

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. _____
OFFERED BY MR. NADLER OF NEW YORK

Strike all after the enacting clause and insert the following:

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 trafficking.
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 ammunition feeding devices.

1 **TITLE I—RAISE THE AGE**

2 **SEC. 101. PROHIBITION ON FEDERAL FIREARMS LICENSEE**

3 **SELLING OR DELIVERING CERTAIN SEMI-**
4 **AUTOMATIC CENTERFIRE RIFLES OR SEMI-**
5 **AUTOMATIC CENTERFIRE SHOTGUNS TO A**
6 **PERSON UNDER 21 YEARS OF AGE, WITH EX-**
7 **CEPTIONS.**

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

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

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

20 “(C) if the firearm or ammunition is not a
21 semiautomatic centerfire rifle or semiautomatic

1 centerfire shotgun described in subparagraph (B)
2 and is other than a shotgun or rifle, or ammunition
3 for a shotgun or rifle, to any individual who the li-
4 censee knows or has reasonable cause to believe has
5 not attained 21 years of age;”.

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

20 (c) QUALIFIED INDIVIDUAL DEFINED.—Section
21 921(a) of such title is amended by inserting after para-
22 graph (29) the following:

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

24 “(A) a member of the Armed Forces on active
25 duty; and

1 “(B) a full-time employee of the United States,
2 a State, or a political subdivision of a State who in
3 the course of his or her official duties is authorized
4 to carry a firearm.

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

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

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

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

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

1 (2) Recommendations for improving the proto-
2 cols and procedures to improve the information-shar-
3 ing.

4 **TITLE II—PREVENT GUN** 5 **TRAFFICKING**

6 **SEC. 201. PROHIBITION ON STRAW PURCHASES OF FIRE-** 7 **ARMS; PROHIBITION ON GUN TRAFFICKING.**

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

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

12 “(37) The term ‘family members’ means spouses, do-
13 mestic partners, parents and their children, including
14 step-parents and their step-children, siblings, aunts or un-
15 cles and their nieces or nephews, or grandparents and
16 their grandchildren.”; and

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

18 **“§ 932. Gun trafficking**

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

24 “(b) It shall be unlawful for any person (other than
25 a licensee under this chapter), in or otherwise affecting

1 interstate or foreign commerce, to hire, solicit, command,
2 induce, or otherwise endeavor to persuade another person
3 to purchase, or attempt to purchase, any firearm for the
4 purpose of obtaining the firearm for the person or selling
5 or transferring the firearm to a third party.

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

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

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

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

1 (b) FORFEITURE.—Section 982(a)(5) of such title is
2 amended—

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

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

7 “(F) section 922(a)(1)(A) (related to unlicensed
8 firearms sales);

9 “(G) section 922(d) (relating to illegal gun
10 transfers); or

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

12 (c) MONEY LAUNDERING AMENDMENT.—Section
13 1956(c)(7)(D) of such title is amended by striking “sec-
14 tion 924(n)” and inserting “section 922(a)(1)(A), 922(d),
15 924(n), or 932”.

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

“932. Gun trafficking.”.

19 **SEC. 202. PROHIBITION ON DISPOSITION OF FIREARM TO**
20 **PERSON INTENDING UNLAWFUL FURTHER**
21 **DISPOSITION.**

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

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

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

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

5 “(10) intends to sell or otherwise dispose of the
6 firearm or ammunition in violation of a Federal law,
7 or to sell or otherwise dispose of the firearm or am-
8 munition to a person in another State in violation of
9 a law of that State.”.

10 **SEC. 203. PENALTIES.**

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

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

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

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

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

21 (2) in paragraph (3)—

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

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

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

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

3 **TITLE III—UNTRACEABLE**
4 **FIREARMS**

5 **SEC. 301. REQUIREMENT THAT ALL FIREARMS BE TRACE-**
6 **ABLE.**

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

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

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

17 “(38) The term ‘ghost gun’—

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

23 “(B) does not include—

24 “(i) a firearm that has been rendered per-
25 manently inoperable;

1 “(ii) a firearm that, not later than 30
2 months after the date of enactment of this
3 paragraph, has been identified by means of a
4 unique serial number, assigned by a State agen-
5 cy, engraved or cast on the receiver or frame of
6 the firearm in accordance with State law;

7 “(iii) a firearm manufactured or imported
8 before December 16, 1968; or

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

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

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

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

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

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

1 “(ii) includes a frame or receiver, blank, cast-
2 ing, or machined body, that requires modification,
3 including machining, drilling, filing or molding, to be
4 used as part of a functional firearm, and which is
5 designed and intended to be used in the assembly of
6 a functional firearm, unless the piece of material has
7 had—

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

10 “(II) solely its chemical composition al-
11 tered.

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

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

23 “(aa)(1)(A) Except as provided in subparagraph (B),
24 it shall be unlawful for any person to manufacture, sell,

1 offer to sell, transfer, purchase, or receive a ghost gun
2 in or affecting interstate or foreign commerce.

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

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

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

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

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

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

1 “(4) Beginning on the date that is 30 months after
2 the date of enactment of this subsection, it shall be unlaw-
3 ful for any person other than a licensed manufacturer or
4 importer to possess a ghost gun in or affecting interstate
5 or foreign commerce with the intent to sell or transfer the
6 ghost gun with or without further manufacturing or to
7 manufacture a firearm with the ghost gun.

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

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

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

25 (c) REQUIREMENTS.—

1 (1) REMOVAL OF SERIAL NUMBERS.—Section
2 922(k) of title 18, United States Code, is amend-
3 ed—

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

6 (B) by inserting “authorized by this chap-
7 ter or under State law” before “removed”.

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

11 (A) by inserting “(1)” before “Licensed”;
12 and

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

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

23 “(B) The regulations prescribed under subparagraph
24 (A) shall—

1 “(i) allow an owner of a firearm described in
2 subparagraph (A) to have a unique serial number
3 engraved on the firearm by a licensed manufacturer
4 or importer; and

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

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

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

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

18 (2) in subsection (c)

19 (A) in paragraph (1)—

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

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

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

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

15 (3) in subsection (d)(1), by striking “or (k)”
16 and inserting “(k), (aa)(1), (aa)(2), (aa)(4), or
17 (aa)(5)”;

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

21 (5) by adding at the end the following:
22 “(q) A person who violates section 922(aa)(3) shall—
23 “(1) in the case of the first violation by the per-
24 son, be fined under this title, imprisoned not more
25 than 1 year, or both; or

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

4 **SEC. 302. MODERNIZATION OF THE PROHIBITION ON**
5 **UNDETECTABLE FIREARMS.**

6 Section 922(p) of title 18, United States Code, is
7 amended—

8 (1) in paragraph (1)—

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

11 (B) by amending subparagraph (A) to read
12 as follows:

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

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

23 (2) in paragraph (2)—

24 (A) by amending subparagraph (A) to read
25 as follows:

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

5 (B) by striking subparagraph (B) and in-
6 serting the following:

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

9 “(i) means the slide or cylinder or the
10 frame or receiver of the firearm; and

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

13 (C) by striking subparagraph (C) and all
14 that follows through the end of the undesig-
15 nated matter following subparagraph (C) and
16 inserting the following:

17 “(C) the term ‘detectable material’ means any
18 material that creates a magnetic field equivalent to
19 or more than 3.7 ounces of 17-4 pH stainless
20 steel.”;

21 (3) in paragraph (3)—

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

24 (B) by striking the second sentence; and

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

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

6 “(B) the manufacture, importation, possession,
7 transfer, receipt, shipment, or delivery of a firearm
8 by a licensed manufacturer or licensed importer pur-
9 suant to a contract with the United States.”.

10 **TITLE IV—SAFE STORAGE**

11 **SEC. 401. ETHAN’S LAW.**

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

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

16 “(A) OFFENSE.—

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

1 “(I) a minor is likely to gain ac-
2 cess to the firearm without the per-
3 mission of the parent or guardian of
4 the minor; or

5 “(II) a resident of the residence
6 is ineligible to possess a firearm under
7 Federal, State, or local law.

8 “(ii) EXCEPTION.—Clause (i) shall
9 not apply to a person if the person—

10 “(I) keeps the firearm—

11 “(aa) secure using a secure
12 gun storage or safety device; or

13 “(bb) in a location which a
14 reasonable person would believe
15 to be secure; or

16 “(II) carries the firearm on his
17 or her person or within such close
18 proximity thereto that the person can
19 readily retrieve and use the firearm as
20 if the person carried the firearm on
21 his or her person.

22 “(B) PENALTY.—

23 “(i) IN GENERAL.—Except as other-
24 wise provided in this subparagraph, any

1 person who violates subparagraph (A) shall
2 be fined \$500 per violation.

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

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

12 (b) FIREARM SAFE STORAGE PROGRAM.—Title I of
13 the Omnibus Crime Control and Safe Streets Act of 1968
14 (34 U.S.C. 10101 et seq.) is amended by adding at the
15 end the following:

16 **“PART PP—FIREARM SAFE STORAGE PROGRAM**

17 **“SEC. 3051. FIREARM SAFE STORAGE PROGRAM.**

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

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

24 “(1) IN GENERAL.—Except as provided in para-
25 graph (2), a State or Indian Tribe shall be eligible

1 to receive grants under this section on and after the
2 date on which the State or Indian Tribe enacts legis-
3 lation functionally identical to section 922(z)(4) of
4 title 18, United States Code.

5 “(2) FIRST YEAR ELIGIBILITY EXCEPTION.—

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

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

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

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

23 “(d) APPLICATION.—An eligible State or Indian
24 Tribe desiring a grant under this section shall submit to
25 the Assistant Attorney General an application at such

1 time, in such manner, and containing or accompanied by
2 such information, as the Assistant Attorney General may
3 reasonably require.

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

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

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

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

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

24 (a) BEST PRACTICES FOR SAFE FIREARM STOR-
25 AGE.—

1 (1) ESTABLISHMENT.—

2 (A) IN GENERAL.—

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

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

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

19 (i) Businesses.

20 (ii) Vehicles.

21 (iii) Private homes.

22 (iv) Off-site storage facilities.

23 (v) Any other such place the Attorney
24 General deems appropriate to provide such
25 guidance.

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

8 (b) PROMOTION OF SAFE FIREARM STORAGE.—

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

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

18 “(1) is attached or adhered to, or appears on
19 or within any packaging of, each handgun, rifle, or
20 shotgun; and

21 “(2) states ‘SAFE STORAGE SAVES LIVES’
22 followed by the address of the public website estab-
23 lished by the Attorney General pursuant to section
24 403(a) of the Protecting Our Kids Act.”.

1 (c) SAFE STORAGE DEVICES FOR ALL FIREARM
2 SALES.—

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

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

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

16 **“SEC. 3052. KIMBERLY VAUGHAN FIREARM SAFE STORAGE**
17 **GRANT PROGRAM.**

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

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

24 “(1) submit to the Attorney General an applica-
25 tion at such time, in such a manner, and containing

1 such information as the Attorney General may re-
2 quire; and

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

6 “(c) REPORTING REQUIREMENT.—

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

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

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

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

22 “(2) ATTORNEY GENERAL REPORT.—Beginning
23 13 months after the first grants are awarded under
24 this section, and annually thereafter, the Attorney

1 General shall submit to Congress a report, which
2 shall include following information:

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

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

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

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

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

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

24 “(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 (e) PREVENT FAMILY FIRE SAFE FIREARM STORAGE
20 CREDIT.—

21 (1) IN GENERAL.—Subpart D of part IV of
22 subchapter A of chapter 1 of the Internal Revenue
23 Code of 1986 is amended by adding at the end the
24 following new section:

1 **“SEC. 45U. SAFE FIREARM STORAGE CREDIT.**

2 “(a) ALLOWANCE OF CREDIT.—For purposes of sec-
3 tion 38, the safe firearm storage credit determined under
4 this section for the taxable year is an amount equal to
5 10 percent of amounts received from the first retail sale
6 of a safe firearm storage device for use within the United
7 States.

8 “(b) LIMITATION.—

9 “(1) IN GENERAL.—The amount taken into ac-
10 count under subsection (a) with respect to a safe
11 firearm storage device shall not exceed \$400.

12 “(2) VALUE.—If, in connection with a sale of a
13 safe firearm storage device, the transferee receives
14 other property, the amount taken into account under
15 subsection (a) shall be limited to the amount re-
16 ceived solely with respect to the safe firearm storage
17 device, which shall be determined based on the value
18 of the safe firearm storage device relative to the
19 value of such other property.

20 “(c) SAFE FIREARM STORAGE DEVICE.—For pur-
21 poses of this section—

22 “(1) IN GENERAL.—The term ‘safe firearm
23 storage device’ means a device that is—

24 “(A) designed and marketed for the prin-
25 cipal purpose of denying unauthorized access to,

1 or rendering inoperable, a firearm or ammuni-
2 tion, and

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

8 “(2) EXCLUSION.—The term ‘safe firearm stor-
9 age device’ does not include—

10 “(A) any device which is incorporated to
11 any extent into the design of a firearm or of
12 ammunition, or

13 “(B) any device that, as of the day of the
14 sale described in subsection (a), has been sub-
15 ject to a mandatory recall by the Consumer
16 Product Safety Commission.

17 “(3) FIREARM; AMMUNITION.—The terms ‘fire-
18 arm’ and ‘ammunition’ have the meanings given
19 such terms in section 921 of title 18, United States
20 Code (without regard to all that follows ‘firearm si-
21 lencer, or bump stock’ in paragraph (3) of such sec-
22 tion).

23 “(d) TERMINATION.—This section shall not apply to
24 sales after December 31, 2030.”

1 (2) CREDIT MADE PART OF GENERAL BUSI-
2 NESS.—Subsection (b) of section 38 of the Internal
3 Revenue Code of 1986 is amended by striking
4 “plus” at the end of paragraph (32), by striking the
5 period at the end of paragraph (33) and inserting “,
6 plus”, and by adding at the end the following new
7 paragraph:

8 “(34) the safe firearm storage credit deter-
9 mined under section 45U.”.

10 (3) CLERICAL AMENDMENT.—The table of sec-
11 tions for subpart D of part IV of subchapter A of
12 chapter 1 of such Code is amended by adding at the
13 end the following new item:

“Sec. 45U. Safe firearm storage credit.”.

14 (4) REPORT.—The Secretary of the Treasury
15 shall make publicly available an annual report of the
16 total amount of credit against tax determined under
17 section 45U of such Code for taxable years ending
18 in the preceding calendar year, disaggregated by
19 State.

20 (5) EFFECTIVE DATE.—The amendments made
21 by this section shall apply to taxable years beginning
22 after the date of the enactment of this Act.

1 **TITLE V—CLOSING THE BUMP**
2 **STOCK LOOPHOLE**

3 **SEC. 501. BUMP STOCKS.**

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

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

9 (2) by adding at the end the following new sub-
10 sections:

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

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

19 “(A) materially increases the rate of fire of
20 the semiautomatic weapon, or

21 “(B) approximates the action or rate of
22 fire of a machinegun.

23 “(2) Any part or combination of parts that is
24 designed and functions to eliminate the need for the
25 operator of a semiautomatic weapon to make a sepa-

1 rate movement for each individual function of the
2 trigger and—

3 “(A) materially increases the rate of fire of
4 a semiautomatic weapon, or

5 “(B) approximates the action or rate of
6 fire of a machinegun.

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

12 “(A) materially increases the rate of fire of
13 the semiautomatic weapon, or

14 “(B) approximates the action or rate of
15 fire of a machinegun.

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

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

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

23 (b) AMENDMENTS TO TITLE 18, UNITED STATES
24 CODE.—

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

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

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

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

10 (2) Section 922 of title 18, United States Code,
11 is amended—

12 (A) in each of subsections (a)(4) and
13 (b)(4), by inserting “bump stock,” before “ma-
14 chinegun”; and

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

17 **TITLE VI—KEEP AMERICANS**
18 **SAFE**

19 **SEC. 601. DEFINITIONS.**

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

23 “(42) The term ‘large capacity ammunition feeding
24 device’—

1 “(A) the importation for, manufacture for, sale
2 to, transfer to, or possession by the United States
3 or a department or agency of the United States or
4 a State or a department, agency, or political subdivi-
5 sion of a State, or a sale or transfer to or possession
6 by a qualified law enforcement officer employed by
7 the United States or a department or agency of the
8 United States or a State or a department, agency,
9 or political subdivision of a State for purposes of law
10 enforcement (whether on or off-duty), or a sale or
11 transfer to or possession by a campus law enforce-
12 ment officer for purposes of law enforcement (wheth-
13 er on or off-duty);

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

23 “(C) the possession, by an individual who is re-
24 tired in good standing from service with a law en-
25 forcement agency and is not otherwise prohibited

1 from receiving ammunition, of a large capacity am-
2 munition feeding device—

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

5 “(ii) that the individual purchased, or oth-
6 erwise obtained, for official use before such re-
7 tirement; or

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

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

16 “(A) employed by a private institution of higher
17 education that is eligible for funding under title IV
18 of the Higher Education Act of 1965 (20 U.S.C.
19 1070 et seq.);

20 “(B) responsible for the prevention or investiga-
21 tion of crime involving injury to persons or property,
22 including apprehension or detention of persons for
23 such crimes;

1 “(C) authorized by Federal, State, or local law
2 to carry a firearm, execute search warrants, and
3 make arrests; and

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

6 (b) IDENTIFICATION MARKINGS FOR LARGE CAPAC-
7 ITY AMMUNITION FEEDING DEVICES.—Section 923(i) of
8 title 18, United States Code, is amended by adding at the
9 end the following: “A large capacity ammunition feeding
10 device manufactured after the date of enactment of this
11 sentence shall be identified by a serial number and the
12 date on which the device was manufactured or made, leg-
13 ibly and conspicuously engraved or cast on the device, and
14 such other identification as the Attorney General shall by
15 regulations prescribe.”.

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

19 (1) in paragraph (1)—

20 (A) in the first sentence—

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

1 (ii) by striking “or (k)” and inserting
2 “(k), or (v)”;

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

7 (B) in the second and third sentences, by
8 inserting “or large capacity ammunition feeding
9 device” after “firearms or ammunition” each
10 place the term appears;

11 (2) in paragraph (2)—

12 (A) in subparagraph (A), by inserting “or
13 large capacity ammunition feeding device” after
14 “firearms or ammunition”;

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

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

21 **SEC. 603. PENALTIES.**

22 Section 924(a)(1)(B) of title 18, United States Code,
23 is amended by striking “or (q)” and inserting “(q), or
24 (v)”.

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.”.

