

115TH CONGRESS
2D SESSION

S. 2974

To amend section 923 of title 18, United States Code, to require an electronic, searchable database of the importation, production, shipment, receipt, sale, or other disposition of firearms.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2018

Mr. LEAHY (for himself and Mr. NELSON) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend section 923 of title 18, United States Code, to require an electronic, searchable database of the importation, production, shipment, receipt, sale, or other disposition of firearms.

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 “Crime Gun Tracing
5 Modernization Act”.

6 **SEC. 2. ELECTRONIC, SEARCHABLE DATABASES.**

7 Section 923(g) of title 18, United States Code, is
8 amended by adding at the end the following:

1 “(8)(A) In this paragraph, the term ‘foreign in-
2 telligence information’ has the meaning given the
3 term in section 101 of the Foreign Intelligence Sur-
4 veillance Act of 1978 (50 U.S.C. 1801).

5 “(B) Not later than 3 years after the date of
6 enactment of this paragraph, the National Tracing
7 Center of the Bureau of Alcohol, Tobacco, Firearms,
8 and Explosives shall establish and maintain elec-
9 tronic, searchable databases of all records within its
10 possession of the importation, production, shipment,
11 receipt, sale, or other disposition of firearms re-
12 quired to be submitted to the Bureau of Alcohol, To-
13 bacco, Firearms, and Explosives by persons licensed
14 under this chapter.

15 “(C) Not later than 3 years after the date of
16 enactment of this paragraph, each licensee under
17 this chapter shall establish and maintain electronic,
18 searchable databases remotely accessible by the Na-
19 tional Tracing Center of all records within the li-
20 censee’s possession that are required to be kept
21 under this chapter.

22 “(D) A licensee may voluntarily relinquish pos-
23 session of any non-electronic record required to be
24 kept under this chapter to the Bureau of Alcohol,
25 Tobacco, Firearms, and Explosives.

1 “(E) The National Tracing Center—

2 “(i) shall have remote access to and may
3 query, search, or otherwise access the electronic
4 databases described in this paragraph; and

5 “(ii) may, with the permission of a State,
6 or political subdivision of a State, have remote
7 access to, and may query, search, or otherwise
8 access the databases of the firearms registra-
9 tion system or pawnbroker records system of
10 the State or political subdivision.

11 “(F) The National Tracing Center may query,
12 search, or otherwise access the electronic databases
13 described in this paragraph for only the following
14 purposes:

15 “(i) To obtain information related to any
16 Federal, State, local, tribal, or foreign crime.

17 “(ii) To obtain information that is—

18 “(I) foreign intelligence information;

19 or

20 “(II) necessary to understand, or as-
21 sess the importance of, foreign intelligence
22 information.

23 “(G) The databases established under this
24 paragraph—

1 “(i) shall be electronically searchable by
2 date of disposition, license number, and the in-
3 formation identified on each firearm or other
4 firearm descriptor, including the manufacturer,
5 importer, model, serial number, type, and cal-
6 iber or gauge;

7 “(ii) shall not be electronically searchable
8 by the personally identifiable information of any
9 individual; and

10 “(iii) shall include in search results the en-
11 tire contents of the relevant records kept by the
12 licensee.

13 “(H) This paragraph shall take effect notwith-
14 standing any other provision of law, including any
15 temporary or permanent restrictions placed on funds
16 made available to the Bureau of Alcohol, Tobacco,
17 Firearms, and Explosives, or the Department of
18 Justice.”.

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