<BR>

directory language of Pub. L. 103-159, Sec. 201(1). See 1993

<BR>

Amendment note below.

<BR>

Subsec. (j). Pub. L. 104-208 substituted for period at end "

<BR>

including the right of a licensee to conduct 'curios or relics'

<BR>

<B><I>firearms</I></B> transfers and business away from their =  
business premises

<BR>

with another licensee without regard as to whether the location of

<BR>

where the business is conducted is located in the State specified

<BR>

on the <B><I>license</I></B> of either licensee."

<BR>

Subsec. (l). Pub. L. 104-294, Sec. 603(l), redesignated last

<BR>

subsec. as subsec. (l) and realigned margins.

<BR>

1994 - Subsec. (a). Pub. L. 103-322, Sec. 110301(a), inserted

<BR>

"and shall include a photograph and fingerprints of the =

<B><I>applicant</I></B>"

<BR>

after "regulation prescribe" in introductory provisions.

<BR>

Subsec. (a)(3)(B). Pub. L. 103-322, Sec. 330011(i), amended

<BR>

directory language of Pub. L. 101-647, Sec. 3525. See 1990

<BR>

Amendment note below.

<BR>

Subsec. (d)(1)(F). Pub. L. 103-322, Sec. 110302, added subpar.

<BR>

(F).

<BR>

Subsec. (d)(2). Pub. L. 103-322, Sec. 110303, substituted "60-day

<BR>

period" for "forty-five-day period".

<BR>

Subsec. (g)(1)(B)(ii). Pub. L. 103-322, Sec. 110304, amended cl.

<BR>

(ii) generally. Prior to amendment, cl. (ii) read as follows: "for

<BR>

ensuring compliance with the record keeping requirements of this

<BR>

chapter not more than once during any twelve-month period; or".

<BR>

Subsec. (g)(6). Pub. L. 103-322, Sec. 110305, added par. (6).

<BR>

Subsec. (g)(7). Pub. L. 103-322, Sec. 110306, added par. (7).

<BR>

Subsec. (i). Pub. L. 103-322, Sec. 110103(d), which inserted at

<BR>

end "A large capacity ammunition feeding device manufactured after

<BR>

the date of the enactment of this sentence shall be identified by a

<BR>

serial number that clearly shows that the device was manufactured  
<BR>or imported after the effective date of this subsection, and such  
<BR>other identification as the Secretary may by regulation  
<BR>prescribe.", was repealed by Pub. L. 103-322, Sec. 110105(2). See  
<BR>Effective and Termination Dates of 1994 Amendment note below.  
<BR>Pub. L. 103-322, Sec. 110102(d), which inserted penultimate  
<BR>sentence which read as follows: "The serial number of any  
<BR>semiautomatic assault weapon manufactured after the date of the  
<BR>enactment of this sentence shall clearly show the date on which the  
<BR>weapon was manufactured.", was repealed by Pub. L. 103-322, Sec.  
<BR>110105(2). See Effective and Termination Dates of 1994 Amendment  
<BR>note below.  
<BR>Subsec. (l). Pub. L. 103-322, Sec. 110307, which directed the  
<BR>amendment of this section by adding subsec. (1) at end, was  
<BR>executed by adding subsec. (l) at end to reflect the probable  
<BR>intent of Congress.  
<BR>1993 - Subsec. (a)(3)(A). Pub. L. 103-159, Sec. 303(1), inserted  
<BR>"or" at end of subpar. (A).  
<BR>Subsec. (a)(3)(B). Pub. L. 103-159, Sec. 303(2), (3), substituted  
<BR>"who is not a dealer in destructive devices, a fee of \$200 for 3  
<BR>years, except that the fee for <B><I>renewal</I></B> of a valid =  
<B><I>license</I></B> shall be  
<BR>\$90 for 3 years." for "who is a pawnbroker dealing in =  
<B><I>firearms</I></B>  
<BR>other than destructive devices, a fee of \$25 per year; or".  
<BR>Subsec. (a)(3)(C). Pub. L. 103-159, Sec. 303(4), struck out  
<BR>subpar. (C) which read as follows: "who is not a dealer in  
<BR>destructive devices or a pawnbroker, a fee of \$10 per year."  
<BR>Subsec. (g)(3). Pub. L. 103-159, Sec. 201, as amended by Pub. L.  
<BR>104-294, Sec. 603(j)(1), designated existing provisions as subpar.  
<BR>(A), inserted "and to the department of State police or State law  
<BR>enforcement agency of the State or local law enforcement agency of  
<BR>the local jurisdiction in which the sale or other disposition took  
<BR>

place," after "thereon", and added subpar. (B).

<BR>

1990 - Subsec. (a)(3)(B). Pub. L. 101-647, Sec. 3525, as amended

<BR>

by Pub. L. 103-322, Sec. 330011(i), inserted a comma after

<BR>

"devices".

<BR>

Subsec. (d)(1)(B). Pub. L. 101-647, Sec. 2203(a), substituted

<BR>

"(n)" for "(h)".

<BR>

1988 - Subsec. (a). Pub. L. 100-690, Sec. 7060(d)(1), struck out

<BR>

period after "licensing" in introductory provisions.

<BR>

Subsec. (f)(3). Pub. L. 100-690, Sec. 7060(d)(2), struck out the

<BR>

period that followed a period after "paragraph (2)".

<BR>

1986 - Subsec. (a). Pub. L. 99-308, Sec. 103(1), amended first

<BR>

sentence generally and substituted "only that information necessary

<BR>

to determine eligibility for licensing." for "such information" in

<BR>

second sentence. Prior to amendment, first sentence read as

<BR>

follows: "No person shall engage in business as a =

<B><I>firearms</I></B> or

<BR>

ammunition importer, manufacturer, or dealer until he has filed an

<BR>

<B><I>application</I></B> with, and received a <B><I>license</I></B> =

<BR>

to do so from, the

<BR>

Secretary."

<BR>

Subsec. (a)(1)(A). Pub. L. 99-408, Sec. 3, in amending subpar.

<BR>

(A) generally, substituted ", ammunition for destructive devices or

<BR>

armor piercing ammunition" for "or ammunition for destructive

<BR>

devices".

<BR>

Subsec. (a)(1)(C). Pub. L. 99-408, Sec. 4, in amending subpar.

<BR>

(C) generally, substituted ", other than ammunition for destructive

<BR>

devices or armor piercing ammunition" for "other than destructive

<BR>

devices".

<BR>

Subsec. (a)(2). Pub. L. 99-408, Sec. 5, amended subpars. (A) and

<BR>

(B) generally. Prior to amendment, subpars. (A) and (B) read as

<BR>

follows:

<BR>

"(A) of destructive devices or ammunition for destructive

<BR>

devices, a fee of \$1,000 per year; or

<BR>

"(B) of **<I>firearms</I>** other than destructive devices or =  
ammunition for  
<BR>  
<B><I>firearms</I></B> other than destructive devices, a fee of \$50 =  
per year."  
<BR>  
Subsec. (a)(3)(B). Pub. L. 99-308, Sec. 103(2), struck out "or  
<BR>  
ammunition for **<I>firearms</I></B> other than destructive =  
devices," after  
<BR>  
"destructive devices".  
<BR>  
Subsec. (b). Pub. L. 99-308, Sec. 103(3), substituted "only that  
<BR>  
information necessary to determine eligibility" for "such  
<BR>  
information".  
<BR>  
Subsec. (c). Pub. L. 99-360 inserted provision which required any  
<BR>  
licensed manufacturer, importer, or dealer who has maintained a  
<BR>  
**<I>firearm</I></B> as part of a personal collection for one year =  
and sells or  
<BR>  
otherwise disposes of such **<I>firearm</I></B> to record the =  
description of the  
<BR>  
**<I>firearm</I></B> in a bound volume, specified other information =  
to be  
<BR>  
recorded, and provided that no other recordkeeping be required.  
<BR>  
Pub. L. 99-308, Sec. 103(4), inserted provision that nothing in  
<BR>  
this chapter be construed to prohibit a licensed manufacturer,  
<BR>  
importer, or dealer from maintaining and disposing of a personal  
<BR>  
collection of **<I>firearms</I></B> subject to such restrictions as =  
apply in  
<BR>  
this chapter to other persons, and provision specifying  
<BR>  
circumstances under which such disposition or any other acquisition  
<BR>  
shall result in such **<I>firearms</I></B> being deemed part of the =  
licensee's  
<BR>  
business inventory.  
<BR>  
Subsec. (e). Pub. L. 99-408, Sec. 6, inserted provisions relating  
<BR>  
to **<I>licenses</I></B> of dealers willfully transferring armor =  
piercing  
<BR>  
ammunition.  
<BR>  
Pub. L. 99-308, Sec. 103(5), inserted "willfully" before  
<BR>  
"violated".  
<BR>  
Subsec. (f)(3). Pub. L. 99-308, Sec. 103(6)(A), inserted "de**************

<BR>  
novo" before "judicial review" in second sentence and "whether or  
<BR>  
not such evidence was considered at the hearing held under  
<BR>  
paragraph (2)." after "to the proceeding" in third sentence.  
<BR>  
Subsec. (f)(4). Pub. L. 99-308, Sec. 103(6)(B), added par. (4).  
<BR>  
Subsec. (g). Pub. L. 99-308, Sec. 103(7), amended subsec. (g)  
<BR>  
generally. Prior to amendment, subsec. (g) read as follows: "Each  
<BR>  
licensed importer, licensed manufacturer, licensed dealer, and  
<BR>  
licensed collector shall maintain such records of importation,  
<BR>  
production, shipment, receipt, sale, or other disposition, of  
<BR>  
<B><I>firearms</I></B> and ammunition except .22 caliber rimfire =  
ammunition at  
<BR>  
such place, for such period, and in such form as the Secretary may  
<BR>  
by regulations prescribe. Such importers, manufacturers, dealers,  
<BR>  
and collectors shall make such records available for inspection at  
<BR>  
all reasonable times, and shall submit to the Secretary such  
<BR>  
reports and information with respect to such records and the  
<BR>  
contents thereof as he shall by regulations prescribe. The  
<BR>  
Secretary may enter during business hours the premises (including  
<BR>  
places of storage) of any <B><I>firearms</I></B> or ammunition =  
importer,  
<BR>  
manufacturer, dealer, or collector for the purpose of inspecting or  
<BR>  
examining (1) any records or documents required to be kept by such  
<BR>  
importer, manufacturer, dealer, or collector under the provisions  
<BR>  
of this chapter or regulations issued under this chapter, and (2)  
<BR>  
any <B><I>firearms</I></B> or ammunition kept or stored by such =  
importer,  
<BR>  
manufacturer, dealer, or collector at such premises. Upon the  
<BR>  
request of any State or any political subdivision thereof, the  
<BR>  
Secretary may make available to such State or any political  
<BR>  
subdivision thereof, any information which he may obtain by reason  
<BR>  
of the provisions of this chapter with respect to the  
<BR>  
identification of persons within such State or political  
<BR>  
subdivision thereof, who have purchased or received =  
<B><I>firearms</I></B> or

<BR>  
ammunition, together with a description of such =  
<B><I>firearms</I></B> or  
<BR>  
ammunition."  
<BR>  
Subsec. (j). Pub. L. 99-308, Sec. 103(8), amended subsec. (j)  
<BR>  
generally. Prior to amendment, subsec. (j) read as follows: "This  
<BR>  
section shall not apply to anyone who engages only in hand loading,  
<BR>  
reloading, or custom loading ammunition for his own =  
<B><I>firearm</I></B>, and  
<BR>  
who does not hand load, reload, or custom load ammunition for  
<BR>  
others."  
<BR>  
Subsec. (k). Pub. L. 99-408, Sec. 7, added subsec. (k).  
<BR>  
1982 - Subsec. (g). Pub. L. 97-377 inserted "except .22 caliber  
<BR>  
rimfire ammunition" after "and ammunition". The amendment by Pub.  
<BR>  
L. 97-377, which purported to amend subsec. (9), was executed  
<BR>  
instead to subsec. (g) as the probable intent of Congress because  
<BR>  
this section does not contain a subsec. (9).  
<BR>  
1968 - Subsec. (a). Pub. L. 90-618 struck out "be required to"  
<BR>  
after "Each <B><I>applicant</I></B> shall".  
<BR>  
Subsec. (a)(1). Pub. L. 90-618 inserted "the =  
<B><I>applicant</I></B> is" after  
<BR>  
"If" in text preceding subpar. (A), substituted "or ammunition for  
<BR>  
destructive devices," for "and/or ammunition" in subpar. (A),  
<BR>  
decreased the fee from \$500 per year to \$50 per year in subpar.  
<BR>  
(B), and added subpar. (C).  
<BR>  
Subsec. (a)(2). Pub. L. 90-618 inserted "the =  
<B><I>applicant</I></B> is" after  
<BR>  
"If" in text preceding subpar. (A), substituted "or ammunition for  
<BR>  
destructive devices," for "and/or ammunition" in subpar. (A), and  
<BR>  
inserted provision for ammunition for <B><I>firearms</I></B> other =  
than  
<BR>  
destructive devices and decreased the fee from \$500 per year to \$50  
<BR>  
per year in subpar. (B).  
<BR>  
Subsec. (a)(3). Pub. L. 90-618 inserted "the =  
<B><I>applicant</I></B> is" after  
<BR>  
"If" in text preceding subpar. (A), substituted "in destructive

<BR>  
devices or ammunition for destructive devices," for "of destructive  
<BR>  
devices and/or ammunition" in subpar. (A), and inserted provision  
<BR>  
for ammunition for <B><I>firearms</I></B> other than destructive =  
devices and  
<BR>  
decreased the fee from \$250 per year to \$25 per year in subpar.  
<BR>  
(B).  
<BR>  
Subsecs. (b), (c). Pub. L. 90-618 added subsec. (b), redesignated  
<BR>  
former subsec. (b) as (c) and made mandatory the requirement that  
<BR>  
the Secretary issue the appropriate <B><I>license</I></B> to a =  
qualified  
<BR>  
<B><I>applicant</I></B>. Former subsec. (c) redesignated (d).  
<BR>  
Subsec. (d). Pub. L. 90-618 redesignated former subsec. (c) as  
<BR>  
(d)(1), made changes in phraseology, inserted references to section  
<BR>  
922(g) and (h) of this chapter in subsec. (d)(1)(B) and to  
<BR>  
<B><I>applicants</I></B> engaged in collecting in subsec. =  
(d)(1)(E)(ii), and  
<BR>  
added subsec. (d)(2). Former subsec. (d) redesignated (g).  
<BR>  
Subsecs. (e), (f). Pub. L. 90-618 added subsecs. (e) and (f) and  
<BR>  
redesignated former subsecs. (e) and (f) as (h) and (i),  
<BR>  
respectively.  
<BR>  
Subsec. (g). Pub. L. 90-618 redesignated former subsec. (d) as  
<BR>  
(g) and added licensed collectors to the enumerated list of  
<BR>  
licensees subject to the provisions of this section.  
<BR>  
Subsec. (h). Pub. L. 90-618 redesignated former subsec. (e) as  
<BR>  
(h) and substituted "subsection (c)" for "subsection (b)".  
<BR>  
Subsec. (i). Pub. L. 90-618 redesignated former subsec. (f) as  
<BR>  
(i) and inserted ", by means of a serial number engraved or cast on  
<BR>  
the receiver or frame of the weapon," after "shall identify".  
<BR>  
Subsec. (j). Pub. L. 90-618 added subsec. (j).

<P>  
-CHANGE-  
<BR>

CHANGE OF NAME

=20

<BR>  
Words "magistrate judge" substituted for "magistrate" wherever  
<BR>  
appearing in subsec. (g)(1)(A) pursuant to section 321 of Pub. L.  
<BR>

101-650, set out as a note under section 631 of Title 28, Judiciary  
<BR> and Judicial Procedure.

<P>  
-MISC2-  
<BR>

EFFECTIVE DATE OF 2002 AMENDMENT =20

<BR> Amendment by Pub. L. 107-296 effective 60 days after Nov. 25,  
<BR> 2002, see section 4 of Pub. L. 107-296, set out as an Effective  
<BR> Date note under section 101 of Title 6, Domestic Security.

<P>  
EFFECTIVE DATE OF 1998 AMENDMENT =20

<BR> Amendment by Pub. L. 105-277, effective 180 days after Oct. 21,  
<BR> 1998, see section 101(b) [title I, Sec. 119(e)] of Pub. L. 105-277,  
<BR> set out as a note under section 921 of this title.

<P>  
EFFECTIVE DATE OF 1996 AMENDMENT =20

<BR> Section 603(j)(2) of Pub. L. 104-294 provided that: "The  
<BR> amendment made by paragraph (1) [amending this section] shall take  
<BR> effect as if the amendment had been included in the Act referred to  
<BR> in paragraph (1) [Pub. L. 103-159] on the date of the enactment of  
<BR> such Act [Nov. 30, 1993]."

<P>  
EFFECTIVE AND TERMINATION DATES OF 1994 AMENDMENT =20

<BR> Amendment by sections 110102(d) and 110103(d) of Pub. L. 103-322  
<BR> repealed 10 years after Sept. 13, 1994, see section 110105(2) of  
<BR> Pub. L. 103-322, formerly set out as a note under section 921 of  
<BR> this title.

<BR> Section 330011(i) of Pub. L. 103-322 provided that the amendment  
<BR> made by that section is effective as of the date on which section  
<BR> 3525 of Pub. L. 101-647 took effect.

<P>  
<BR> EFFECTIVE DATE OF 1986 AMENDMENT =20

<BR> Amendment by sections 3 to 5 of Pub. L. 99-408 effective first  
<BR> day of first calendar month beginning more than ninety days after  
<BR> Aug. 28, 1986, and amendment by sections 6 and 7 of Pub. L. 99-408  
<BR> effective Aug. 28, 1986, see section 9 of Pub. L. 99-408, set out  
<BR> as a note under section 921 of this title.

<BR> Amendment by Pub. L. 99-360 effective on date on which amendment

<BR>  
of this section by <B><I>Firearms</I></B> Owners' Protection Act, =  
Pub. L. 99-308,  
<BR>  
became effective, see section 2 of Pub. L. 99-360, set out as a  
<BR>  
note under section 921 of this title.

<BR>  
Amendment by section 103(1)-(6)(A), (7), (8) of Pub. L. 99-308  
<BR>  
effective 180 days after May 19, 1986, and amendment by section  
<BR>  
103(6)(B) of Pub. L. 99-308 <B><I>applicable</I></B> to any action, =  
petition, or  
<BR>  
appellate proceeding pending on May 19, 1986, see section 110(a),  
<BR>  
(b) of Pub. L. 99-308, set out as a note under section 921 of this  
<BR>  
title.

<P>  
EFFECTIVE DATE OF 1968 AMENDMENT =20

<BR>  
Amendment by Pub. L. 90-618 effective Dec. 16, 1968, see section  
<BR>  
105 of Pub. L. 90-618, set out as a note under section 921 of this  
<BR>  
title.

<P>  
STATUTORY CONSTRUCTION; EVIDENCE =20

<BR>  
Pub. L. 105-277, div. A, Sec. 101(b) [title I, Sec. 119(d)], Oct.  
<BR>  
21, 1998, 112 Stat. 2681-50, 2681-70, provided that:

<BR>  
"(1) Statutory construction. - Nothing in the amendments made by  
<BR>  
this section [amending this section and section 921 of this title]  
<BR>  
shall be construed -=20

<BR>  
"(A) as creating a cause of action against any =  
<B><I>firearms</I></B> dealer

<BR>  
or any other person for any civil liability; or

<BR>  
"(B) as establishing any standard of care.

<BR>  
"(2) Evidence. - Notwithstanding any other provision of law,  
<BR>  
evidence regarding compliance or noncompliance with the amendments  
<BR>  
made by this section shall not be admissible as evidence in any  
<BR>  
proceeding of any court, agency, board, or other entity."

<P>  
FUNDING FOR BUREAU NOT AUTHORIZED FOR DISCLOSURE OF DATA =20

<BR>  
Pub. L. 111-117, div. B, title II, Dec. 16, 2009, 123 Stat. 3128,  
<BR>  
provided in part: "That, beginning in fiscal year 2010 and  
<BR>  
thereafter, no funds appropriated under this or any other Act may  
<BR>

be used to disclose part or all of the contents of the =  
<B><I>Firearms</I></B>  
<BR>  
Trace System database maintained by the National Trace Center of  
<BR>  
the Bureau of Alcohol, Tobacco, <B><I>Firearms</I></B> and =  
Explosives or any  
<BR>  
information required to be kept by licensees pursuant to section  
<BR>  
923(g) of title 18, United States Code, or required to be reported  
<BR>  
pursuant to paragraphs (3) and (7) of such section 923(g), except  
<BR>  
to: (1) a <B><I>Federal</I></B>, State, local, or tribal law =  
enforcement agency,  
<BR>  
or a <B><I>Federal</I></B>, State, or local prosecutor; or (2) a =  
foreign law  
<BR>  
enforcement agency solely in connection with or for use in a  
<BR>  
criminal investigation or prosecution; or (3) a =  
<B><I>Federal</I></B> agency for  
<BR>  
a national security or intelligence purpose; unless such disclosure  
<BR>  
of such data to any of the entities described in (1), (2) or (3) of  
<BR>  
this proviso would compromise the identity of any undercover law  
<BR>  
enforcement officer or confidential informant, or interfere with  
<BR>  
any case under investigation; and no person or entity described in  
<BR>  
(1), (2) or (3) shall knowingly and publicly disclose such data;  
<BR>  
and all such data shall be immune from legal process, shall not be  
<BR>  
subject to subpoena or other discovery, shall be inadmissible in  
<BR>  
evidence, and shall not be used, relied on, or disclosed in any  
<BR>  
manner, nor shall testimony or other evidence be permitted based on  
<BR>  
the data, in a civil action in any State (including the District of  
<BR>  
Columbia) or <B><I>Federal</I></B> court or in an administrative =  
proceeding other  
<BR>  
than a proceeding commenced by the Bureau of Alcohol, Tobacco,  
<BR>  
<B><I>Firearms</I></B> and Explosives to enforce the provisions of =  
chapter 44 of  
<BR>  
such title, or a review of such an action or proceeding; except  
<BR>  
that this proviso shall not be construed to prevent: (A) the  
<BR>  
disclosure of statistical information concerning total production,  
<BR>  
importation, and exportation by each licensed importer (as defined  
<BR>  
in section 921(a)(9) of such title) and licensed manufacturer (as





