

S. 1

To repeal the poorly executed Universal Background Check on Firearm Purchases Act, to lower the age requirement for various firearm and explosive materials ownership and purchase activities to 18, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 14, 2022

Mr. NOAH (for himself, Mr. ROSS, and Mr. WILSON) introduced the
following bill;

A BILL

To repeal the poorly executed Universal Background Check on Firearm Purchases Act, to lower the age requirement for various firearm and explosive materials ownership and purchase activities to 18, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of
America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Firearm and Explosive Rights for Adults Act”

SEC. 2. FINDINGS.

Congress finds the following:

- (1) The Universal Background Check on Firearm Purchases Act is written poorly and is not currently being enforced.
- (2) The Universal Background Check on Firearm Purchases Act violates numerous vital provisions of the Constitution, including the Second and Tenth Amendment.
- (3) 18-, 19-, and 20-year-olds, being of sufficient age to vote, drink, and smoke should have the same rights with regards to firearms and explosives as other adults.
- (4) Qualified 18-, 19-, and 20-year-olds who meet the rigorous legal standards for explosive materials licenses and explosive materials possession requirements should not be precluded from doing legal business with explosive materials.

SEC. 3. REPEAL OF ATTEMPTED UNIVERSAL BACKGROUND CHECK.

- (a) REPEAL.—The [Universal Background Check on Firearm Purchases Act](#) is hereby repealed.
- (b) EFFECT ON ANY AGENCY ESTABLISHED.—Any agency established by the Act repealed in subsection (a) shall dissolve within 15 days of the passage of this Act. Any duties assigned to such agency shall be transferred to the Federal Bureau of Investigation.

SEC. 4. RIGHT OF ADULTS TO PURCHASE HANDGUNS ESTABLISHED.

- (a) IN GENERAL.—
 - (i) [18 USC § 922\(b\)\(1\)](#) is hereby amended by striking all that follows after “less than eighteen years of age” and replacing it with a semicolon; and
 - (ii) [18 USC § 922\(c\)\(1\)](#) is hereby amended by striking “, in the case of any firearm other than a shotgun or a rifle, I am twenty-one years or more of age, or that, in the case of a shotgun or a rifle,”.

SEC. 5. UPDATE OF REQUIREMENTS FOR ISSUANCE OF CERTAIN EXPLOSIVE MATERIALS PERMIT TO BE SIMILAR TO OTHER RELATED AREAS OF LAW.

- (a) IN GENERAL.—
 - (i) [18 U.S. Code § 842\(d\)](#) is amended by—
 - (1) in paragraph (1), striking “twenty-one” and replacing it with “eighteen”;
 - (2) in paragraph (2), appending the word “violent” before the word “crime”;
 - (3) striking paragraph (5);

(4) striking paragraph (6) and replacing it with the following:

“(6) who has been adjudicated as a mental defective or who has been involuntarily committed to a mental institution, except that, upon having been released for at least a period of six months, and having been cleared by a qualified psychiatrist through a signed written statement certifying that such person has a—

“(A) lack of chronic suicidal thoughts;

“(B) lack of chronic homicidal intentions; and

“(C) overall mental state suggesting the lack of likelihood of such person using any explosive materials in a violent or illegal fashion such provision shall not apply.”; and

(5) in paragraph (9), striking the period and appending “: *Provided*, That such provision shall not apply to any person lawfully present within the United States.”.

(ii) [18 U.S. Code § 842\(i\)](#) is amended by—

(1) in paragraph (1), inserting the word “violent” before the word “crime”;

(2) striking paragraph (3);

(3) striking paragraph (4) and replacing it with the following:

“(4) who has been adjudicated as a mental defective or who has been involuntarily committed to a mental institution, except that, upon having been released for at least a period of six months, and having been cleared by a qualified psychiatrist through a signed written statement certifying that such person has a—

“(A) lack of chronic suicidal thoughts;

“(B) lack of chronic homicidal intentions; and

“(C) overall mental state suggesting the lack of likelihood of such person using any explosive materials in a violent or illegal fashion such provision shall not apply.”; and

(4) in paragraph (7), striking the period and appending “: *Provided*, That such provision shall not apply to any person lawfully present within the United States.”.

SEC. 6. SEVERABILITY.

The provisions of this Act are severable; should any provision of this Act be found unconstitutional or unenforceable, or be otherwise stricken, the remainder of this Act shall remain in full force and effect.