

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

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

9 (1) in paragraph (3)—

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

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

18 (2) in paragraph (10)—

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

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

○