

117TH CONGRESS
2D SESSION

H. R. 6646

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2022

Mr. QUIGLEY (for himself, Mr. SWALWELL, Ms. MOORE of Wisconsin, Mr. AUCHINCLOSS, Mr. EVANS, Mr. DESAULNIER, Ms. SCHAKOWSKY, Mr. BEYER, and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on the Judiciary

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
10 promulgate final regulations that require each firearm

1 manufactured in the United States on or after the effective date of the regulation, to be marked with a serial number that is located inside the receiver of the firearm or that is visible only in infrared light, in addition to the serial number with which the firearm is otherwise required by law to be marked.

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

9 (1) in paragraph (3)—

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

12 (B) by striking “or (D) any destructive device” and inserting “; (D) any destructive device; or (E) any combination of parts designed or intended for use in converting any device into a firearm and from which a firearm may be readily assembled”;

18 (2) in paragraph (10)—

19 (A) by striking “and the” and inserting “the”; and

21 (B) by inserting “; and the term ‘manufacturing firearms’ shall include assembling a functional firearm from an unfinished frame or receiver or from molding, machining, or 3D printing a frame or receiver, and shall not in-

1 clude making or fitting special barrels, stocks,
 2 or trigger mechanisms to firearms” before the
 3 period; and

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

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

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

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

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

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

24 (b) CONFORMING AMENDMENT.—Section 511 of divi-
 25 sion B of the Consolidated and Further Continuing Appro-

1 priations Act, 2012 (34 U.S.C. 40901 note; Public Law
2 112–55; 125 Stat. 632) is amended—

3 (1) by striking “for—” and all that follows
4 through “(1)”; and

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

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

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

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

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

21 (b) CONFORMING AMENDMENT.—The matter under
22 the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS
23 AND EXPLOSIVES—SALARIES AND EXPENSES” in title II
24 of division B of the Consolidated and Further Continuing
25 Appropriations Act, 2013 (18 U.S.C. 923 note; Public

1 Law 113–6; 127 Stat. 247–248) is amended by striking
2 the 5th proviso.

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

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

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

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

19 (1) in title II—

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

1 (B) in the matter under the heading “BU-
2 REAU OF ALCOHOL, TOBACCO, FIREARMS AND
3 EXPLOSIVES—SALARIES AND EXPENSES” by
4 striking the 7th proviso; and
5 (2) in section 511, to read as follows:

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

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

14 (1) in title II—

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

21 (B) in the matter under the heading “BU-
22 REAU OF ALCOHOL, TOBACCO, FIREARMS AND
23 EXPLOSIVES—SALARIES AND EXPENSES” by
24 striking the 7th proviso; and
25 (2) in section 511, to read as follows:

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

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

9 (1) in title II—

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

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

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

21 “SEC. 512. None of the funds appropriated pursuant
22 to this Act or any other provision of law may be used for
23 the implementation of any tax or fee in connection with
24 the implementation of subsection 922(t) of title 18, United
25 States Code.”.

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

6 (1) in title I—

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

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

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

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

22 (f) CONSOLIDATED APPROPRIATIONS ACT, 2005.—
23 Division B of the Science, State, Justice, Commerce, and
24 Related Agencies Appropriations Act, 2005 (Public Law
25 108–447) is amended—

1 (1) in title I—

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

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

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

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

17 (g) CONSOLIDATED APPROPRIATIONS ACT, 2004.—
18 Division B of the Science, State, Justice, Commerce, and
19 Related Agencies Appropriations Act, 2004 (Public Law
20 108–199) is amended—

21 (1) in the matter under the heading “BUREAU
22 OF ALCOHOL, TOBACCO, FIREARMS AND EXPLO-
23 SIVES—SALARIES AND EXPENSES” by striking the
24 7th proviso; and

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

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

6 (h) CONSOLIDATED APPROPRIATIONS RESOLUTION,
7 2003.—Division J of the Consolidated Appropriations
8 Resolution, 2003 (5 U.S.C. 552 note; Public Law 108–
9 7; 117 Stat. 473–474) is amended in section 644 by strik-
10 ing “or any other Act with respect to any fiscal year”.

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