

116TH CONGRESS
2D SESSION

S. 3348

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

FEBRUARY 27, 2020

Mr. LEAHY 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 of 2020”.

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 intel-
2 ligence information’ has the meaning given the term in
3 section 101 of the Foreign Intelligence Surveillance Act
4 of 1978 (50 U.S.C. 1801).

5 “(B) Not later than 3 years after the date of enact-
6 ment of this paragraph, the National Tracing Center of
7 the Bureau of Alcohol, Tobacco, Firearms and Explosives
8 shall establish and maintain electronic, searchable data-
9 bases of all records within its possession of the importa-
10 tion, production, shipment, receipt, sale, or other disposi-
11 tion of firearms required to be submitted to the Bureau
12 of Alcohol, Tobacco, Firearms and Explosives by persons
13 licensed under this chapter.

14 “(C) Each licensee under this chapter may provide
15 the National Tracing Center with electronic access, con-
16 sistent with the requirements of this paragraph, to all
17 records within the licensee’s possession that are required
18 to be kept under this chapter.

19 “(D) A licensee may voluntarily relinquish possession
20 of any non-electronic record required to be kept under this
21 chapter to the Bureau of Alcohol, Tobacco, Firearms and
22 Explosives.

23 “(E) The National Tracing Center—

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

4 “(ii) may, with the permission of a State, or po-
5 litical subdivision of a State, have remote access to,
6 and may query, search, or otherwise access the data-
7 bases of the firearms registration system or pawn-
8 broker records system of the State or political sub-
9 division.

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

13 “(i) To obtain information related to any Fed-
14 eral, State, local, tribal, or foreign crime.

15 “(ii) To obtain information that is—

16 “(I) foreign intelligence information; or

17 “(II) necessary to understand, or assess
18 the importance of, foreign intelligence informa-
19 tion.

20 “(G) The databases established under this para-
21 graph—

22 “(i) shall be electronically searchable by date of
23 disposition, license number, and the information
24 identified on each firearm or other firearm

1 descriptor, including the manufacturer, importer,
2 model, serial number, type, and caliber or gauge;

3 “(ii) shall not be electronically searchable by
4 the personally identifiable information of any indi-
5 vidual; and

6 “(iii) shall include in search results the entire
7 contents of the relevant records kept by the licensee.

8 “(H) This paragraph shall take effect notwith-
9 standing any other provision of law, including any tem-
10 porary or permanent restrictions placed on funds made
11 available to the Bureau of Alcohol, Tobacco, Firearms and
12 Explosives, or the Department of Justice.”.

○