

118TH CONGRESS
1ST SESSION

H. R. 2985

To regulate firearm silencers and firearm mufflers.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2023

Mrs. WATSON COLEMAN (for herself, Ms. CROCKETT, Ms. TLAIB, Ms. NORTON, Mr. NICKEL, Mr. IVEY, Ms. LEE of California, and Mr. ESPAILLAT) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To regulate firearm silencers and firearm mufflers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Help Empower Ameri-
5 cans to Respond Act of 2023” or the “HEAR Act of
6 2023”.

7 **SEC. 2. DEFINITIONS.**

8 Section 921(a) of title 18, United States Code, is
9 amended—

1 enforcement (whether on or off-duty), or a sale or
2 transfer to or possession by a campus law enforce-
3 ment officer for purposes of law enforcement (wheth-
4 er on or off-duty);

5 “(B) the importation for, or sale or transfer to
6 a licensee under title I of the Atomic Energy Act of
7 1954 (42 U.S.C. 2011 et seq.) for purposes of estab-
8 lishing and maintaining an on-site physical protec-
9 tion system and security organization required by
10 Federal law, or possession by an employee or con-
11 tractor of such licensee on-site for such purposes or
12 off-site for purposes of licensee-authorized training
13 or transportation of nuclear materials; or

14 “(C) the importation for, manufacture for, sale
15 to, transfer to, or possession by a licensed manufac-
16 turer or licensed importer for the purposes of testing
17 or experimentation authorized by the Attorney Gen-
18 eral.

19 “(3) For purposes of paragraph (2)(A), the term
20 ‘campus law enforcement officer’ means an individual who
21 is—

22 “(A) employed by a private institution of higher
23 education that is eligible for funding under title IV
24 of the Higher Education Act of 1965 (20 U.S.C.
25 1070 et seq.);

1 “(B) responsible for the prevention or investiga-
2 tion of crime involving injury to persons or property,
3 including apprehension or detention of persons for
4 such crimes;

5 “(C) authorized by Federal, State, or local law
6 to carry a firearm, execute search warrants, and
7 make arrests; and

8 “(D) recognized, commissioned, or certified by
9 a government entity as a law enforcement officer.”.

10 (b) SEIZURE AND FORFEITURE OF FIREARM SILENC-
11 ERS AND FIREARM MUFFLERS.—Section 924(d) of title
12 18, United States Code, is amended—

13 (1) in paragraph (1), by striking “or (k)” and
14 inserting “(k), or (v)”; and

15 (2) in paragraph (3)(E), by inserting “922(v),”
16 after “922(n),”.

17 **SEC. 4. PENALTIES.**

18 Section 924(a)(1)(B) of title 18, United States Code,
19 is amended by striking “or (q)” and inserting “(q), or
20 (v)”.

21 **SEC. 5. USE OF BYRNE GRANTS FOR BUY-BACK PROGRAMS**
22 **FOR FIREARM SILENCERS AND FIREARM**
23 **MUFFLERS.**

24 (a) IN GENERAL.—Section 501(a)(1) of title I of the
25 Omnibus Crime Control and Safe Streets Act of 1968 (34

1 U.S.C. 10152(a)(1)) is amended by adding at the end the
2 following:

3 “(J) Compensation for surrendered fire-
4 arm silencers and firearm mufflers, as those
5 terms are defined in section 921 of title 18,
6 United States Code, under the buy-back pro-
7 gram for firearm silencers and firearm mufflers
8 required under section 5(b) of the Help Em-
9 power Americans to Respond Act of 2023.”.

10 (b) REQUIREMENT.—During the 90-day period de-
11 scribed in section 6, the Attorney General shall establish
12 and implement a buy-back program, to be carried out
13 across the United States, to purchase firearm silencers
14 and firearm mufflers (as defined in section 921(a) of title
15 18, United States Code) from individuals seeking to com-
16 ply with the requirements of this Act and the amendments
17 made by this Act.

18 **SEC. 6. EFFECTIVE DATE.**

19 The amendments made by sections 2, 3, and 4 shall
20 take effect on the date that is 90 days after the date of
21 enactment of this Act.

22 **SEC. 7. SEVERABILITY.**

23 If any provision of this Act, an amendment made by
24 this Act, or the application of such provision or amend-
25 ment to any person or circumstance is held to be unconsti-

1 tutional, the remainder of this Act, the amendments made
2 by this Act, and the application of such provision or
3 amendment to any person or circumstance shall not be af-
4 fected thereby.

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