

117TH CONGRESS
2D SESSION

H. R. 7910

AN ACT

To amend title 18, United States Code, to provide for an increased age limit on the purchase of certain firearms, prevent gun trafficking, modernize the prohibition on untraceable firearms, encourage the safe storage 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Protecting Our Kids Act”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—RAISE THE AGE

Sec. 101. Prohibition on Federal firearms licensee selling or delivering certain
semiautomatic centerfire rifles or semiautomatic centerfire
shotguns to a person under 21 years of age, with exceptions.

Sec. 102. Operation of the Federal Bureau of Investigation’s public access line.

TITLE II—PREVENT GUN TRAFFICKING

Sec. 201. Prohibition on straw purchases of firearms; prohibition on gun traf-
ficking.

Sec. 202. Prohibition on disposition of firearm to person intending unlawful
further disposition.

Sec. 203. Penalties.

Sec. 204. Firearms subject to forfeiture.

TITLE III—UNTRACEABLE FIREARMS

Sec. 301. Requirement that all firearms be traceable.

Sec. 302. Modernization of the prohibition on undetectable firearms.

TITLE IV—SAFE STORAGE

Sec. 401. Ethan’s Law.

Sec. 402. Safe guns, safe kids.

Sec. 403. Kimberly Vaughan Firearm Safe Storage.

TITLE V—CLOSING THE BUMP STOCK LOOPHOLE

Sec. 501. Bump stocks.

TITLE VI—KEEP AMERICANS SAFE

Sec. 601. Definitions.

Sec. 602. Restrictions on large capacity ammunition feeding devices.

Sec. 603. Penalties.

Sec. 604. Use of Byrne grants for buy-back programs for large capacity ammu-
nition feeding devices.

TITLE VII—MISCELLANEOUS

Sec. 701. NICS Report.

TITLE I—RAISE THE AGE

SEC. 101. PROHIBITION ON FEDERAL FIREARMS LICENSEE SELLING OR DELIVERING CERTAIN SEMI- AUTOMATIC CENTERFIRE RIFLES OR SEMI- AUTOMATIC CENTERFIRE SHOTGUNS TO A PERSON UNDER 21 YEARS OF AGE, WITH EX- CEPTIONS.

(a) IN GENERAL.—Section 922(b)(1) of title 18,
United States Code, is amended to read as follows:

“(1)(A) any firearm or ammunition to any indi-
vidual who the licensee knows or has reasonable
cause to believe has not attained 18 years of age;

“(B) any semiautomatic centerfire rifle or semi-
automatic centerfire shotgun that has, or has the ca-
pacity to accept, an ammunition feeding device with
a capacity exceeding 5 rounds, to any individual who
the licensee knows or has reasonable cause to believe
has not attained 21 years of age and is not a quali-
fied individual; or

“(C) if the firearm or ammunition is not a
semiautomatic centerfire rifle or semiautomatic
centerfire shotgun described in subparagraph (B)
and is other than a shotgun or rifle, or ammunition
for a shotgun or rifle, to any individual who the li-

1 censee knows or has reasonable cause to believe has
2 not attained 21 years of age;”.

3 (b) CONFORMING AMENDMENT.—Section 922(c)(1)
4 of such title is amended by striking “in the case of any
5 firearm” and all that follows through “eighteen years or
6 more of age” and inserting “(1) in the case of a semiauto-
7 matic centerfire rifle or semiautomatic centerfire shotgun
8 that has, or has the capacity to accept, an ammunition
9 feeding device with a capacity exceeding 5 rounds, I am
10 at least 21 years of age or a qualified individual (as de-
11 fined in section 921(a)(30) of title 18, United States
12 Code), (2) in the case of a firearm other than a shotgun,
13 a rifle, or such a semiautomatic centerfire rifle or semi-
14 automatic centerfire shotgun, I am at least 21 years of
15 age, or (3) in the case of any other shotgun or rifle, I
16 am at least 18 years of age”.

17 (c) QUALIFIED INDIVIDUAL DEFINED.—Section
18 921(a) of such title is amended by inserting after para-
19 graph (29) the following:

20 “(30) The term ‘qualified individual’ means—

21 “(A) a member of the Armed Forces on active
22 duty; and

23 “(B) a full-time employee of the United States,
24 a State, or a political subdivision of a State who in

1 the course of his or her official duties is authorized
2 to carry a firearm.

3 “(31) The term ‘ammunition feeding device’ means
4 a magazine, belt, drum, feed strip, or similar device, but
5 does not include an attached tubular device which is only
6 capable of operating with .22 caliber rimfire ammuni-
7 tion.”.

8 **SEC. 102. OPERATION OF THE FEDERAL BUREAU OF INVES-**
9 **TIGATION’S PUBLIC ACCESS LINE.**

10 (a) REPORT.—Not later than 90 days after the date
11 of the enactment of this Act, the Director of the Federal
12 Bureau of Investigation (in this section referred to as the
13 “FBI”) shall submit to the Committee on the Judiciary
14 of the Senate and the Committee on the Judiciary of the
15 House of Representatives a report regarding operation of
16 the FBI’s public access line.

17 (b) MATTERS INCLUDED.—The report required by
18 subsection (a) shall, at a minimum, include the following:

19 (1) A description of the protocols and proce-
20 dures in effect with respect to information-sharing
21 between the public access line and the field offices
22 of the FBI.

23 (2) Recommendations for improving the proto-
24 cols and procedures to improve the information-shar-
25 ing.

TITLE II—PREVENT GUN TRAFFICKING

SEC. 201. PROHIBITION ON STRAW PURCHASES OF FIRE- ARMS; PROHIBITION ON GUN TRAFFICKING.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended—

(1) in section 921(a), by adding at the end the following:

“(37) The term ‘family members’ means spouses, domestic partners, parents and their children, including step-parents and their step-children, siblings, aunts or uncles and their nieces or nephews, or grandparents and their grandchildren.”; and

(2) by adding at the end the following:

“§ 932. Gun trafficking

“(a) It shall be unlawful for any person (other than a licensee under this chapter), in or otherwise affecting interstate or foreign commerce, to knowingly purchase or acquire, or attempt to purchase or acquire, a firearm for the possession of a third party.

“(b) It shall be unlawful for any person (other than a licensee under this chapter), in or otherwise affecting interstate or foreign commerce, to hire, solicit, command, induce, or otherwise endeavor to persuade another person to purchase, or attempt to purchase, any firearm for the

1 purpose of obtaining the firearm for the person or selling
2 or transferring the firearm to a third party.

3 “(c) The Attorney General shall ensure that the fire-
4 arm transaction record form required to be completed in
5 connection with a firearm transaction includes a statement
6 outlining the penalties that may be imposed for violating
7 subsection (a).

8 “(d) This section shall not apply to any firearm, if
9 the purchaser or person acquiring the firearm has no rea-
10 son to believe that the recipient of the firearm will use
11 or intends to use the firearm in a crime or is prohibited
12 from purchasing or possessing firearms under State or
13 Federal law and the firearm—

14 “(1) is purchased or acquired by any person, or
15 that any person attempts to purchase or acquire, as
16 a bona fide gift between family members; or

17 “(2) is purchased or acquired by an agent of a
18 lawful business, or that an agent of a lawful busi-
19 ness attempts to purchase or acquire, for the pur-
20 pose of transferring to another agent of the busi-
21 ness, for lawful use in the business.”.

22 (b) FORFEITURE.—Section 982(a)(5) of such title is
23 amended—

24 (1) in subparagraph (D), by striking “or” at
25 the end; and

1 (2) by inserting after subparagraph (E) the fol-
 2 lowing:

3 “(F) section 922(a)(1)(A) (related to unlicensed
 4 firearms sales);

5 “(G) section 922(d) (relating to illegal gun
 6 transfers); or

7 “(H) section 932 (relating to gun trafficking),”.

8 (c) MONEY LAUNDERING AMENDMENT.—Section
 9 1956(c)(7)(D) of such title is amended by striking “sec-
 10 tion 924(n)” and inserting “section 922(a)(1)(A), 922(d),
 11 924(n), or 932”.

12 (d) CLERICAL AMENDMENT.—The table of sections
 13 for such chapter is amended by adding at the end the fol-
 14 lowing:

“932. Gun trafficking.”.

15 **SEC. 202. PROHIBITION ON DISPOSITION OF FIREARM TO**
 16 **PERSON INTENDING UNLAWFUL FURTHER**
 17 **DISPOSITION.**

18 Section 922(d) of title 18, United States Code, is
 19 amended in the 1st sentence—

20 (1) in paragraph (8), by striking “or” at the
 21 end;

22 (2) in paragraph (9), by striking the period at
 23 the end and inserting “; or”; and

24 (3) by inserting after and below paragraph (9)
 25 the following:

1 “(10) intends to sell or otherwise dispose of the
2 firearm or ammunition in violation of a Federal law,
3 or to sell or otherwise dispose of the firearm or am-
4 munition to a person in another State in violation of
5 a law of that State.”.

6 **SEC. 203. PENALTIES.**

7 Section 924(a) of title 18, United States Code, is
8 amended by adding at the end the following:

9 “(8) Whoever knowingly violates section 922(a)(1)(A)
10 or 932 shall be fined under this title, imprisoned not more
11 than 10 years, or both.”.

12 **SEC. 204. FIREARMS SUBJECT TO FORFEITURE.**

13 Section 924(d) of title 18, United States Code, is
14 amended—

15 (1) in paragraph (1), by inserting “or 932”
16 after “section 924”; and

17 (2) in paragraph (3)—

18 (A) in subparagraph (E), by striking
19 “and” at the end;

20 (B) in subparagraph (F), by striking the
21 period at the end and inserting “; and”; and

22 (C) by adding at the end the following:

23 “(G) any offense under section 932.”.

1 **TITLE III—UNTRACEABLE**
2 **FIREARMS**

3 **SEC. 301. REQUIREMENT THAT ALL FIREARMS BE TRACE-**
4 **ABLE.**

5 (a) DEFINITIONS.—Section 921(a) of title 18, United
6 States Code, as amended by this Act, is further amend-
7 ed—

8 (1) in paragraph (10), by adding at the end the
9 following: “The term ‘manufacturing firearms’ shall
10 include assembling a functional firearm or molding,
11 machining, or 3D printing a frame or receiver, and
12 shall not include making or fitting special barrels,
13 stocks, or trigger mechanisms to firearms.”; and

14 (2) by adding at the end the following:

15 “(38) The term ‘ghost gun’—

16 “(A) means a firearm, including a frame or re-
17 ceiver, that lacks a unique serial number engraved
18 or cast on the frame or receiver by a licensed manu-
19 facturer or importer in accordance with this chapter;
20 and

21 “(B) does not include—

22 “(i) a firearm that has been rendered per-
23 manently inoperable;

24 “(ii) a firearm that, not later than 30
25 months after the date of enactment of this

1 paragraph, has been identified by means of a
2 unique serial number, assigned by a State agen-
3 cy, engraved or cast on the receiver or frame of
4 the firearm in accordance with State law;

5 “(iii) a firearm manufactured or imported
6 before December 16, 1968; or

7 “(iv) a firearm identified as provided for
8 under section 5842 of the Internal Revenue
9 Code of 1986.

10 “(39) The term ‘fire control component’—

11 “(A) means a component necessary for the fire-
12 arm to initiate or complete the firing sequence; and

13 “(B) includes a hammer, bolt or breechblock,
14 cylinder, trigger mechanism, firing pin, striker, and
15 slide rails.

16 “(40)(A) The term ‘frame or receiver’—

17 “(i) means a part of a weapon that provides or
18 is intended to provide the housing or structure to
19 hold or integrate 1 or more fire control components,
20 even if pins or other attachments are required to
21 connect those components to the housing or struc-
22 ture;

23 “(ii) includes a frame or receiver, blank, cast-
24 ing, or machined body, that requires modification,
25 including machining, drilling, filing or molding, to be

1 used as part of a functional firearm, and which is
2 designed and intended to be used in the assembly of
3 a functional firearm, unless the piece of material has
4 had—

5 “(I) its size or external shape altered solely
6 to facilitate transportation or storage; or

7 “(II) solely its chemical composition al-
8 tered.

9 “(B) For purposes of subparagraph (A)(i), if a weap-
10 on with more than 1 part that provides the housing or
11 a structure designed to hold or integrate 1 or more fire
12 control or essential components, each such part shall be
13 considered a frame or receiver, unless the Attorney Gen-
14 eral has provided otherwise by regulation or other formal
15 determination with respect to the specific make and model
16 of weapon on or before January 1, 2023.”.

17 (b) PROHIBITION; REQUIREMENTS.—Section 922 of
18 title 18, United States Code, is amended by adding at the
19 end the following:

20 “(aa)(1)(A) Except as provided in subparagraph (B),
21 it shall be unlawful for any person to manufacture, sell,
22 offer to sell, transfer, purchase, or receive a ghost gun
23 in or affecting interstate or foreign commerce.

24 “(B) Subparagraph (A) shall not apply to—

1 “(i) the manufacture of a firearm by a licensed
2 manufacturer if the licensed manufacturer complies
3 with section 923(i) before selling or transferring the
4 firearm to another person;

5 “(ii) the offer to sell, sale, or transfer of a fire-
6 arm to, or purchase or receipt of a firearm by, a li-
7 censed manufacturer or importer before the date
8 that is 30 months after the date of enactment of
9 this subsection; or

10 “(iii) transactions between licensed manufactur-
11 ers and importers on any date.

12 “(2) It shall be unlawful for a person other than a
13 licensed manufacturer or importer to engrave or cast a
14 serial number on a firearm in or affecting interstate or
15 foreign commerce unless specifically authorized by the At-
16 torney General.

17 “(3) Beginning on the date that is 30 months after
18 the date of enactment of this subsection, it shall be unlaw-
19 ful for any person other than a licensed manufacturer or
20 importer to knowingly possess a ghost gun in or affecting
21 interstate or foreign commerce.

22 “(4) Beginning on the date that is 30 months after
23 the date of enactment of this subsection, it shall be unlaw-
24 ful for any person other than a licensed manufacturer or
25 importer to possess a ghost gun in or affecting interstate

1 or foreign commerce with the intent to sell or transfer the
2 ghost gun with or without further manufacturing or to
3 manufacture a firearm with the ghost gun.

4 “(5)(A) It shall be unlawful for any person to sell,
5 offer to sell, or transfer, in or affecting interstate or for-
6 eign commerce, to any person other than a licensed manu-
7 facturer a machine that has the sole or primary function
8 of manufacturing firearms.

9 “(B) Except as provided in subparagraph (A), begin-
10 ning on the date that is 180 days after the date of enact-
11 ment of this subsection, it shall be unlawful for any person
12 other than a licensed manufacturer to possess, purchase,
13 or receive, in or affecting interstate or foreign commerce,
14 a machine that has the sole or primary function of manu-
15 facturing firearms.

16 “(C) Subparagraph (B) shall not apply to a person
17 who is engaged in the business of selling manufacturing
18 equipment to a licensed manufacturer who possesses a ma-
19 chine with the intent to sell or transfer the machine to
20 a licensed manufacturer.”.

21 (c) REQUIREMENTS.—

22 (1) REMOVAL OF SERIAL NUMBERS.—Section
23 922(k) of title 18, United States Code, is amend-
24 ed—

1 (A) by striking “importer’s or manufactur-
2 er’s” each place it appears; and

3 (B) by inserting “authorized by this chap-
4 ter or under State law” before “removed” each
5 place it appears.

6 (2) LICENSED IMPORTERS AND MANUFACTUR-
7 ERS.—Section 923(i) of title 18, United States
8 Code, is amended—

9 (A) by inserting “(1)(A)” before “Li-
10 censed”; and

11 (B) by adding at the end the following:
12 “The serial number shall be engraved or cast
13 on the frame or receiver in a manner sufficient
14 to identify the firearm and the manufacturer or
15 importer that put the serial number on the fire-
16 arm.

17 “(2)(A) Not later than 180 days after the date of
18 enactment of this paragraph, the Attorney General shall
19 prescribe regulations for engraving a unique serial number
20 onto a ghost gun.

21 “(B) The regulations prescribed under subparagraph
22 (A) shall—

23 “(i) allow an owner of a firearm described in
24 subparagraph (A) to have a unique serial number

1 engraved on the firearm by a licensed manufacturer
 2 or importer; and

3 “(ii) require that a serial number be engraved
 4 on the frame or receiver in a manner sufficient to
 5 identify the firearm and the licensed manufacturer
 6 or importer that put the serial number on the fire-
 7 arm.

8 “(C) The regulations authorized under this para-
 9 graph shall expire on the date that is 30 months after
 10 the date of enactment of this paragraph.”.

11 (d) PENALTIES.—Section 924 of title 18, United
 12 States Code, is amended—

13 (1) in subsection (a)(1)(B), by striking “or (q)”
 14 and inserting “(q), (aa)(1), (aa)(2), (aa)(4), or
 15 (aa)(5)”;

16 (2) in subsection (c)

17 (A) in paragraph (1)—

18 (i) in subparagraph (A), in the matter
 19 preceding clause (i), by inserting “func-
 20 tional” before “firearm” each place it ap-
 21 pears;

22 (ii) in subparagraph (B), in the mat-
 23 ter preceding clause (i), by inserting “func-
 24 tional” before “firearm”; and

1 (iii) in subparagraph (D)(ii), by in-
2 serting “functional” before “firearm”; and

3 (B) in paragraph (4), by striking “all or
4 part of the firearm” and all that follows
5 through “person.” and inserting the following:
6 “all or part of the functional firearm, or other-
7 wise make the presence of the functional fire-
8 arm known to another person, in order to in-
9 timidate that person, regardless of whether the
10 functional firearm is directly visible to that per-
11 son.”;

12 (3) in subsection (d)(1), by striking “or (k)”
13 and inserting “(k), (aa)(1), (aa)(2), (aa)(4), or
14 (aa)(5)”;

15 (4) in subsection (e)(1), by inserting “through
16 the possession of a functional firearm” before “and
17 has three”; and

18 (5) by adding at the end the following:

19 “(q) A person who violates section 922(aa)(3) shall—

20 “(1) in the case of the first violation by the per-
21 son, be fined under this title, imprisoned not more
22 than 1 year, or both; or

23 “(2) in the case of any subsequent violation by
24 the person, be fined under this title, imprisoned not
25 more than 5 years, or both.”.

1 **SEC. 302. MODERNIZATION OF THE PROHIBITION ON**
2 **UNDETECTABLE FIREARMS.**

3 Section 922(p) of title 18, United States Code, is
4 amended—

5 (1) in paragraph (1)—

6 (A) in the matter preceding subparagraph
7 (A), by striking “any firearm”;

8 (B) by amending subparagraph (A) to read
9 as follows:

10 “(A) an undetectable firearm; or”; and

11 (C) in subparagraph (B), by striking “any
12 major component of which, when subjected to
13 inspection by the types of x-ray machines com-
14 monly used at airports, does not generate” and
15 inserting the following: “a major component of
16 a firearm which, if subjected to inspection by
17 the types of detection devices commonly used at
18 airports for security screening, would not gen-
19 erate”;

20 (2) in paragraph (2)—

21 (A) by amending subparagraph (A) to read
22 as follows:

23 “(A) the term ‘undetectable firearm’ means a
24 firearm, as defined in section 921(a)(3)(A), of which
25 no major component is wholly made of detectable
26 material;”;

1 (B) by striking subparagraph (B) and in-
2 serting the following:

3 “(B) the term ‘major component’, with respect
4 to a firearm—

5 “(i) means the slide or cylinder or the
6 frame or receiver of the firearm; and

7 “(ii) in the case of a rifle or shotgun, in-
8 cludes the barrel of the firearm; and”;

9 (C) by striking subparagraph (C) and all
10 that follows through the end of the undesig-
11 nated matter following subparagraph (C) and
12 inserting the following:

13 “(C) the term ‘detectable material’ means any
14 material that creates a magnetic field equivalent to
15 or more than 3.7 ounces of 17–4 pH stainless
16 steel.”;

17 (3) in paragraph (3)—

18 (A) in the first sentence, by inserting “, in-
19 cluding a prototype,” after “of a firearm”; and

20 (B) by striking the second sentence; and

21 (4) in paragraph (5), by striking “shall not
22 apply to any firearm which” and all that follows and
23 inserting the following: “shall not apply to—

24 “(A) any firearm received by, in the possession
25 of, or under the control of the United States; or

1 “(B) the manufacture, importation, possession,
 2 transfer, receipt, shipment, or delivery of a firearm
 3 by a licensed manufacturer or licensed importer pur-
 4 suant to a contract with the United States.”.

5 **TITLE IV—SAFE STORAGE**

6 **SEC. 401. ETHAN’S LAW.**

7 (a) SECURE GUN STORAGE OR SAFETY DEVICE.—
 8 Section 922(z) of title 18, United States Code, is amended
 9 by adding at the end the following:

10 “(4) SECURE GUN STORAGE BY OWNERS.—

11 “(A) OFFENSE.—

12 “(i) IN GENERAL.—Except as pro-
 13 vided in clause (ii), it shall be unlawful for
 14 a person to store or keep any firearm that
 15 has moved in, or that has otherwise af-
 16 fected, interstate or foreign commerce on
 17 the premises of a residence under the con-
 18 trol of the person if the person knows, or
 19 reasonably should know, that—

20 “(I) a minor is likely to gain ac-
 21 cess to the firearm without the per-
 22 mission of the parent or guardian of
 23 the minor; or

1 “(II) a resident of the residence
2 is ineligible to possess a firearm under
3 Federal, State, or local law.

4 “(ii) EXCEPTION.—Clause (i) shall
5 not apply to a person if—

6 “(I) the person—

7 “(aa) keeps the firearm—

8 “(AA) secure using a
9 secure gun storage or safety
10 device; or

11 “(BB) in a location
12 which a reasonable person
13 would believe to be secure;
14 or

15 “(bb) carries the firearm on
16 his or her person or within such
17 close proximity thereto that the
18 person can retrieve and use the
19 firearm as readily as if the per-
20 son carried the firearm on his or
21 her person; or

22 “(II) another individual unlaw-
23 fully enters the premises under the
24 control of the person and thereby
25 gains access to the firearm.

1 “(B) PENALTY.—

2 “(i) IN GENERAL.—Except as other-
3 wise provided in this subparagraph, any
4 person who violates subparagraph (A) shall
5 be fined \$500 per violation.

6 “(ii) FORFEITURE OF IMPROPERLY
7 STORED FIREARM.—Any firearm stored in
8 violation of subparagraph (A) shall be sub-
9 ject to seizure and forfeiture in accordance
10 with the procedures described in section
11 924(d).

12 “(C) MINOR DEFINED.—In this paragraph,
13 the term ‘minor’ means an individual who has
14 not attained 18 years of age.”.

15 (b) FIREARM SAFE STORAGE PROGRAM.—Title I of
16 the Omnibus Crime Control and Safe Streets Act of 1968
17 (34 U.S.C. 10101 et seq.) is amended by adding at the
18 end the following:

19 **“PART PP—FIREARM SAFE STORAGE PROGRAM**
20 **“SEC. 3061. FIREARM SAFE STORAGE PROGRAM.**

21 “(a) IN GENERAL.—The Assistant Attorney General
22 shall make grants to an eligible State or Indian Tribe to
23 assist the State or Indian Tribe in carrying out the provi-
24 sions of any State or Tribal law that is functionally iden-
25 tical to section 922(z)(4) of title 18, United States Code.

1 “(b) ELIGIBLE STATE OR INDIAN TRIBE.—

2 “(1) IN GENERAL.—Except as provided in para-
3 graph (2), a State or Indian Tribe shall be eligible
4 to receive grants under this section on and after the
5 date on which the State or Indian Tribe enacts legis-
6 lation functionally identical to section 922(z)(4) of
7 title 18, United States Code.

8 “(2) FIRST YEAR ELIGIBILITY EXCEPTION.—

9 “(A) IN GENERAL.—A covered State or In-
10 dian Tribe shall be eligible to receive a grant
11 under this section during the 1-year period be-
12 ginning on the date of enactment of this part.

13 “(B) COVERED STATE OR INDIAN TRIBE.—

14 In this paragraph, the term ‘covered State or
15 Indian Tribe’ means a State or Indian Tribe
16 that, before the date of enactment of this part,
17 enacted legislation that is functionally identical
18 to section 922(z)(4) of title 18, United States
19 Code.

20 “(c) USE OF FUNDS.—Funds awarded under this
21 section may be used by a State or Indian Tribe to assist
22 law enforcement agencies or the courts of the State or In-
23 dian Tribe in enforcing and otherwise facilitating compli-
24 ance with any State law functionally identical to section
25 922(z)(4), of title 18, United States Code.

1 “(d) APPLICATION.—An eligible State or Indian
2 Tribe desiring a grant under this section shall submit to
3 the Assistant Attorney General an application at such
4 time, in such manner, and containing or accompanied by
5 such information, as the Assistant Attorney General may
6 reasonably require.

7 “(e) INCENTIVES.—For each of fiscal years 2023
8 through 2027, the Attorney General shall give affirmative
9 preference to all Bureau of Justice Assistance discre-
10 tionary grant applications of a State or Indian Tribe that
11 has enacted legislation functionally identical to section
12 922(z)(4) of title 18, United States Code.”.

13 **SEC. 402. SAFE GUNS, SAFE KIDS.**

14 Paragraph (4)(B) of section 922(z) of title 18,
15 United States Code, as added by this Act, is amended by
16 adding at the end the following:

17 “(iii) ENHANCED PENALTY.—If a per-
18 son violates subparagraph (A) and a minor
19 or a resident who is ineligible to possess a
20 firearm under Federal, State, or local law
21 obtains the firearm and causes injury or
22 death to such minor, resident, or any other
23 individual, the person shall be fined under
24 this title, imprisoned for not more than 5
25 years, or both.”.

1 **SEC. 403. KIMBERLY VAUGHAN FIREARM SAFE STORAGE.**

2 (a) BEST PRACTICES FOR SAFE FIREARM STOR-
3 AGE.—

4 (1) ESTABLISHMENT.—

5 (A) IN GENERAL.—

6 (i) Not later than 180 days after the
7 enactment of this Act, the Attorney Gen-
8 eral shall establish voluntary best practices
9 relating to safe firearm storage solely for
10 the purpose of public education.

11 (ii) The Attorney General shall give
12 not less than ninety days public notice, and
13 shall afford interested parties opportunity
14 for hearing, before establishing such best
15 practices.

16 (B) REQUIREMENTS.—In establishing the
17 best practices required under subparagraph (A),
18 the Attorney General shall outline such best
19 practices for preventing firearm loss, theft, and
20 other unauthorized access for the following lo-
21 cations:

22 (i) Businesses.

23 (ii) Vehicles.

24 (iii) Private homes.

25 (iv) Off-site storage facilities.

1 (v) Any other such place the Attorney
2 General deems appropriate to provide such
3 guidance.

4 (C) PUBLICATION.—Not later than 1 year
5 after the enactment of this Act, the Attorney
6 General shall publish, in print and on a public
7 website, the best practices created pursuant to
8 subparagraph (A) and shall review such best
9 practices and update them not less than annu-
10 ally.

11 (b) PROMOTION OF SAFE FIREARM STORAGE.—

12 (1) IN GENERAL.—Section 923 of title 18,
13 United States Code, is amended by adding at the
14 end the following:

15 “(m) Beginning on January 1, 2025, licensed manu-
16 facturers and licensed importers that serialize not less
17 than 250 firearms annually pursuant to subsection (i)
18 shall provide a clear and conspicuous written notice with
19 each manufactured or imported handgun, rifle, or shotgun
20 that—

21 “(1) is attached or adhered to, or appears on
22 or within any packaging of, each handgun, rifle, or
23 shotgun; and

24 “(2) states ‘SAFE STORAGE SAVES LIVES’
25 followed by the address of the public website estab-

1 lished by the Attorney General pursuant to section
2 403(a) of the Protecting Our Kids Act.”.

3 (c) SAFE STORAGE DEVICES FOR ALL FIREARM
4 SALES.—

5 (1) IN GENERAL.—Section 922(z) of title 18,
6 United States Code, is amended by striking “hand-
7 gun” each place it appears and inserting “handgun,
8 rifle, or shotgun”.

9 (2) EFFECTIVE DATE.—This section and the
10 amendments made by this section shall take effect
11 on the date that is 180 days after the enactment of
12 this Act.

13 (d) KIMBERLY VAUGHAN SAFE FIREARM STORAGE
14 GRANT PROGRAM.—Part PP of title I of the Omnibus
15 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
16 10101 et seq.), as added by this Act, is amended by adding
17 at the end the following:

18 **“SEC. 3062. KIMBERLY VAUGHAN FIREARM SAFE STORAGE**
19 **GRANT PROGRAM.**

20 “(a) AUTHORIZATION.—The Attorney General may
21 award grants to States and Indian Tribes for the develop-
22 ment, implementation, and evaluation of Safe Firearm
23 Storage Assistance Programs.

24 “(b) APPLICATION REQUIREMENTS.—Each applicant
25 for a grant under this section shall—

1 “(1) submit to the Attorney General an applica-
2 tion at such time, in such a manner, and containing
3 such information as the Attorney General may re-
4 quire; and

5 “(2) to the extent practicable, identify State,
6 local, Tribal, and private funds available to supple-
7 ment the funds received under this section.

8 “(c) REPORTING REQUIREMENT.—

9 “(1) GRANTEE REPORT.—A recipient of a grant
10 under this section shall submit to the Attorney Gen-
11 eral an annual report, which includes the following
12 information:

13 “(A) The amount distributed to each Safe
14 Firearm Storage Assistance Program in the ju-
15 risdiction.

16 “(B) The number of safe firearm storage
17 devices distributed by each such Safe Firearm
18 Storage Assistance Program.

19 A recipient of a grant under this section may not in-
20 clude any personally identifying information of re-
21 cipients of safe firearms storage devices pursuant to
22 a Safe Firearm Storage Assistance Program that re-
23 ceived funding pursuant to this section.

24 “(2) ATTORNEY GENERAL REPORT.—Beginning
25 13 months after the first grants are awarded under

1 this section, and annually thereafter, the Attorney
2 General shall submit to Congress a report, which
3 shall include following information:

4 “(A) A list of grant recipients during the
5 previous year, including the funds awarded, cu-
6 mulatively and disaggregated by grantee.

7 “(B) The information collected pursuant to
8 subsection (d)(1).

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
10 is authorized to be appropriated to the Attorney General
11 to carry out this section \$10,000,000 for each of fiscal
12 years 2023 through 2033, to remain available until ex-
13 pended.

14 “(e) USE OF FUNDS.—Funds awarded under this
15 section shall be allocated as follows:

16 “(1) Not less than 75 percent of the funds re-
17 ceived by a grantee shall be used to create or to pro-
18 vide resources for Safe Firearm Storage Assistance
19 Programs in the jurisdiction.

20 “(2) Not more than 25 percent of the funds re-
21 ceived by a grantee may be made available to non-
22 profit organizations to partner with units of local
23 government to purchase and distribute safe firearm
24 storage devices.

25 “(f) DEFINITIONS.—For purposes of this section:

1 “(1) The term ‘safe firearm storage device’
2 means a device that is—

3 “(A) designed and marketed for the prin-
4 cipal purpose of denying unauthorized access to,
5 or rendering inoperable, a firearm or ammuni-
6 tion; and

7 “(B) secured by a combination lock, key
8 lock, or lock based on biometric information
9 which, once locked, is incapable of being opened
10 without the combination, key, or biometric in-
11 formation, respectively.

12 “(2) The term ‘Safe Firearm Storage Assist-
13 ance Program’ means a program—

14 “(A) carried out by a unit of local govern-
15 ment or an Indian tribe; and

16 “(B) solely for the purpose of acquiring
17 and distributing safe firearm storage devices to
18 the public.”.

19 **TITLE V—CLOSING THE BUMP** 20 **STOCK LOOPHOLE**

21 **SEC. 501. BUMP STOCKS.**

22 (a) IN GENERAL.—Section 5845 of the Internal Rev-
23 enue Code of 1986 is amended—

1 (1) in subsection (a), by striking “and (8) a de-
2 destructive device.” and inserting “(8) a destructive
3 device; and (9) a bump stock.”; and

4 (2) by adding at the end the following new sub-
5 sections:

6 “(n) BUMP STOCK.—The term ‘bump stock’ means
7 any of the following:

8 “(1) Any manual, power-driven, or electronic
9 device that is designed such that when the device is
10 attached to a semiautomatic weapon, the device
11 eliminates the need for the operator of a semiauto-
12 matic weapon to make a separate movement for each
13 individual function of the trigger and—

14 “(A) materially increases the rate of fire of
15 the semiautomatic weapon, or

16 “(B) approximates the action or rate of
17 fire of a machinegun.

18 “(2) Any part or combination of parts that is
19 designed and functions to eliminate the need for the
20 operator of a semiautomatic weapon to make a sepa-
21 rate movement for each individual function of the
22 trigger and—

23 “(A) materially increases the rate of fire of
24 a semiautomatic weapon, or

1 “(B) approximates the action or rate of
2 fire of a machinegun.

3 “(3) Any semiautomatic weapon that has been
4 modified in any way that eliminates the need for the
5 operator of the semiautomatic weapon to make a
6 separate movement for each individual function of
7 the trigger and—

8 “(A) materially increases the rate of fire of
9 the semiautomatic weapon, or

10 “(B) approximates the action or rate of
11 fire of a machinegun.

12 “(o) SEMIAUTOMATIC WEAPON.—The term ‘semi-
13 automatic weapon’ means any repeating weapon that—

14 “(1) utilizes a portion of the energy of a firing
15 cartridge or shell to extract the fired cartridge case
16 or shell casing and chamber the next round, and

17 “(2) requires a separate function of the trigger
18 to fire each cartridge or shell.”.

19 (b) AMENDMENTS TO TITLE 18, UNITED STATES
20 CODE.—

21 (1) Section 921(a) of title 18, United States
22 Code, as amended by this Act, is further amended—

23 (A) in paragraph (3), by striking “muffler
24 or firearm silencer” and inserting “muffler,
25 firearm silencer, or bump stock”; and

1 (B) by adding at the end the following:

2 “(41) The term ‘bump stock’ has the meaning given
3 such term in section 5845(n) of the National Firearms
4 Act (26 U.S.C. 5845(n)).”.

5 (2) Section 922 of title 18, United States Code,
6 is amended—

7 (A) in each of subsections (a)(4) and
8 (b)(4), by inserting “bump stock,” before “ma-
9 chinegun”; and

10 (B) in subsection (o)(1) , by inserting “or
11 bump stock” before the period.

12 **TITLE VI—KEEP AMERICANS** 13 **SAFE**

14 **SEC. 601. DEFINITIONS.**

15 Section 921(a) of title 18, United States Code, as
16 amended by this Act, is further amended by adding at the
17 end the following:

18 “(42) The term ‘large capacity ammunition feeding
19 device’—

20 “(A) means a magazine, belt, drum, feed strip,
21 helical feeding device, or similar device, including
22 any such device joined or coupled with another in
23 any manner, that has an overall capacity of, or that
24 can be readily restored, changed, or converted to ac-
25 cept, more than 15 rounds of ammunition; and

1 “(B) does not include an attached tubular de-
 2 vice designed to accept, and capable of operating
 3 only with, .22 caliber rimfire ammunition.

4 “(43) The term ‘qualified law enforcement officer’
 5 has the meaning given the term in section 926B.”.

6 **SEC. 602. RESTRICTIONS ON LARGE CAPACITY AMMUNI-**
 7 **TION FEEDING DEVICES.**

8 (a) IN GENERAL.—Section 922 of title 18, United
 9 States Code, is amended by inserting after subsection (u)
 10 the following:

11 “(v)(1) It shall be unlawful for a person to import,
 12 sell, manufacture, transfer, or possess, in or affecting
 13 interstate or foreign commerce, a large capacity ammuni-
 14 tion feeding device.

15 “(2) Paragraph (1) shall not apply to the possession
 16 of any large capacity ammunition feeding device otherwise
 17 lawfully possessed on or before the date of enactment of
 18 this subsection.

19 “(3) Paragraph (1) shall not apply to—

20 “(A) the importation for, manufacture for, sale
 21 to, transfer to, or possession by the United States
 22 or a department or agency of the United States or
 23 a State or a department, agency, or political subdivi-
 24 sion of a State, or a sale or transfer to or possession
 25 by a qualified law enforcement officer employed by

1 the United States or a department or agency of the
2 United States or a State or a department, agency,
3 or political subdivision of a State for purposes of law
4 enforcement (whether on or off-duty), or a sale or
5 transfer to or possession by a campus law enforce-
6 ment officer for purposes of law enforcement (wheth-
7 er on or off-duty);

8 “(B) the importation for, or sale or transfer to
9 a licensee under title I of the Atomic Energy Act of
10 1954 (42 U.S.C. 2011 et seq.) for purposes of estab-
11 lishing and maintaining an on-site physical protec-
12 tion system and security organization required by
13 Federal law, or possession by an employee or con-
14 tractor of such licensee on-site for such purposes or
15 off-site for purposes of licensee-authorized training
16 or transportation of nuclear materials;

17 “(C) the possession, by an individual who is re-
18 tired in good standing from service with a law en-
19 forcement agency and is not otherwise prohibited
20 from receiving ammunition, of a large capacity am-
21 munition feeding device—

22 “(i) sold or transferred to the individual by
23 the agency upon such retirement; or

1 “(ii) that the individual purchased, or oth-
2 erwise obtained, for official use before such re-
3 tirement; or

4 “(D) the importation, sale, manufacture, trans-
5 fer, or possession of any large capacity ammunition
6 feeding device by a licensed manufacturer or licensed
7 importer for the purposes of testing or experimen-
8 tation authorized by the Attorney General.

9 “(4) For purposes of paragraph (3)(A), the term
10 ‘campus law enforcement officer’ means an individual who
11 is—

12 “(A) employed by a private institution of higher
13 education that is eligible for funding under title IV
14 of the Higher Education Act of 1965 (20 U.S.C.
15 1070 et seq.);

16 “(B) responsible for the prevention or investiga-
17 tion of crime involving injury to persons or property,
18 including apprehension or detention of persons for
19 such crimes;

20 “(C) authorized by Federal, State, or local law
21 to carry a firearm, execute search warrants, and
22 make arrests; and

23 “(D) recognized, commissioned, or certified by
24 a government entity as a law enforcement officer.”.

1 (b) IDENTIFICATION MARKINGS FOR LARGE CAPAC-
 2 ITY AMMUNITION FEEDING DEVICES.—Section 923(i) of
 3 title 18, United States Code, as amended by this Act, is
 4 further amended by inserting after subparagraph (A) of
 5 paragraph (1) the following:

6 “(B) A large capacity ammunition feeding
 7 device manufactured after the date of enact-
 8 ment of this subparagraph shall be identified by
 9 a serial number and the date on which the de-
 10 vice was manufactured or made, legibly and
 11 conspicuously engraved or cast on the device,
 12 and such other identification as the Attorney
 13 General shall by regulations prescribe.”.

14 (c) SEIZURE AND FORFEITURE OF LARGE CAPACITY
 15 AMMUNITION FEEDING DEVICES.—Section 924(d) of title
 16 18, United States Code, as amended by this Act, is further
 17 amended—

18 (1) in paragraph (1)—

19 (A) in the first sentence—

20 (i) by striking “Any firearm or ammu-
 21 nition involved in” and inserting “Any fire-
 22 arm or ammunition or large capacity am-
 23 munition feeding device involved in”;

24 (ii) by inserting “(v),” after “(k),”;

25 and

1 (iii) by striking “any firearm or am-
 2 munition intended” and inserting “any
 3 firearm or ammunition or large capacity
 4 ammunition feeding device intended”; and

5 (B) by inserting “or large capacity ammu-
 6 nition feeding device” after “firearms or ammu-
 7 nition” each place the term appears;

8 (2) in paragraph (2)—

9 (A) in subparagraph (A), by inserting “or
 10 large capacity ammunition feeding device” after
 11 “firearms or ammunition”; and

12 (B) in subparagraph (C), by inserting “or
 13 large capacity ammunition feeding devices”
 14 after “firearms or quantities of ammunition”;
 15 and

16 (3) in paragraph (3)(E), by inserting “922(v),”
 17 after “922(n),”.

18 **SEC. 603. PENALTIES.**

19 Section 924(a)(1)(B) of title 18, United States Code,
 20 as amended by this Act, is further amended by inserting
 21 “(v),” after “(q),”.

1 **SEC. 604. USE OF BYRNE GRANTS FOR BUY-BACK PRO-**
 2 **GRAMS FOR LARGE CAPACITY AMMUNITION**
 3 **FEEDING DEVICES.**

4 Section 501(a)(1) of title I of the Omnibus Crime
 5 Control and Safe Streets Act of 1968 (34 U.S.C.
 6 10152(a)(1)) is amended by adding at the end the fol-
 7 lowing:

8 “(I) Compensation for surrendered large
 9 capacity ammunition feeding devices, as that
 10 term is defined in section 921 of title 18,
 11 United States Code, under buy-back programs
 12 for large capacity ammunition feeding devices.”.

13 **TITLE VII—MISCELLANEOUS**

14 **SEC. 701. NICS REPORT.**

15 Not later than 1 year after the date of enactment
 16 of this Act, and annually thereafter, the Attorney General
 17 shall submit to the Committee on the Judiciary of the Sen-
 18 ate and the Committee on the Judiciary of the House of
 19 Representatives a report that includes, with respect to the
 20 preceding year, the demographic data of persons who were
 21 determined to be ineligible to purchase a firearm based
 22 on a background check performed by the National Instant
 23 Criminal Background Check System, including race, eth-
 24 nicity, national origin, sex, gender, age, disability, average

1 annual income, and English language proficiency, if avail-
2 able.

Passed the House of Representatives June 8, 2022.

Attest:

Clerk.

117TH CONGRESS
2D SESSION

H. R. 7910

AN ACT

To amend title 18, United States Code, to provide for an increased age limit on the purchase of certain firearms, prevent gun trafficking, modernize the prohibition on untraceable firearms, encourage the safe storage of firearms, and for other purposes.