To remove obstacles to the ability of law enforcement officers to enforce gun safety laws, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. Van Hollen introduced the following bill; which was read twice and referred to the Committee on ________________

A BILL

To remove obstacles to the ability of law enforcement officers to enforce gun safety laws, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “ATF Improvement and Modernization Act of 2020” or the “AIM Act”.

SEC. 2. ELIMINATION OF LIMITATIONS RELATING TO FIREARMS TRACE DATA.

(a) Tiahrt Amendments.—

(1) Fiscal year 2012.—The matter under the heading “SALARIES AND EXPENSES” under the

(2) FISCAL YEAR 2010.—The sixth proviso under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated Appropriations Act, 2010 (18 U.S.C. 923 note; Public Law 111–117; 123 Stat. 3128) is amended by striking “beginning in fiscal year 2010 and thereafter” and inserting “in fiscal year 2010”.

(3) FISCAL YEAR 2009.—The sixth proviso under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Omnibus Appropriations Act, 2009 (18 U.S.C. 923 note; Public Law 111–8; 123 Stat. 575) is amended by striking “beginning in fiscal year 2009 and thereafter” and inserting “in fiscal year 2009”.

(4) Fiscal Year 2008.—The sixth proviso under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated Appropriations Act, 2008 (18 U.S.C. 923 note; Public Law 110–161; 121 Stat. 1903) is amended by striking “beginning in fiscal year 2008 and thereafter” and inserting “in fiscal year 2008”.

(5) Fiscal Year 2006.—The sixth proviso under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title I of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (18 U.S.C. 923 note; Public Law 109–108; 119 Stat. 2295) is amended by striking “under this or any other Act with respect to any fiscal year” and inserting “under this Act”.

(6) Fiscal Year 2005.—The sixth proviso under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title I of division B of the Consolidated Appropriations Act, 2005 (18 U.S.C. 923 note; Public Law 108–447;
118 Stat. 2859) is amended by striking “under this or any other Act with respect to any fiscal year” and inserting “under this Act”.

(b) **Prohibition on Use of Firearms Trace Data to Draw Broad Conclusions About Firearms-Related Crime.**—Section 514 of division B of the Consolidated and Further Continuing Appropriations Act, 2013 (18 U.S.C. 923 note; Public Law 113–6; 127 Stat. 271) is repealed.

**SEC. 3. Elimination of Prohibition on Consolidation or Centralization in the Department of Justice of Firearms Acquisition and Disposition Records Maintained by Federal Firearms Licensees.**

The matter under the heading “Salaries and Expenses” under the heading “Bureau of Alcohol, Tobacco, Firearms and Explosives” in title II of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 923 note; Public Law 112–55; 125 Stat. 609) is amended by striking the first proviso.
SEC. 4. ELIMINATION OF PROHIBITION ON IMPOSITION OF
REQUIREMENT THAT FIREARMS DEALERS
CONDUCT PHYSICAL CHECK OF FIREARMS
INVENTORY.

(a) Fiscal Year 2013.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated and Further Continuing Appropriations Act, 2013 (18 U.S.C. 923 note; Public Law 113–6; 127 Stat. 247) is amended by striking the fifth proviso.

(b) Fiscal Year 2012.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (Public Law 112–55; 125 Stat. 609) is amended by striking “:
Provided further, That no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code”.

(c) Fiscal Year 2010.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated and
Further Continuing Appropriations Act, 2010 (Public Law 111–117; 123 Stat. 3128) is amended by striking the seventh proviso.

(d) Fiscal Year 2009.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 574) is amended by striking the seventh proviso.

(e) Fiscal Year 2008.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 1903) is amended by striking the seventh proviso.


(g) Fiscal Year 2005.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLO-
oll20935 v36

7

2859) is amended by striking the seventh proviso.

(h) Fiscal Year 2004.—The matter under the heading “SALARIES AND EXPENSES” under the heading
52) is amended by striking the seventh proviso.

sec. 5. elimination of requirement that instant
check records be destroyed within 24
hours.

(a) Fiscal Year 2012.—Section 511 of division B
of the Consolidated and Further Continuing Appropriations Act, 2012 (34 U.S.C. 40901 note; Public Law 112–
55; 125 Stat. 632) is amended—

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

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

(b) Fiscal Year 2010.—Section 511 of division B
of the Consolidated Appropriations Act, 2010 (Public Law
111–117; 123 Stat. 3151) is amended—

(1) by striking “—” and all that follows
through “(1)”; and
(2) by striking the semicolon and all that follows and inserting a period.

(c) Fiscal Year 2009.—Section 511 of division B of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 596) is amended—

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

(2) by striking the semicolon and all that follows and inserting a period.

(d) Fiscal Year 2008.—Section 512 of division B of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 1926) is amended—

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

(2) by striking the semicolon and all that follows and inserting a period.

(e) Fiscal Year 2006.—Section 611 of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 119–108; 119 Stat. 2336) is amended—

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

(2) by striking the semicolon and all that follows and inserting a period.
(f) Fiscal Year 2005.—Section 615 of division B of the Consolidated Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2915) is amended—

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

(2) by striking the semicolon and all that follows and inserting a period.

(g) Fiscal Year 2004.—Section 617 of division B of the Consolidated Appropriations Act, 2004 (Public Law 108–199; 118 Stat. 95) is amended—

(1) by striking “(a)”;

(2) by striking “—” and all that follows through “(1)”; and

(3) by striking the semicolon and all that follows and inserting a period.

SEC. 6. ELIMINATION OF PROHIBITION ON PROCESSING OF

FREEDOM OF INFORMATION ACT REQUESTS

ABOUT ARSON OR EXPLOSIVES INCIDENTS

OR FIREARM TRACES.

SEC. 7. ELIMINATION OF PROHIBITIONS RELATING TO “CU-
RIOS OR RELICS” AND IMPORTATION OF SUR-
PLUS MILITARY FIREARMS.

(a) Fiscal Year 2020.—Section 538 of division B
of the Consolidated Appropriations Act, 2020 (Public Law
116–93; 133 Stat. 2433) is repealed.

(b) Fiscal Year 2019.—Section 517 of division C
of the Consolidated Appropriations Act, 2019 (Public Law
116–6; 133 Stat. 133) is repealed.

(c) Fiscal Year 2013.—The matter under the head-
ing “SALARIES AND EXPENSES” under the heading “Bu-
reau of Alcohol, Tobacco, Firearms and Explos-
ives” in title II of division B of the Consolidated and
Further Continuing Appropriations Act, 2013 (18 U.S.C.
921 note; Public Law 113–6; 127 Stat. 247) is amended
by striking the first proviso.

SEC. 8. ELIMINATION OF PROHIBITION ON DENIAL OF FED-
ERAL FIREARMS LICENSE DUE TO LACK OF
BUSINESS ACTIVITY.

(a) Fiscal Year 2013.—The matter under the head-
ing “SALARIES AND EXPENSES” under the heading “Bu-
reau of Alcohol, Tobacco, Firearms and Explos-
ives” in title II of division B of the Consolidated and
Further Continuing Appropriations Act, 2013 (18 U.S.C.
923 note; Public Law 113–6; 127 Stat. 247) is amended
by striking “: Provided further, That, in the current fiscal
year and any fiscal year thereafter, no funds authorized
or made available under this or any other Act may be used
to deny any application for a license” and all that follows
through “Internal Revenue Code of 1986”.

(b) Fiscal Year 2012.—The matter under the head-
ing “SALARIES AND EXPENSES” under the heading “Bu-
reau of Alcohol, Tobacco, Firearms and Explos-
sives” in title II of division B of the Consolidated and
Further Continuing Appropriations Act, 2012 (Public
Law 112–55; 125 Stat. 609) is amended by striking “:
Provided further, That no funds authorized or made avail-
able under this or any other Act may be used to deny any
application for a license” and all that follows through “In-
ternal Revenue Code of 1986”.

(c) Fiscal Year 2010.—The matter under the head-
ing “SALARIES AND EXPENSES” under the heading “Bu-
reau of Alcohol, Tobacco, Firearms and Explos-
sives” in title II of division B of the Consolidated and
Further Continuing Appropriations Act, 2010 (Public
Law 111–117; 123 Stat. 3128) is amended by striking
“: Provided further, That no funds authorized or made
available under this or any other Act may be used to deny
any application for a license” and all that follows through
“Internal Revenue Code of 1986”.


(d) Fiscal Year 2009.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 574) is amended by striking “: Provided further, That no funds authorized or made available under this or any other Act may be used to deny any application for a license” and all that follows through “Internal Revenue Code of 1986”.

(e) Fiscal Year 2008.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 1903) is amended by striking “: Provided further, That no funds authorized or made available under this or any other Act may be used to deny any application for a license” and all that follows through “Internal Revenue Code of 1986”.

(f) Fiscal Year 2006.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title I of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109–108; 119 Stat. 2295) is amended by striking
“: Provided further, That no funds authorized or made available under this or any other Act may be used to deny any application for a license” and all that follows through “Internal Revenue Code of 1986”.

(g) Fiscal Year 2005.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title I of division B of the Consolidated Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2859) is amended by striking “: Provided further, That no funds authorized or made available under this or any other Act may be used to deny any application for a license” and all that follows through “Internal Revenue Code of 1986”.

SEC. 9. ELIMINATION OF PROHIBITION ON THE TRANSFER OF THE FUNCTIONS, MISSIONS, OR ACTIVITIES OF THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES TO OTHER AGENCIES OR DEPARTMENTS.

(a) Fiscal Year 2020.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated Appropriations Act, 2020 (Public Law 116–93; 133 Stat. 2402) is amended by striking the third proviso.
(b) Fiscal Year 2019.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division C of the Consolidated Appropriations Act, 2019 (Public Law 116–6; 133 Stat. 107) is amended by striking the third proviso.

e) Fiscal Year 2018.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated Appropriations Act, 2018 (Public Law 115–141; 132 Stat. 415) is amended by striking the third proviso.

d) Fiscal Year 2017.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated Appropriations Act, 2017 (Public Law 115–31; 131 Stat. 198) is amended by striking the third proviso.

e) Fiscal Year 2016.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 129 Stat. 2301) is amended by striking the third proviso.
(f) Fiscal Year 2015.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2187) is amended by striking the third proviso.

(g) Fiscal Year 2014.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated Appropriations Act, 2014 (Public Law 113–76; 128 Stat. 56) is amended by striking the third proviso.

(h) Fiscal Year 2013.—The matter under the heading “SALARIES AND EXPENSES” under the heading “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES” in title II of division B of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6; 127 Stat. 247) is amended by striking “: Provided further, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments”.

(i) Fiscal Year 2012.—The matter under the heading “SALARIES AND EXPENSES” under the heading “Bure
1 reau of Alcohol, Tobacco, Firearms and Explosives’ in title II of division B of the Consolidated and
2 Further Continuing Appropriations Act, 2012 (Public
3 Law 112–55; 125 Stat. 609) is amended by striking “:
4 Provided further, That no funds made available by this or
5 any other Act may be used to transfer the functions, mis-
6 sions, or activities of the Bureau of Alcohol, Tobacco,
7 Firearms and Explosives to other agencies or Depart-
8 ments”.
9
10 SEC. 10. ELIMINATION OF PROHIBITION ON SEARCHING
11 COMPUTERIZED RECORDS OF FEDERALLY LI-
12 CENSED FIREARMS DEALERS WHO ARE OUT
13 OF BUSINESS.
14
15 The matter under the heading “SALARIES AND EX-
16 PENSES” under the heading “BUREAU OF ALCOHOL, TO-
17 BACCO, FIREARMS AND EXPLOSIVES” in title II of division
18 B of the Consolidated and Further Continuing Appropri-
19 tions Act, 2012 (18 U.S.C. 923 note; Public Law 112–
20 55; 125 Stat. 610) is amended by striking “: Provided fur-
21 ther, That, hereafter, no funds made available by this or
22 any other Act may be used to electronically retrieve infor-
23 mation gathered pursuant to 18 U.S.C. 923(g)(4) by
24 name or any personal identification code”.
25
SEC. 11. ELIMINATION OF PROHIBITION ON DENYING, OR FAILING TO ACT ON, APPLICATION TO IMPORT CERTAIN SHOTGUN MODELS ON THE BASIS THAT THE SHOTGUN WAS NOT PARTICULARLY SUITABLE FOR OR READILY ADAPTABLE TO SPORTING PURPOSES.

(1) Fiscal year 2020.—Section 539 of division B of the Consolidated Appropriations Act, 2020 (Public Law 116–93; 133 Stat. 2433) is repealed.

(2) Fiscal year 2019.—Section 531 of division C of the Consolidated Appropriations Act, 2019 (Public Law 116–6; 133 Stat. 137) is repealed.

SEC. 12. ELIMINATION OF LIMITS ON FREQUENCY OF RECORD-KEEPING INSPECTIONS OF INVENTORY AND RECORDS OF FEDERAL FIREARMS LICENSEES.

Section 923(g)(1)(B)(ii) of title 18, United States Code, is amended to read as follows:

“(ii) for ensuring compliance with the record keeping requirements of this chapter; or”.

SEC. 13. REVISING STANDARD FOR FEDERAL FIREARM LICENSE REVOCATION FROM WILLFUL VIOLATION TO KNOWING VIOLATION.

(a) In general.—Section 923(e) of title 18, United States Code, is amended by striking “willfully” each place the term appears and inserting “knowingly”.

""
(b) TECHNICAL AMENDMENT.—The third sentence of section 923(e) of title 18, United States Code, is amended by striking “Secretary’s” and inserting “Attorney General’s”.

SEC. 14. ELIMINATION OF DE NOVO REVIEW AND OF OPPORTUNITY TO RELY ON EVIDENCE NOT PREVIOUSLY CONSIDERED.

Section 923(f)(3) of title 18, United States Code, is amended—

(1) in the second sentence, by striking “de novo”; and

(2) in the third sentence, by striking “any evidence submitted by the parties to the proceeding whether or not such evidence” and inserting “only evidence that”.

SEC. 15. REVISING STANDARDS FOR ELIGIBILITY OF FEDERAL FIREARMS LICENSEES.

Section 923(d)(1) of title 18, United States Code, is amended by striking “willfully” each place the term appears and inserting “knowingly”.