

Trafficking Reduction and Criminal Enforcement (TRACE) Act

Rep. Mike Quigley

Endorsing Organizations: Brady: United Against Gun Violence, Everytown for Gun Safety, GIFFORDS, Violence Policy Center, Purpose Over Pain, Newtown Action Alliance

Original Cosponsors: Reps. Eric Swalwell, Gwen Moore, Jake Auchincloss, Dwight Evans, Mark DeSaulnier, Jan Schakowsky, Don Beyer, Bonnie Watson Coleman

The TRACE Act is commonsense legislation to empower law enforcement to reduce firearms trafficking and keep weapons out of the hands of criminals. For too long, the Bureau of Alcohol, Tobacco, and Firearms (ATF) has been hamstrung by extreme appropriations riders collectively known as the Tiahrt Amendments. These damaging policies protect bad apples in the firearm sales business, allowing guns to move easily into the wrong hands. To end the harmful effects of the Tiahrt Amendments and improve law enforcement ability to trace crime guns, the TRACE Act would:

- **Requires background check records to be maintained for a minimum of 180 days.** The Tiahrt Amendments currently require 24-hour record destruction, making it nearly impossible to catch law-breaking gun dealers who falsify their records or track straw purchasers who buy guns on behalf of criminals.
- **Requires gun dealers to perform inventory checks to report lost and stolen guns,** a measure currently prohibited under the Tiahrt Amendments. If law-abiding dealers reported inventories, the ATF would be much more effective at identifying lost and stolen weapons and combatting corrupt gun dealers.
- **Repeals restrictions on gun trace data disclosures.** Currently, members of the public, including researchers and litigants, cannot get trace data from ATF under Tiahrt Amendment restrictions. Trace data is also inadmissible as evidence in civil proceedings under existing policy. The TRACE Act would repeal these restrictions.

In addition, the TRACE Act requires that new firearms have a **second, hidden serial number** located inside the frame or receiver that is only visible under infrared light when the firearm is fully disassembled. This would make it harder for criminals to remove serial numbers from firearms in an attempt to thwart law enforcement.

The 117th Congress version of the TRACE Act has minor updates from the 116th Congress version:

- More thoroughly expunges the Tiahrt Amendments from existing law
- Includes a definition of “unfinished frame or receiver” to ensure that firearms kits including so-called “ghost guns” are covered by the bill.