

116TH CONGRESS
1ST SESSION

H. R. 4255

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

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2019

Mr. QUIGLEY 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
11 manufactured in the United States on or after the effec-

1 tive date of the regulation, to be marked with a serial
2 number that is located inside the receiver of the firearm
3 or that is visible only in infrared light, in addition to the
4 serial number with which the firearm is otherwise required
5 by law to be marked.

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

8 (1) in paragraph (3)—

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

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

17 (2) in paragraph (10)—

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

20 (B) by inserting “; and the term ‘manufac-
21 turing firearms’ shall include assembling a
22 functional firearm from a frame or receiver or
23 molding, machining, or 3D printing a frame or
24 receiver, and shall not include making or fitting

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

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

5 “(30) The term ‘frame or receiver’—

6 “(A) means the part of a firearm that can
7 provide the action or housing for the hammer,
8 bolt, or breechblock and firing mechanism;

9 “(B) includes a frame or lower receiver
10 blank, casting, or machined body that requires
11 further machining or molding to be used as
12 part of a functional firearm, and which is de-
13 signed and intended to be used in the assembly
14 of a functional firearm; and

15 “(C) does not include a piece of material
16 that has had—

17 “(i) its size or external shape altered
18 solely to facilitate transportation or stor-
19 age; or

20 “(ii) solely its chemical composition
21 altered.”.

1 **SEC. 3. REQUIREMENT TO PRESERVE INSTANT CRIMINAL**
2 **BACKGROUND CHECK RECORDS FOR 180**
3 **DAYS.**

4 (a) IN GENERAL.—Section 922(t)(2)(C) of title 18,
5 United States Code, is amended by inserting “after the
6 180-day period that begins with the date the system com-
7 plies with subparagraphs (A) and (B),” before “destroy”.

8 (b) CONFORMING AMENDMENT.—Section 511 of divi-
9 sion B of the Consolidated and Further Continuing Appro-
10 priations Act, 2012 (34 U.S.C. 40901 note; Public Law
11 112–55; 125 Stat. 632) is amended—

12 (1) by striking “for—” and all that follows
13 through “(1)”; and

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

16 (c) REGULATIONS.—Within 180 days after the date
17 of the enactment of this Act, the Attorney General shall
18 prescribe regulations to implement the amendments made
19 by this section.

20 **SEC. 4. REQUIREMENT THAT LICENSED FIREARMS DEAL-**
21 **ERS CONDUCT PHYSICAL CHECK OF THEIR**
22 **FIREARMS BUSINESS INVENTORY.**

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

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

5 (b) CONFORMING AMENDMENT.—The matter under
6 the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS
7 AND EXPLOSIVES—SALARIES AND EXPENSES” in title II
8 of division B of the Consolidated and Further Continuing
9 Appropriations Act, 2013 (18 U.S.C. 923 note; Public
10 Law 113–6; 127 Stat. 247–248) is amended by striking
11 the 5th proviso.

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

16 **SEC. 5. ELIMINATION OF LIMITATIONS ON USE OF GUN**
17 **TRACE INFORMATION.**

18 (a) CONSOLIDATED AND FURTHER CONTINUING AP-
19 PROPRIATIONS ACT, 2012.—The matter under the head-
20 ing “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
21 EXPLOSIVES—SALARIES AND EXPENSES” in title II of di-
22 vision B of the Consolidated and Further Continuing Ap-
23 propriations Act, 2012 (18 U.S.C. 923 note; Public Law
24 112–55; 125 Stat. 609–610) is amended by striking the
25 1st and 6th provisos.

1 (b) CONSOLIDATED APPROPRIATIONS ACT, 2010.—
2 The 6th proviso under the heading “BUREAU OF ALCO-
3 HOL, TOBACCO, FIREARMS AND EXPLOSIVES—SALARIES
4 AND EXPENSES” in title II of division B of the Consoli-
5 dated Appropriations Act, 2010 (18 U.S.C. 923 note; Pub-
6 lic Law 111–117; 123 Stat. 3128–3129) is amended by
7 striking “beginning in fiscal year 2010 and thereafter”
8 and inserting “in fiscal year 2010”.

9 (c) OMNIBUS APPROPRIATIONS ACT, 2009.—The 6th
10 proviso under the heading “BUREAU OF ALCOHOL, TO-
11 BACCO, FIREARMS AND EXPLOSIVES—SALARIES AND EX-
12 PENSES” in title II of division B of the Omnibus Appro-
13 priations Act, 2009 (18 U.S.C. 923 note; Public Law 111–
14 8; 123 Stat. 574–576) is amended by striking “beginning
15 in fiscal year 2009 and thereafter” and inserting “in fiscal
16 year 2009”.

17 (d) CONSOLIDATED APPROPRIATIONS ACT, 2008.—
18 The 6th proviso under the heading “BUREAU OF ALCO-
19 HOL, TOBACCO, FIREARMS AND EXPLOSIVES—SALARIES
20 AND EXPENSES” in title II of division B of the Consoli-
21 dated Appropriations Act, 2008 (18 U.S.C. 923 note; Pub-
22 lic Law 110–161; 121 Stat. 1903–1904) is amended by
23 striking “beginning in fiscal year 2008 and thereafter”
24 and inserting “in fiscal year 2008”.

1 (e) SCIENCE, STATE, JUSTICE, COMMERCE, AND RE-
2 LATED AGENCIES APPROPRIATIONS ACT, 2006.—The 6th
3 proviso under the heading “BUREAU OF ALCOHOL, TO-
4 BACCO, FIREARMS AND EXPLOSIVES—SALARIES AND EX-
5 PENSES” in title I of the Science, State, Justice, Com-
6 merce, and Related Agencies Appropriations Act, 2006
7 (18 U.S.C. 923 note; Public Law 109–108; 119 Stat.
8 2295–2296) is amended by striking “with respect to any
9 fiscal year”.

10 (f) CONSOLIDATED APPROPRIATIONS ACT, 2005.—
11 The 6th proviso under the heading “BUREAU OF ALCO-
12 HOL, TOBACCO, FIREARMS AND EXPLOSIVES—SALARIES
13 AND EXPENSES” in title I of division B of the Science,
14 State, Justice, Commerce, and Related Agencies Appro-
15 priations Act, 2005 (18 U.S.C. 923 note; Public Law 108–
16 447; 118 Stat. 2859) is amended by striking “with respect
17 to any fiscal year”.

18 (g) CONSOLIDATED APPROPRIATIONS RESOLUTION,
19 2003.—Section 644 of division J of the Consolidated Ap-
20 propriations Resolution, 2003 (5 U.S.C. 552 note; Public
21 Law 108–7; 117 Stat. 473–474) is amended by striking
22 “or any other Act with respect to any fiscal year”.

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