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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To prevent the illegal sale of firearms, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. QUIGLEY introduced the following bill; which was referred to the
Committee on _____

A BILL

To prevent the illegal sale of 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.**

4 This Act may be cited as the “Trafficking Reduction
5 And Criminal Enforcement (TRACE) Act”.

6 **SEC. 2. REGULATORY REQUIREMENT TO MARK FIREARMS**
7 **WITH SECOND, HIDDEN SERIAL NUMBER.**

8 (a) IN GENERAL.—Within 12 months after the date
9 of the enactment of this Act, the Attorney General shall

1 promulgate final regulations that require each firearm
2 manufactured in the United States on or after the effec-
3 tive date of the regulation, to be marked with a serial
4 number that is located inside the receiver of the firearm
5 or that is visible only in infrared light, in addition to the
6 serial number with which the firearm is otherwise required
7 by law to be marked.

8 (b) DEFINITION OF RECEIVER.—Section 921(a) of
9 title 18, United States Code, is amended—

10 (1) in paragraph (3)—

11 (A) by inserting “, including an unfinished
12 frame or receiver” after “such weapon”; and

13 (B) by striking “or (D) any destructive de-
14 vice” and inserting “; (D) any destructive de-
15 vice; or (E) any combination of parts designed
16 or intended for use in converting any device
17 into a firearm and from which a firearm may
18 be readily assembled”;

19 (2) in paragraph (10)—

20 (A) by striking “and the” and inserting
21 “the”; and

22 (B) by inserting “; and the term ‘manufac-
23 turing firearms’ shall include assembling a
24 functional firearm from an unfinished frame or
25 receiver or from molding, machining, or 3D

1 printing a frame or receiver, and shall not in-
2 clude making or fitting special barrels, stocks,
3 or trigger mechanisms to firearms” before the
4 period; and

5 (3) by inserting after paragraph (29) the fol-
6 lowing:

7 “(30) The term ‘unfinished frame or receiver’
8 means any forging, casting, printing, extrusion, ma-
9 chined body or similar article that—

10 “(A) has reached a stage in manufacture
11 at which it may readily be completed, assem-
12 bled, or converted to be used as the frame or
13 receiver of a functional firearm; or

14 “(B) is marketed or sold to the public to
15 become or be used as the frame or receiver of
16 a functional firearm once completed, assembled,
17 or converted.”.

18 **SEC. 3. REQUIREMENT TO PRESERVE INSTANT CRIMINAL**
19 **BACKGROUND CHECK RECORDS FOR 180**
20 **DAYS.**

21 (a) IN GENERAL.—Section 922(t)(2)(C) of title 18,
22 United States Code, is amended by inserting “after the
23 180-day period that begins with the date the system com-
24 plies with subparagraphs (A) and (B),” before “destroy”.

1 (b) CONFORMING AMENDMENT.—Section 511 of divi-
2 sion B of the Consolidated and Further Continuing Appro-
3 priations Act, 2012 (34 U.S.C. 40901 note; Public Law
4 112–55; 125 Stat. 632) is amended—

5 (1) by striking “for—” and all that follows
6 through “(1)”; and

7 (2) by striking the semicolon and all that fol-
8 lows and inserting a period.

9 (c) REGULATIONS.—Within 180 days after the date
10 of the enactment of this Act, the Attorney General shall
11 prescribe regulations to implement the amendments made
12 by this section.

13 **SEC. 4. REQUIREMENT THAT LICENSED FIREARMS DEAL-**
14 **ERS CONDUCT PHYSICAL CHECK OF THEIR**
15 **FIREARMS BUSINESS INVENTORY.**

16 (a) IN GENERAL.—Section 923(g) of title 18, United
17 States Code, is amended by adding at the end the fol-
18 lowing:

19 “(8) Each licensee shall conduct a physical check of
20 the firearms inventory of the business of the licensee li-
21 censed under this chapter, in accordance with regulations
22 which shall be prescribed by the Attorney General.”.

23 (b) CONFORMING AMENDMENT.—The matter under
24 the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS
25 AND EXPLOSIVES—SALARIES AND EXPENSES” in title II

1 of division B of the Consolidated and Further Continuing
2 Appropriations Act, 2013 (18 U.S.C. 923 note; Public
3 Law 113–6; 127 Stat. 247–248) is amended by striking
4 the 5th proviso.

5 (c) REGULATIONS.—Within 180 days after the date
6 of the enactment of this Act, the Attorney General shall
7 prescribe regulations to implement section 923(g)(8) of
8 title 18, United States Code.

9 **SEC. 5. ELIMINATION OF CERTAIN LIMITATIONS.**

10 (a) CONSOLIDATED AND FURTHER CONTINUING AP-
11 PROPRIATIONS ACT, 2012.—Title II of division B of the
12 Consolidated and Further Continuing Appropriations Act,
13 2012 (18 U.S.C. 923 note; Public Law 112–55; 125 Stat.
14 609–610) is amended in the matter under the heading
15 “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EX-
16 PLOSIVES—SALARIES AND EXPENSES” by striking the 1st,
17 6th, and 7th provisos.

18 (b) CONSOLIDATED APPROPRIATIONS ACT, 2010.—
19 Division B of the Consolidated Appropriations Act, 2010
20 (Public Law 111–117) is amended—

21 (1) in title II—

22 (A) in the 6th proviso under the heading
23 “BUREAU OF ALCOHOL, TOBACCO, FIREARMS
24 AND EXPLOSIVES—SALARIES AND EXPENSES”
25 by striking “beginning in fiscal year 2010 and

1 thereafter” and inserting “in fiscal year 2010”;
2 and

3 (B) in the matter under the heading “BU-
4 REAU OF ALCOHOL, TOBACCO, FIREARMS AND
5 EXPLOSIVES—SALARIES AND EXPENSES” by
6 striking the 7th proviso; and

7 (2) in section 511, to read as follows:

8 “SEC. 511. None of the funds appropriated pursuant
9 to this Act or any other provision of law may be used for
10 the implementation of any tax or fee in connection with
11 the implementation of subsection 922(t) of title 18, United
12 States Code.”.

13 (c) OMNIBUS APPROPRIATIONS ACT, 2009.—Division
14 B of the Omnibus Appropriations Act, 2009 (Public Law
15 111–8) is amended—

16 (1) in title II—

17 (A) in the 6th proviso under the heading
18 “BUREAU OF ALCOHOL, TOBACCO, FIREARMS
19 AND EXPLOSIVES—SALARIES AND EXPENSES”
20 by striking “beginning in fiscal year 2009 and
21 thereafter” and inserting “in fiscal year 2009”;
22 and

23 (B) in the matter under the heading “BU-
24 REAU OF ALCOHOL, TOBACCO, FIREARMS AND

1 EXPLOSIVES—SALARIES AND EXPENSES” by
2 striking the 7th proviso; and

3 (2) in section 511, to read as follows:

4 “SEC. 511. None of the funds appropriated pursuant
5 to this Act or any other provision of law may be used for
6 the implementation of any tax or fee in connection with
7 the implementation of subsection 922(t) of title 18, United
8 States Code.”.

9 (d) CONSOLIDATED APPROPRIATIONS ACT, 2008.—
10 Division B of the Consolidated Appropriations Act, 2008
11 (Public Law 110–161) is amended—

12 (1) in title II—

13 (A) in the 6th proviso under the heading
14 “BUREAU OF ALCOHOL, TOBACCO, FIREARMS
15 AND EXPLOSIVES—SALARIES AND EXPENSES”
16 by striking “beginning in fiscal year 2008 and
17 thereafter” and inserting “in fiscal year 2008”;
18 and

19 (B) in the matter under the heading “BU-
20 REAU OF ALCOHOL, TOBACCO, FIREARMS AND
21 EXPLOSIVES—SALARIES AND EXPENSES” by
22 striking the 7th proviso; and

23 (2) in section 512, to read as follows:

24 “SEC. 512. None of the funds appropriated pursuant
25 to this Act or any other provision of law may be used for

1 the implementation of any tax or fee in connection with
2 the implementation of subsection 922(t) of title 18, United
3 States Code.”.

4 (e) SCIENCE, STATE, JUSTICE, COMMERCE, AND RE-
5 LATED AGENCIES APPROPRIATIONS ACT, 2006.—The
6 Science, State, Justice, Commerce, and Related Agencies
7 Appropriations Act, 2006 (Public Law 109–108) is
8 amended—

9 (1) in title I—

10 (A) in the 6th proviso under the heading
11 “BUREAU OF ALCOHOL, TOBACCO, FIREARMS
12 AND EXPLOSIVES—SALARIES AND EXPENSES”
13 by striking “with respect to any fiscal year”;
14 and

15 (B) in the matter under the heading “BU-
16 REAU OF ALCOHOL, TOBACCO, FIREARMS AND
17 EXPLOSIVES—SALARIES AND EXPENSES” by
18 striking the 7th proviso; and

19 (2) in section 611, to read as follows:

20 “SEC. 611. None of the funds appropriated pursuant
21 to this Act or any other provision of law may be used for
22 the implementation of any tax or fee in connection with
23 the implementation of subsection 922(t) of title 18, United
24 States Code.”.

1 (f) CONSOLIDATED APPROPRIATIONS ACT, 2005.—
2 Division B of the Science, State, Justice, Commerce, and
3 Related Agencies Appropriations Act, 2005 (Public Law
4 108–447) is amended—

5 (1) in title I—

6 (A) in the 6th proviso under the heading
7 “BUREAU OF ALCOHOL, TOBACCO, FIREARMS
8 AND EXPLOSIVES—SALARIES AND EXPENSES”
9 by striking “with respect to any fiscal year”;
10 and

11 (B) in the matter under the heading “BU-
12 REAU OF ALCOHOL, TOBACCO, FIREARMS AND
13 EXPLOSIVES—SALARIES AND EXPENSES” by
14 striking the 7th proviso; and

15 (2) in section 615, to read as follows:

16 “SEC. 615. None of the funds appropriated pursuant
17 to this Act or any other provision of law may be used for
18 the implementation of any tax or fee in connection with
19 the implementation of subsection 922(t) of title 18, United
20 States Code.”.

21 (g) CONSOLIDATED APPROPRIATIONS ACT, 2004.—
22 Division B of the Science, State, Justice, Commerce, and
23 Related Agencies Appropriations Act, 2004 (Public Law
24 108–199) is amended—

1 (1) in the matter under the heading “BUREAU
2 OF ALCOHOL, TOBACCO, FIREARMS AND EXPLO-
3 SIVES—SALARIES AND EXPENSES” by striking the
4 7th proviso; and

5 (2) in section 617(a), to read as follows:

6 “(a) None of the funds appropriated pursuant to this
7 Act or any other provision of law may be used for the
8 implementation of any tax or fee in connection with the
9 implementation of subsection 922(t) of title 18, United
10 States Code.”.

11 (h) CONSOLIDATED APPROPRIATIONS RESOLUTION,
12 2003.—Division J of the Consolidated Appropriations
13 Resolution, 2003 (5 U.S.C. 552 note; Public Law 108–
14 7; 117 Stat. 473–474) is amended in section 644 by strik-
15 ing “or any other Act with respect to any fiscal year”.