

HR 5092

Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE) Modernization and Reform Act of 2006

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: Apr 5, 2006

Current Status: Received in the Senate.

Latest Action: Received in the Senate. (Sep 27, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/5092>

Sponsor

Name: Rep. Coble, Howard [R-NC-6]

Party: Republican • **State:** NC • **Chamber:** House

Cosponsors (152 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		Apr 5, 2006
Rep. Boucher, Rick [D-VA-9]	D · VA		May 3, 2006
Rep. Burton, Dan [R-IN-5]	R · IN		May 3, 2006
Rep. Cannon, Chris [R-UT-3]	R · UT		May 3, 2006
Rep. English, Phil [R-PA-3]	R · PA		May 3, 2006
Rep. Gerlach, Jim [R-PA-6]	R · PA		May 3, 2006
Rep. Hayes, Robin [R-NC-8]	R · NC		May 3, 2006
Rep. Rahall, Nick J., II [D-WV-3]	D · WV		May 3, 2006
Rep. Rogers, Mike D. [R-AL-3]	R · AL		May 3, 2006
Rep. Young, Don [R-AK-At Large]	R · AK		May 3, 2006
Rep. Cantor, Eric [R-VA-7]	R · VA		May 19, 2006
Rep. Carter, John R. [R-TX-31]	R · TX		May 19, 2006
Rep. Conaway, K. Michael [R-TX-11]	R · TX		May 19, 2006
Rep. DeLay, Tom [R-TX-22]	R · TX		May 19, 2006
Rep. Feeney, Tom [R-FL-24]	R · FL		May 19, 2006
Rep. Foxx, Virginia [R-NC-5]	R · NC		May 19, 2006
Rep. Goode, Virgil H., Jr. [R-VA-5]	R · VA		May 19, 2006
Rep. Hart, Melissa A. [R-PA-4]	R · PA		May 19, 2006
Rep. Istook, Ernest J., Jr. [R-OK-5]	R · OK		May 19, 2006
Rep. Kline, John [R-MN-2]	R · MN		May 19, 2006
Rep. Kuhl, John R. "Randy", Jr. [R-NY-29]	R · NY		May 19, 2006
Rep. Marshall, Jim [D-GA-3]	D · GA		May 19, 2006
Rep. Musgrave, Marilyn N. [R-CO-4]	R · CO		May 19, 2006
Rep. Salazar, John T. [D-CO-3]	D · CO		May 19, 2006
Rep. Sessions, Pete [R-TX-32]	R · TX		May 19, 2006
Rep. Westmoreland, Lynn A. [R-GA-8]	R · GA		May 19, 2006
Rep. Aderholt, Robert B. [R-AL-4]	R · AL		Jun 8, 2006
Rep. Alexander, Rodney [R-LA-5]	R · LA		Jun 8, 2006
Rep. Barrett, J. Gresham [R-SC-3]	R · SC		Jun 8, 2006
Rep. Barrow, John [D-GA-12]	D · GA		Jun 8, 2006
Rep. Berry, Marion [D-AR-1]	D · AR		Jun 8, 2006
Rep. Bishop, Sanford D., Jr. [D-GA-2]	D · GA		Jun 8, 2006
Rep. Boren, Dan [D-OK-2]	D · OK		Jun 8, 2006
Rep. Boyd, Allen [D-FL-2]	D · FL		Jun 8, 2006
Rep. Davis, Geoff [R-KY-4]	R · KY		Jun 8, 2006
Rep. Davis, Lincoln [D-TN-4]	D · TN		Jun 8, 2006
Rep. Doolittle, John T. [R-CA-4]	R · CA		Jun 8, 2006
Rep. Drake, Thelma D. [R-VA-2]	R · VA		Jun 8, 2006
Rep. Emerson, Jo Ann [R-MO-8]	R · MO		Jun 8, 2006
Rep. Everett, Terry [R-AL-2]	R · AL		Jun 8, 2006
Rep. Garrett, Scott [R-NJ-5]	R · NJ		Jun 8, 2006

Cosponsor	Party / State	Role	Date Joined
Rep. Gingrey, Phil [R-GA-11]	R · GA		Jun 8, 2006
Rep. Jenkins, William L. [R-TN-1]	R · TN		Jun 8, 2006
Rep. Keller, Ric [R-FL-8]	R · FL		Jun 8, 2006
Rep. Matheson, Jim [D-UT-2]	D · UT		Jun 8, 2006
Rep. Michaud, Michael H. [D-ME-2]	D · ME		Jun 8, 2006
Rep. Miller, Jeff [R-FL-1]	R · FL		Jun 8, 2006
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Jun 8, 2006
Rep. Poe, Ted [R-TX-2]	R · TX		Jun 8, 2006
Rep. Schwarz, John J.H. "Joe" [R-MI-7]	R · MI		Jun 8, 2006
Rep. Wilson, Joe [R-SC-2]	R · SC		Jun 8, 2006
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Jun 9, 2006
Rep. Cramer, Robert E. (Bud), Jr. [D-AL-5]	D · AL		Jun 9, 2006
Rep. Hensarling, Jeb [R-TX-5]	R · TX		Jun 9, 2006
Rep. Holden, Tim [D-PA-17]	D · PA		Jun 9, 2006
Rep. Kennedy, Mark R. [R-MN-6]	R · MN		Jun 9, 2006
Rep. Akin, W. Todd [R-MO-2]	R · MO		Jun 15, 2006
Rep. Bachus, Spencer [R-AL-6]	R · AL		Jun 15, 2006
Rep. Bilirakis, Michael [R-FL-9]	R · FL		Jun 15, 2006
Rep. Cole, Tom [R-OK-4]	R · OK		Jun 15, 2006
Rep. Deal, Nathan [R-GA-10]	R · GA		Jun 15, 2006
Rep. Edwards, Chet [D-TX-17]	D · TX		Jun 15, 2006
Rep. Hall, Ralph M. [R-TX-4]	R · TX		Jun 15, 2006
Rep. Herger, Wally [R-CA-2]	R · CA		Jun 15, 2006
Rep. Larsen, Rick [D-WA-2]	D · WA		Jun 15, 2006
Rep. Lucas, Frank D. [R-OK-3]	R · OK		Jun 15, 2006
Rep. Norwood, Charles W. [R-GA-9]	R · GA		Jun 15, 2006
Rep. Pearce, Stevan [R-NM-2]	R · NM		Jun 15, 2006
Rep. Peterson, John E. [R-PA-5]	R · PA		Jun 15, 2006
Rep. Reynolds, Thomas M. [R-NY-26]	R · NY		Jun 15, 2006
Rep. Stearns, Cliff [R-FL-6]	R · FL		Jun 15, 2006
Rep. Strickland, Ted [D-OH-6]	D · OH		Jun 15, 2006
Rep. Terry, Lee [R-NE-2]	R · NE		Jun 15, 2006
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		Jun 21, 2006
Rep. Forbes, J. Randy [R-VA-4]	R · VA		Jun 21, 2006
Rep. Price, Tom [R-GA-6]	R · GA		Jun 21, 2006
Rep. Sweeney, John E. [R-NY-20]	R · NY		Jun 21, 2006
Rep. Harris, Katherine [R-FL-13]	R · FL		Jun 28, 2006
Rep. Higgins, Brian [D-NY-27]	D · NY		Jun 28, 2006
Rep. McCrery, Jim [R-LA-4]	R · LA		Jun 28, 2006
Rep. Murphy, Tim [R-PA-18]	R · PA		Jun 28, 2006
Rep. Otter, C. L. (Butch) [R-ID-1]	R · ID		Jun 28, 2006
Rep. Putnam, Adam H. [R-FL-12]	R · FL		Jun 28, 2006

Cosponsor	Party / State	Role	Date Joined
Rep. Rehberg, Dennis R. [R-MT-At Large]	R · MT		Jun 28, 2006
Rep. Ross, Mike [D-AR-4]	D · AR		Jun 28, 2006
Rep. Simpson, Michael K. [R-ID-2]	R · ID		Jun 28, 2006
Rep. Bonilla, Henry [R-TX-23]	R · TX		Jun 29, 2006
Rep. Bonner, Jo [R-AL-1]	R · AL		Jun 29, 2006
Rep. Melancon, Charlie [D-LA-3]	D · LA		Jun 29, 2006
Rep. Pickering, Charles W. "Chip" [R-MS-3]	R · MS		Jun 29, 2006
Rep. Dent, Charles W. [R-PA-15]	R · PA		Jul 13, 2006
Rep. Green, Mark [R-WI-8]	R · WI		Jul 13, 2006
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Jul 13, 2006
Rep. Miller, Candice S. [R-MI-10]	R · MI		Jul 13, 2006
Rep. Shadegg, John B. [R-AZ-3]	R · AZ		Jul 13, 2006
Rep. Souder, Mark E. [R-IN-3]	R · IN		Jul 13, 2006
Rep. Wamp, Zach [R-TN-3]	R · TN		Jul 13, 2006
Rep. Bishop, Rob [R-UT-1]	R · UT		Jul 18, 2006
Rep. Campbell, John [R-CA-48]	R · CA		Jul 18, 2006
Rep. Latham, Tom [R-IA-4]	R · IA		Jul 18, 2006
Rep. Nussle, Jim [R-IA-1]	R · IA		Jul 18, 2006
Rep. Brown, Henry E., Jr. [R-SC-1]	R · SC		Jul 20, 2006
Rep. Culberson, John Abney [R-TX-7]	R · TX		Jul 20, 2006
Rep. Lewis, Ron [R-KY-2]	R · KY		Jul 20, 2006
Rep. Mack, Connie [R-FL-14]	R · FL		Jul 20, 2006
Rep. Neugebauer, Randy [R-TX-19]	R · TX		Jul 20, 2006
Rep. Pombo, Richard W. [R-CA-11]	R · CA		Jul 20, 2006
Rep. Renzi, Rick [R-AZ-1]	R · AZ		Jul 20, 2006
Rep. Rogers, Mike J. [R-MI-8]	R · MI		Jul 20, 2006
Rep. Baker, Richard H. [R-LA-6]	R · LA		Jul 25, 2006
Rep. Jindal, Bobby [R-LA-1]	R · LA		Jul 25, 2006
Rep. King, Steve [R-IA-5]	R · IA		Jul 25, 2006
Rep. Kingston, Jack [R-GA-1]	R · GA		Jul 25, 2006
Rep. Murtha, John P. [D-PA-12]	D · PA		Jul 25, 2006
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Jul 25, 2006
Rep. Weldon, Curt [R-PA-7]	R · PA		Jul 25, 2006
Rep. Wicker, Roger F. [R-MS-1]	R · MS		Jul 25, 2006
Rep. Beauprez, Bob [R-CO-7]	R · CO		Jul 27, 2006
Rep. Dingell, John D. [D-MI-15]	D · MI		Jul 27, 2006
Rep. Franks, Trent [R-AZ-2]	R · AZ		Jul 27, 2006
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Jul 27, 2006
Rep. McHenry, Patrick T. [R-NC-10]	R · NC		Jul 27, 2006
Rep. Ortiz, Solomon P. [D-TX-27]	D · TX		Jul 27, 2006
Rep. Tancredo, Thomas G. [R-CO-6]	R · CO		Jul 27, 2006
Rep. Whitfield, Ed [R-KY-1]	R · KY		Jul 27, 2006

Cosponsor	Party / State	Role	Date Joined
Rep. Green, Gene [D-TX-29]	D · TX		Jul 28, 2006
Rep. Taylor, Charles H. [R-NC-11]	R · NC		Jul 28, 2006
Rep. Cardoza, Dennis A. [D-CA-18]	D · CA		Sep 6, 2006
Rep. Cubin, Barbara [R-WY-At Large]	R · WY		Sep 6, 2006
Rep. Davis, Jo Ann [R-VA-1]	R · VA		Sep 6, 2006
Rep. Mollohan, Alan B. [D-WV-1]	D · WV		Sep 6, 2006
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		Sep 6, 2006
Rep. Sherwood, Don [R-PA-10]	R · PA		Sep 6, 2006
Rep. Tanner, John S. [D-TN-8]	D · TN		Sep 6, 2006
Rep. Graves, Sam [R-MO-6]	R · MO		Sep 7, 2006
Rep. Marchant, Kenny [R-TX-24]	R · TX		Sep 7, 2006
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Sep 7, 2006
Rep. Bilbray, Brian P. [R-CA-50]	R · CA		Sep 13, 2006
Rep. Burgess, Michael C. [R-TX-26]	R · TX		Sep 13, 2006
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Sep 13, 2006
Rep. Ford, Harold E., Jr. [D-TN-9]	D · TN		Sep 13, 2006
Rep. Issa, Darrell E. [R-CA-49]	R · CA		Sep 13, 2006
Rep. Pence, Mike [R-IN-6]	R · IN		Sep 13, 2006
Rep. Porter, Jon C. [R-NV-3]	R · NV		Sep 13, 2006
Rep. Ryun, Jim [R-KS-2]	R · KS		Sep 13, 2006
Rep. Spratt, John M., Jr. [D-SC-5]	D · SC		Sep 13, 2006
Rep. Bass, Charles F. [R-NH-2]	R · NH		Sep 14, 2006
Rep. Boozman, John [R-AR-3]	R · AR		Sep 14, 2006
Rep. Bradley, Jeb [R-NH-1]	R · NH		Sep 14, 2006
Rep. Boustany, Charles W., Jr. [R-LA-7]	R · LA		Sep 20, 2006
Rep. Granger, Kay [R-TX-12]	R · TX		Sep 20, 2006
Rep. Johnson, Sam [R-TX-3]	R · TX		Sep 20, 2006

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported by	May 3, 2006

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE) Modernization and Reform Act of 2006 - (Sec. 2) Amends the federal criminal code to revise the civil penalties for violations of firearms law and the procedures for assessing such penalties. Requires fines to be based upon the nature and severity of the violation, the size of the firearms business involved, and the prior record of the firearm's licensee. Limits total civil penalties to \$15,000.

Allows the Attorney General to consider the financial ability of a licensee to pay a civil penalty and defer or suspend part or all of the penalty on a licensee whose license is suspended.

Imposes a five-year limitation period for civil penalty enforcement actions.

Revises procedures for civil enforcement hearings before an administrative law judge.

(Sec. 3) Requires the Attorney General to make a preliminary determination on firearm license applications and to notify applicants in writing of a proposed denial. Allows license applicants to obtain the reasons for the denial and to request a hearing on the application.

(Sec. 4) Defines the legal standard of "willfully" for purposes of determining violations of firearm requirements to require a showing that a person knew of a legal duty and engaged in conduct knowingly and in intentional disregard of the duty.

(Sec. 5) Directs the Attorney General to establish guidelines for Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) inspections, examinations, or investigations of possible firearms violations.

(Sec. 6) Requires the Inspector General of the Department of Justice to review and report to the House and Senate Judiciary Committees on ATF operations relating to the gun show enforcement program and blanket residency checks of prospective and actual firearms purchases.

(Sec. 7) Amends the federal criminal code to prohibit ATF from disclosing information on firearms purchasers other than to a court or to law enforcement officials.

(Sec. 8) Permits a person whose firearms license is expired, surrendered, or revoked 60 days to liquidate firearms inventory. Allows extensions of such 60-day period for reasonable cause.

(Sec. 9) Requires the Attorney General to notify the transferee of a firearms business that the former owner of such business was operating in violation of firearms requirements and to not presume that the transferee is committing the violation.

(Sec. 10) Amends federal criminal code provisions relating to firearms record-keeping requirements to prohibit a materially false entry or an omission of a materially significant entry in a required record (currently, "any false entry" or the omission of an "appropriate entry" is prohibited).

(Sec. 11) Requires any state agency that stores or keeps explosive materials to submit a written report to the Attorney General that specifies each location at which such materials are kept or stored and the types and amounts of such materials. Makes certain federal regulations governing the storage of explosive applicable to state agencies storing explosive materials.

Actions Timeline

- **Sep 27, 2006:** Received in the Senate.
- **Sep 26, 2006:** Considered as unfinished business. (consideration: CR H7369-7370)
- **Sep 26, 2006:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 277 - 131 (Roll no. 476).(text: CR 9/25/2006 H6953-6954)
- **Sep 26, 2006:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 277 - 131 (Roll no. 476). (text: CR 9/25/2006 H6953-6954)
- **Sep 26, 2006:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 25, 2006:** Mr. Sensenbrenner moved to suspend the rules and pass the bill, as amended.
- **Sep 25, 2006:** Considered under suspension of the rules. (consideration: CR H6953-6961, H6993)
- **Sep 25, 2006:** DEBATE - The House proceeded with forty minutes of debate on H.R. 5092.
- **Sep 25, 2006:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Sep 21, 2006:** Reported (Amended) by the Committee on Judiciary. H. Rept. 109-672.
- **Sep 21, 2006:** Placed on the Union Calendar, Calendar No. 401.
- **Sep 7, 2006:** Committee Consideration and Mark-up Session Held.
- **Sep 7, 2006:** Ordered to be Reported (Amended) by Voice Vote.
- **May 3, 2006:** Subcommittee Consideration and Mark-up Session Held.
- **May 3, 2006:** Forwarded by Subcommittee to Full Committee by Voice Vote .
- **May 1, 2006:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Apr 5, 2006:** Introduced in House
- **Apr 5, 2006:** Referred to the House Committee on the Judiciary.

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