

117TH CONGRESS
2D SESSION

S. 4606

To address the importation and proliferation of firearm modification devices.

IN THE SENATE OF THE UNITED STATES

JULY 25, 2022

Ms. KLOBUCHAR (for herself, Mr. PETERS, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. REED, Mr. MARKEY, Mr. MURPHY, Mrs. SHAHEEN, Mr. PADILLA, Ms. SMITH, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To address the importation and proliferation of firearm modification devices.

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 “Preventing Illegal
5 Weapons Trafficking Act of 2022”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “firearm modification device”
9 means any part designed and intended solely and ex-
10 clusively, or combination of parts designed and in-

1 tended, for use in converting a weapon into a ma-
2 chinegun; and

3 (2) the term “machinegun” has the meaning
4 given the term in section 5845 of the Internal Rev-
5 enue Code of 1986.

6 **SEC. 3. PREVENTION AND INTERCEPTION STRATEGY.**

7 (a) STRATEGY.—Not later than 120 days after the
8 date of enactment of this Act, the Attorney General, the
9 Secretary of Homeland Security, and the Secretary of the
10 Treasury shall develop and implement a strategy to pre-
11 vent or intercept the importation or trafficking of firearm
12 modification devices, including by—

13 (1) improving the capacity of Federal law en-
14 forcement agencies to detect, intercept, and seize
15 firearm modification devices;

16 (2) increasing the coordination between State
17 and local law enforcement agencies and Federal law
18 enforcement agencies, including the Bureau of Alco-
19 hol, Tobacco, Firearms and Explosives, the Federal
20 Bureau of Investigation, Homeland Security Inves-
21 tigation, and U.S. Customs and Border Protection,
22 when firearm modification devices are seized at ports
23 of entry;

24 (3) ensuring that the Bureau of Alcohol, To-
25 bacco, Firearms and Explosives collaborates with

1 State and local law enforcement agencies to identify
2 and trace firearm modification devices used in
3 crimes, including identifying the source of the de-
4 vice, whether from a foreign country or the United
5 States;

6 (4) investigating and collecting data regarding
7 the origins of firearm modification devices that are
8 seized at ports of entry or recovered by law enforce-
9 ment agencies in the United States in order to iden-
10 tify patterns and detect vulnerabilities; and

11 (5) improving the capacity of Federal law en-
12 forcement agencies, including the Bureau of Alcohol,
13 Tobacco, Firearms and Explosives, the Federal Bu-
14 reau of Investigation, and Homeland Security Inves-
15 tigation, to detect, intercept, and seize domestically
16 produced firearm modification devices, including
17 firearm modification devices produced using 3D
18 printing technology.

19 (b) REPORTS.—

20 (1) INITIAL REPORT.—Not later than 120 days
21 after the date of enactment of this Act, the Attorney
22 General, the Secretary of Homeland Security, and
23 the Secretary of the Treasury shall submit a report
24 on the strategy developed and implemented under

1 subsection (a), which shall include relevant statis-
 2 tical information, to—

3 (A) the Committee on the Judiciary of the
 4 Senate;

5 (B) the Committee on Homeland Security
 6 and Governmental Affairs of the Senate;

7 (C) the Committee on the Judiciary of the
 8 House of Representatives; and

9 (D) the Committee on Homeland Security
 10 of the House of Representatives.

11 (2) PERIODIC UPDATES.—Not less frequently
 12 than once every 2 years, the Attorney General, the
 13 Secretary of Homeland Security, and the Secretary
 14 of the Treasury shall submit to the congressional
 15 committees described in paragraph (1) an update to
 16 the report submitted under that paragraph that de-
 17 scribes progress made on the implementation of the
 18 strategy developed under subsection (a).

19 **SEC. 4. FORFEITURE OF PROCEEDS FROM MACHINEGUN**
 20 **VIOLATIONS.**

21 Section 5872 of the Internal Revenue Code of 1986
 22 is amended—

23 (1) in subsection (a), by inserting “, and any
 24 proceeds derived from the illegal trafficking of a ma-
 25 chinegun,” after “provisions of this chapter”; and

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

2 “(c) ILLEGAL TRAFFICKING OF A MACHINEGUN.—

3 For purposes of subsection (a), the term ‘illegal trafficking

4 of a machinegun’ means the making, manufacture, impor-

5 tation, exportation, or transfer of a machinegun in viola-

6 tion of the provisions of this chapter or any regulations

7 prescribed under this chapter.”.

8 **SEC. 5. GUN TRAFFICKING REPORT.**

9 The Attorney General shall include information about

10 firearm modification devices in the annual firearms traf-

11 ficking report announced by the President on April 7,

12 2021, including—

13 (1) the number of crimes in which firearm

14 modification devices are used; and

15 (2) whether the firearm modification devices re-

16 covered from crimes described in paragraph (1) are

17 manufactured in the United States or a foreign

18 country.

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