

113TH CONGRESS
1ST SESSION

H. R. 431

To restore certain authorities of the Bureau of Alcohol, Tobacco, Firearms,
and Explosives to administer the firearms laws, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2013

Ms. SPEIER (for herself, Mr. BISHOP of New York, Ms. BONAMICI, Mr. CICILLINE, Ms. CLARKE, Mr. CONYERS, Mr. ELLISON, Mr. FARR, Mr. GRIJALVA, Ms. NORTON, Mr. HOLT, Ms. MATSUI, Mr. MEEKS, Ms. PINGREE of Maine, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Ms. SLAUGHTER, and Mr. VAN HOLLEN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To restore certain authorities of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to administer the firearms laws, 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 “Gun Transparency and
5 Accountability (Gun TRAC) Act of 2013”.

1 **SEC. 2. USE OF FIREARM TRACE INFORMATION IN CIVIL**
2 **PROCEEDINGS.**

3 Notwithstanding any other provision of law, the con-
4 tents of the Firearms Trace System database maintained
5 by the National Trace Center of the Bureau of Alcohol,
6 Tobacco, Firearms and Explosives shall not be immune
7 from legal process, shall be subject to subpoena or other
8 discovery, shall be admissible as evidence, and may be
9 used, relied on, or disclosed in any manner, and testimony
10 or other evidence may be permitted based on the data,
11 on the same basis as other information, in a civil action
12 in any State (including the District of Columbia) or Fed-
13 eral court or in an administrative proceeding.

14 **SEC. 3. REQUIREMENT TO PRESERVE INSTANT CRIMINAL**
15 **BACKGROUND CHECK RECORDS FOR 90**
16 **DAYS.**

17 (a) IN GENERAL.—Section 922(t)(2)(C) of title 18,
18 United States Code, is amended by inserting “after the
19 90-day period that begins with the date the system com-
20 plies with subparagraphs (A) and (B),” before “destroy”.

21 (b) CONFORMING AMENDMENT.—Section 511 of the
22 Consolidated and Further Continuing Appropriations Act,
23 2012 (18 U.S.C. 922 note; Public Law 112–55; 125 Stat.
24 632) is amended—

25 (1) by striking “for—” and all that follows
26 through “(1)”; and

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

3 **SEC. 4. ELIMINATION OF LIMITATION ON IMPOSITION OF**
4 **REQUIREMENT THAT FIREARMS DEALERS TO**
5 **CONDUCT PHYSICAL CHECK OF FIREARMS**
6 **INVENTORY.**

7 The matter under the heading “Bureau of Alcohol,
8 Tobacco, Firearms and Explosives—Salaries and Ex-
9 penses” in title I of division B of the Consolidated and
10 Further Continuing Appropriations Act, 2012 (18 U.S.C.
11 923 note; Public Law 112–55; 125 Stat. 609–610) is
12 amended by striking the 7th proviso.

13 **SEC. 5. INCREASED PENALTIES FOR WILLFUL NONCOMPLI-**
14 **ANCE WITH FIREARM LICENSEE INVENTORY**
15 **REPORTING ORDER.**

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

18 “(8) Notwithstanding the preceding provisions of this
19 subsection, a person licensed under this chapter who will-
20 fully violates an inventory reporting order issued under
21 section 923(g)(1) shall be fined under this title, impris-
22 oned not more than 5 years, or both.”.

1 **SEC. 6. INELIGIBILITY FOR FEDERAL FIREARMS LICENSE**
2 **OF PERSON WHOSE FIREARMS LICENSE HAS**
3 **BEEN REVOKED.**

4 Section 923(a) of title 18, United States Code, is
5 amended by inserting after the 1st sentence the following:
6 “The Attorney General may not accept such an applica-
7 tion from a person whose license issued under this chapter
8 has been revoked.”.

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