

117TH CONGRESS  
2D SESSION

# S. 4606

To address the importation and proliferation of firearm modification devices.

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## 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

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## 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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