

117TH CONGRESS
1ST SESSION

H. R. 3960

To eliminate the Bureau of Alcohol, Tobacco, Firearms and Explosives, remove firearm restrictions on lawful gun owners, and provide funds to surviving families of border patrol agents killed as a result of Operation Fast and Furious.

IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2021

Mrs. GREENE of Georgia (for herself, Mr. NORMAN, Mr. GAETZ, and Mr. GOSAR) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To eliminate the Bureau of Alcohol, Tobacco, Firearms and Explosives, remove firearm restrictions on lawful gun owners, and provide funds to surviving families of border patrol agents killed as a result of Operation Fast and Furious.

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 “Brian A. Terry Memo-
5 rial Eliminate the ATF Act”.

1 **TITLE I—ABOLISHMENT OF THE**
2 **BUREAU OF ALCOHOL, TO-**
3 **BACCO, FIREARMS AND EX-**
4 **PLOSIVES**

5 **SEC. 101. PREPARATORY PROVISIONS.**

6 (a) RESCISSION OF RECENT REGULATIONS.—All reg-
7 ulations and guidance issued by the Bureau of Alcohol,
8 Tobacco, Firearms and Explosives (in this title referred
9 to as the “Bureau”) during the period that begins with
10 August 1, 2020, and ends with the date of the enactment
11 of this title are hereby null and void and shall have no
12 force or effect.

13 (b) RESCISSION OF HIRING AUTHORITY.—The au-
14 thority of any officer or employee of the Bureau to hire
15 is hereby rescinded.

16 (c) NOTICE TO BUREAU EMPLOYEES.—On the date
17 of the enactment of this title, the President shall provide
18 each employee of the Bureau with written notice that, on
19 the abolishment date—

20 (1) the Bureau will be abolished; and

21 (2) if the employee is a Bureau employee as of
22 that date, the employment of the employee with the
23 Bureau will be terminated.

24 (d) DISPOSITION OF CONFISCATED FIREARMS AND
25 AMMUNITION POSSESSED BY THE BUREAU.—

1 (1) PUBLICATION OF LIST.—Within 3 months
2 after the date of the enactment of this title, the Di-
3 rector of the Bureau shall publish an itemized list on
4 the website of the Bureau, which shall be available
5 to the public, of all confiscated firearms and ammu-
6 nition possessed by the Bureau.

7 (2) SALE BY AUCTION.—Before the abolishment
8 date, the Director of the Bureau shall sell the fire-
9 arms and ammunition referred to in paragraph (1)
10 to licensed dealers (as defined in section 921(a) of
11 title 18, United States Code) at public auction.

12 **SEC. 102. ABOLISHMENT.**

13 (a) IN GENERAL.—Effective on the abolishment date,
14 the Bureau is abolished.

15 (b) DEFINITIONS.—In this title:

16 (1) ABOLISHMENT DATE.—The term “abolish-
17 ment date” means the date that is 180 days after
18 the date of the enactment of this title.

19 (2) FUNCTION.—The term “function” includes
20 any duty, obligation, power, authority, responsibility,
21 right, privilege, activity, or program.

1 **SEC. 103. TRANSFER OF AUTHORITIES, FUNCTIONS, PER-**
2 **SONNEL, AND ASSETS TO THE DEPARTMENT**
3 **OF JUSTICE.**

4 (a) IN GENERAL.—Section 599A of title 28, United
5 States Code, is amended to read as follows:

6 **“§ 599A. Transfer of authorities, functions, personnel,**
7 **and assets to the Department of Justice**

8 “(a) TRANSFER OF AUTHORITIES, FUNCTIONS, PER-
9 SONNEL, AND ASSETS.—Notwithstanding any other provi-
10 sion of law, there are transferred to the Department of
11 Justice the authorities, functions, personnel, and assets of
12 the Bureau of Alcohol, Tobacco, Firearms and Explosives,
13 as in effect just before the abolishment date (as defined
14 in section 102(b)(1) of the Brian A. Terry Memorial
15 Eliminate the ATF Act).

16 “(b) COORDINATION.—The Attorney General, acting
17 through such other officials of the Department of Justice
18 as the Attorney General may designate, shall provide for
19 the coordination of all firearms, explosives, and arson en-
20 forcement functions vested in the Attorney General so as
21 to assure maximum cooperation between and among any
22 officer, employee, or agency of the Department of Justice
23 involved in the performance of these and related func-
24 tions.”.

25 (b) CONFORMING AMENDMENT.—The chapter head-
26 ing for chapter 40A of such title is amended by striking

1 **“BUREAU OF ALCOHOL, TOBACCO, FIRE-**
 2 **ARMS, AND EXPLOSIVES”** and inserting
 3 **“TRANSFER OF CERTAIN AUTHORITIES,**
 4 **FUNCTIONS, PERSONNEL, AND ASSETS TO**
 5 **THE DEPARTMENT OF JUSTICE”**.

6 (c) CLERICAL AMENDMENTS.—

7 (1) The table of chapters for part II of such
 8 title is amended by striking the item relating to
 9 chapter 40A and inserting the following:

“40A. Transfer of Certain Authorities, Functions, Personnel, and As-
 sets to the Department of Justice 599A”.

10 (2) The table of sections for chapter 40A of
 11 such title is amended by striking the item relating
 12 to section 599A and inserting the following:

“599A. Transfer of Certain Authorities, Personnel, and Assets to the Depart-
 ment of Justice.”.

13 **SEC. 104. ADMINISTRATION OF TAXES ON BEER, WINE,**
 14 **SPIRITS, AND TOBACCO PRODUCTS TRANS-**
 15 **FERRED TO ATTORNEY GENERAL.**

16 (a) TRANSFER.—Notwithstanding any other provi-
 17 sion of law, there are transferred to the Department of
 18 Justice the authorities, functions, personnel, and assets of
 19 the Tax and Trade Bureau of the Department of the
 20 Treasury relating to administration and enforcement of
 21 chapters 51 and 52 of the Internal Revenue Code of 1986,
 22 so much of chapters 61 through 80 of such Code as relate
 23 to the enforcement and administration of such chapters

1 51 and 52, the Federal Alcohol Administration Act, the
2 Alcohol Beverage Labeling Act of 1988, and the Act of
3 March 1, 1913, commonly known as the “Webb-Kenyon
4 Act”. Such authorities, functions, personnel, and assets
5 shall be employed by or under the supervision of the Attor-
6 ney General.

7 (b) AMENDMENT OF INTERNAL REVENUE CODE OF
8 1986.—Section 7801(a)(2) of the Internal Revenue Code
9 of 1986 is amended to read as follows:

10 “(2) ADMINISTRATION AND ENFORCEMENT BY
11 ATTORNEY GENERAL OF PROVISIONS RELATING TO
12 BEER, WINE, SPIRITS, AND TOBACCO PRODUCTS.—

13 “(A) IN GENERAL.—The administration
14 and enforcement of the following provisions of
15 this title shall be performed by or under the su-
16 pervision of the Attorney General; and the term
17 ‘Secretary’ or ‘Secretary of the Treasury’ shall,
18 when applied to those provisions, mean the At-
19 torney General; and the term ‘internal revenue
20 officer’ shall, when applied to those provisions,
21 mean any officer within the Department of Jus-
22 tice so designated by the Attorney General:

23 “(i) Chapters 51 and 52.

24 “(ii) Chapters 61 through 80, to the
25 extent such chapters relate to the enforce-

1 ment and administration of the provisions
2 referred to in clause (i).

3 “(B) USE OF EXISTING RULINGS AND IN-
4 TERPRETATIONS.—Nothing in the Brian A.
5 Terry Memorial Eliminate the ATF Act alters
6 or repeals the rulings and interpretations of the
7 Tax and Trade Bureau in effect on the effective
8 date of such Act, which concerns the provisions
9 of this title referred to in subparagraph (A).
10 The Attorney General shall consult with the
11 Secretary to achieve uniformity and consistency
12 in administering the provisions referred to in
13 subparagraph (A).”.

14 **SEC. 105. DUTIES AND AUTHORITIES OF THE ATTORNEY**
15 **GENERAL.**

16 (a) DUTY TO ADMINISTER AND DISSOLVE OTHER
17 OUTSTANDING OBLIGATIONS AND AFFAIRS.—The Attor-
18 ney General shall—

19 (1) administer and dissolve any outstanding ob-
20 ligations of the Federal Government under any pro-
21 grams terminated by this title; and

22 (2) take such other actions as may be necessary
23 to dissolve any outstanding affairs of the Bureau.

24 (b) OTHER AUTHORITIES.—For purposes of per-
25 forming the functions of the Attorney General under this

1 title and subject to the availability of appropriations, the
2 Attorney General may—

3 (1) enter into contracts;

4 (2) employ experts and consultants in accord-
5 ance with section 3109 of title 5, United States
6 Code, at rates for individuals not to exceed the per
7 diem rate equivalent to the rate for level IV of the
8 Executive Schedule; and

9 (3) utilize, on a reimbursable basis, the services,
10 facilities, and personnel of other Federal agencies.

11 (c) RULE OF INTERPRETATION.—Nothing in this
12 title may be construed to authorize any position of the
13 Bureau, or authorize the Bureau to perform any function,
14 after the abolishment date.

15 **SEC. 106. SAVINGS PROVISIONS.**

16 (a) LEGAL DOCUMENTS.—All orders, determinations,
17 rules, and regulations of, permits issued by, grants, loans,
18 contracts, and agreements made by, and certificates, li-
19 censes, and privileges granted by the Bureau, that are in
20 effect on the abolishment date (or become effective after
21 such date pursuant to their terms as in effect on such
22 date), shall continue in effect according to their terms
23 until modified, terminated, superseded, set aside, or re-
24 voked in accordance with law by the President, any other

1 authorized official, a court of competent jurisdiction, or
2 operation of law.

3 (b) SUITS.—This title shall not affect suits com-
4 menced before the abolishment date, and in all such suits,
5 proceeding shall be had, appeals taken, and judgments
6 rendered in the same manner and with the same effect
7 as if this title had not been enacted.

8 **SEC. 107. AVAILABILITY OF FUNDS.**

9 All funds available for the performance of functions,
10 programs, and activities terminated pursuant to this title
11 shall remain available, for the duration of their period of
12 availability but not later than September 30, 2022, for
13 necessary expenses in connection with the termination and
14 resolution of the functions, programs, and activities of the
15 Bureau.

16 **SEC. 108. CONFORMING AMENDMENTS AND REPEALS.**

17 (a) AMENDMENTS RELATING TO TITLE 2, UNITED
18 STATES CODE.—

19 (1) Section 1307(d)(3)(B)(i)(I) of title I of the
20 Legislative Branch Appropriations Act, 2006 (2
21 U.S.C. 185(d)(3)(B)(i)(I)) is amended by striking “,
22 including under section 922(g)(9) of title 18”.

23 (2) Section 1301(d)(3)(B)(i)(I)(cc) of title I of
24 division H of the Consolidated Appropriations Act,
25 2008 (2 U.S.C. 1808(d)(3)(B)(i)(I)(cc)) is amended

1 by striking “, including under section 922(g)(9) of
2 title 18”.

3 (b) AMENDMENTS RELATING TO TITLE 5, UNITED
4 STATES CODE.—

5 (1) Section 644 of division J of the Consoli-
6 dated Appropriations Resolution, 2003 (5 U.S.C.
7 552 note) is amended by striking “, 923(g)(3) or
8 923(g)(7),”.

9 (2) Section 206 of division B of the Consoli-
10 dated Appropriations Act, 2006 (5 U.S.C. 3104
11 note) is repealed.

12 (3) Section 122 of title I of the Departments of
13 Commerce, Justice, and State, the Judiciary, and
14 Related Agencies Appropriations Act, 1998 (5
15 U.S.C. 3104 note) is repealed.

16 (4) Section 7323(b)(2)(B)(i) of title 5, United
17 States Code, is amended by striking subclause (XII)
18 and redesignating subclauses (XIII) and (XIV) as
19 subclauses (XII) and (XIII), respectively.

20 (c) AMENDMENTS RELATING TO TITLE 6, UNITED
21 STATES CODE.—

22 (1) Section 1111 of the Homeland Security Act
23 of 2002 (6 U.S.C. 531) is hereby repealed.

1 (2) Section 1114(a) of such Act (6 U.S.C.
2 532(a)) is amended by striking “Bureau” and in-
3 serting “Department of Justice”.

4 (d) AMENDMENTS RELATING TO TITLE 8, UNITED
5 STATES CODE.—

6 (1) Section 101(a)(43) of the Immigration and
7 Nationality Act (8 U.S.C. 1101(a)(43)) is amend-
8 ed—

9 (A) in subparagraph (B), by striking
10 “924(c)” and inserting “924(b)”; and

11 (B) in subparagraph (E)(ii) by striking
12 “section 922(g)(1), (2), (3), (4), or (5), (j), (n),
13 (o), (p), or (r) or”.

14 (2) Section 2(4)(J) of the Enhanced Border Se-
15 curity and Visa Entry Reform Act of 2002 (8
16 U.S.C. 1701(2)(4)(J)) is amended by striking “Bu-
17 reau of Alcohol, Tobacco, Firearms, and Explo-
18 sives,”.

19 (e) AMENDMENT RELATING TO TITLE 10, UNITED
20 STATES CODE.—Section 546 of title V of division A of
21 the John S. McCain National Defense Authorization Act
22 for Fiscal Year 2019 (10 U.S.C. 113 note) is amended
23 by striking “section 922(g) of title 18, United States
24 Code, and”.

1 (f) AMENDMENT TO TITLE 11, UNITED STATES
2 CODE.—Section 707(c)(1)(B) of title 11, United States
3 Code, is amended by striking “924(c)(2)” and inserting
4 “924(b)(2)”.

5 (g) AMENDMENTS RELATING TO TITLE 15, UNITED
6 STATES CODE.—

7 (1) Section 4 of the Protection of Lawful Com-
8 merce in Arms Act (15 U.S.C. 7903) is amended—

9 (A) in paragraph (1), by inserting “(as in
10 effect before the abolishment date, as defined in
11 section 102(b)(1) of the Brian A. Terry Memo-
12 rial Eliminate the ATF Act)” after “Code,”;

13 (B) in paragraph (2), by striking “and
14 who is licensed” and all that follows and insert-
15 ing a period;

16 (C) in paragraph (4)—

17 (i) by striking “921(a)(16)” and in-
18 serting “921(a)(10)”; and

19 (ii) by striking “921(a)(17)(A)” and
20 inserting “921(a)(11)(A)”;

21 (D) in paragraph (5)(A)—

22 (i) in clause (i), by striking “924(h)”
23 and inserting “924(e)”; and

24 (ii) in clause (iii)—

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

3 (II) by striking “; or” and all
4 that follows through “Code”; and

5 (E) in paragraph (6)—

6 (i) in each of subparagraphs (A) and
7 (B), by inserting “, as in effect before the
8 abolishment date, as defined in section
9 102(b)(1) of the Brian A. Terry Memorial
10 Eliminate the ATF Act” before the 3rd
11 close parenthesis;

12 (ii) in subparagraph (A), by striking
13 “and who is licensed” and all that follows
14 and inserting a semicolon;

15 (iii) in subparagraph (B), by striking
16 “and who is licensed” and all that follows
17 and inserting “; and”; and

18 (iv) in subparagraph (C), by striking
19 “921(a)(17)(A)” and inserting
20 “921(a)(11)(A)”.

21 (2) Section 3(1)(E) of the Firefighters’ Safety
22 Study Act (15 U.S.C. 2223b(1)(E)) is amended by
23 striking “Bureau of Alcohol, Tobacco, Firearms, and
24 Explosives,”.

1 (h) AMENDMENTS RELATING TO TITLE 18, UNITED
2 STATES CODE.—

3 (1) Section 844(o) of title 18, United States
4 Code, is amended—

5 (A) by striking “924(c)(3)” and inserting
6 “924(b)(3)”; and

7 (B) by striking “924(c)(2)” and inserting
8 “924(b)(2)”.

9 (2) Section 921(a) of title 18, United States
10 Code, is amended by striking paragraphs (9)
11 through (12), (14), (15), (19) through (22), and
12 (25) through (34), and redesignating paragraphs
13 (13), (16), (17), (18), (23), (24), and (35) as para-
14 graphs (9) through (15), respectively.

15 (3) Sections 922 and 923 of title 18, United
16 States Code, are hereby repealed.

17 (4) Section 2(f) of the Undetectable Firearms
18 Act of 1988 (18 U.S.C. 922 note) is amended by
19 striking paragraph (2).

20 (5) Section 5(c)(3) of the Protection of Lawful
21 Commerce in Arms Act (18 U.S.C. 922 note) is
22 amended—

23 (A) in subparagraph (B), by striking “, ex-
24 cept” and all that follows through “subsection”;
25 and

1 (B) by striking subparagraph (C).

2 (6) Section 924 of title 18, United States Code,
3 is amended—

4 (A) by striking subsections (a), (e), (f), (i),
5 (m), (n), and (p);

6 (B) in subsection (d)(1), by striking
7 “knowing violation of subsection (a)(4), (a)(6),
8 (f), (g), (h), (i), (j), or (k) of section 922, or
9 knowing importation or bringing into the
10 United States or any possession thereof any
11 firearm or ammunition in violation of section
12 922(l), or knowing violation of section 924,”
13 and inserting “knowing violation of this section
14 or”;

15 (C) in subsection (d)(3)—

16 (i) in subparagraph (A), by striking
17 “924(c)(3)” and inserting “924(b)(3)”;

18 (ii) in subparagraph (E), by striking
19 “922(i), 922(j), 922(l), 922(n), or 924(b)”
20 and inserting “924(a)”; and

21 (iii) by striking subparagraphs (C)
22 and (D) and redesignating subparagraphs
23 (E) and (F) as subparagraphs (C) and
24 (D), respectively;

1 (D) in subsection (g)(4), by striking
2 “(e)(3)” and inserting “(b)(3)”;

3 (E) in subsection (h)—

4 (i) by striking “(c)(3)” and inserting
5 “(b)(3)”;

6 (ii) by striking “(c)(2)” and inserting
7 “(b)(2)”;

8 (F) in subsection (j), by striking “(c)” and
9 inserting “(b)”;

10 (G) in subsection (k)(3), by striking
11 “(e)(3)” and inserting “(b)(3)”;

12 (H) in subsection (o), by striking “(c)”
13 and inserting “(b)”;

14 (I) by redesignating subsections (b), (c),
15 (d), (g), (h), (j), (k), (l), and (o) as subsections
16 (a) through (i), respectively.

17 (7) Section 925 of title 18, United States Code,
18 is amended—

19 (A) in subsection (a)—

20 (i) in paragraph (1), by striking “, ex-
21 cept for sections 922(d)(9) and 922(g)(9)
22 and provisions relating to firearms subject
23 to the prohibitions of section 922(p),”;

24 (ii) in paragraph (2), by striking “,
25 except for provisions relating to firearms

1 subject to the prohibitions of section
2 922(p),”;

3 (iii) by striking paragraph (3);

4 (iv) in paragraph (4), by striking “ex-
5 cept for provisions relating to firearms
6 subject to the prohibitions of section
7 922(p),”;

8 (v) in paragraph (5), by striking
9 “(3)” and insert “(2)”; and

10 (vi) by redesignating paragraphs (4)
11 and (5) as paragraphs (3) and (4), respec-
12 tively;

13 (B) by striking subsections (b) and (c);

14 (C) in subsection (e), by striking
15 “921(a)(13)” each place it appears and insert-
16 ing “921(a)(9)”;

17 (D) by striking subsection (f); and

18 (E) by redesignating subsections (d) and
19 (e) as subsections (b) and (c), respectively.

20 (8) Section 925A of title 18, United States
21 Code, is hereby repealed.

22 (9) Section 926(a) of title 18, United States
23 Code, is amended by striking “, including” and all
24 that follows through “922”.

1 (10) Section 926A of title 18, United States
2 Code, is amended by striking “if” and all that fol-
3 lows through “console”.

4 (11) Section 930 of title 18, United States
5 Code, is hereby repealed.

6 (12) Section 931 of title 18, United States
7 Code, is amended by adding at the end the fol-
8 lowing:

9 “(c) PENALTIES.—Whoever knowingly violates this
10 section shall be fined under this title, imprisoned not more
11 than 3 years, or both.”.

12 (13) Section 514(b) of division B of the Con-
13 solidated and Further Continuing Appropriations
14 Act, 2013 (18 U.S.C. 923 note; Public Law 113–6;
15 127 Stat. 271) is amended by striking “Bureau of
16 Alcohol, Tobacco, Firearms and Explosives shall in-
17 clude in all such data releases” and inserting “De-
18 partment of Justice shall include in all releases of
19 data from firearm tracing studies”.

20 (14) The 6th proviso under the heading “Bu-
21 reau of Alcohol, Tobacco, Firearms and Explo-
22 sives—Salaries and Expenses” in title I of division
23 B of the Consolidated and Further Continuing Ap-
24 propriations Act, 2012 (18 U.S.C. 923 note; Public
25 Law 112–55; 125 Stat. 609–610) is amended by

1 striking “Bureau of Alcohol, Tobacco, Firearms and
2 Explosives” each place it appears and inserting “De-
3 partment of Justice”.

4 (15) The 6th proviso under the heading “Bu-
5 reau of Alcohol, Tobacco, Firearms and Explo-
6 sives—Salaries and Expenses” in title II of division
7 B of the Consolidated Appropriations Act, 2010 (18
8 U.S.C. 923 note; Public Law 111–117; 123 Stat.
9 3128–3129) is amended by striking “Bureau of Al-
10 cohool, Tobacco, Firearms and Explosives” each place
11 it appears and inserting “Department of Justice”.

12 (16) The 6th proviso under the heading “Bu-
13 reau of Alcohol, Tobacco, Firearms and Explo-
14 sives—Salaries and Expenses” in title II of division
15 B of the Omnibus Appropriations Act, 2009 (18
16 U.S.C. 923 note; Public Law 111–8; 123 Stat. 574–
17 576) is amended by striking “Bureau of Alcohol, To-
18 bacco, Firearms and Explosives” each place it ap-
19 pears and inserting “Department of Justice”.

20 (17) The 6th proviso under the heading “Bu-
21 reau of Alcohol, Tobacco, Firearms and Explo-
22 sives—Salaries and Expenses” in title II of division
23 B of the Consolidated Appropriations Act, 2008 (18
24 U.S.C. 923 note; Public Law 110–161; 121 Stat.
25 1903–1904) is amended by striking “Bureau of Al-

1 cohol, Tobacco, Firearms and Explosives” each place
2 it appears and inserting “Department of Justice”.

3 (18) The 6th proviso under the heading “Bu-
4 reau of Alcohol, Tobacco, Firearms and Explo-
5 sives—Salaries and Expenses” in title I of the
6 Science, State, Justice, Commerce, and Related
7 Agencies Appropriations Act, 2006 (18 U.S.C. 923
8 note; Public Law 109–108; 119 Stat. 2295–2296) is
9 amended by striking “Bureau of Alcohol, Tobacco,
10 Firearms and Explosives” each place it appears and
11 inserting “Department of Justice”.

12 (19) The 6th proviso under the heading “Bu-
13 reau of Alcohol, Tobacco, Firearms and Explo-
14 sives—Salaries and Expenses” in title I of division
15 B of the Consolidated Appropriations Act, 2005 (18
16 U.S.C. 923 note; Public Law 108–447; 118 Stat.
17 2859–2860) is amended by striking “Bureau of Al-
18 cohol, Tobacco, Firearms, and Explosives” each
19 place it appears and inserting “Department of Jus-
20 tice”.

21 (20) Section 1028A of title 18, United States
22 Code, is amended—

23 (A) in subsection (b)(3)(B), by striking
24 “924(c)(3)” and inserting “924(b)(3)”; and

1 (B) in subsection (c), by striking para-
2 graph (3) and redesignating paragraphs (4)
3 through (11) as paragraphs (3) through (10),
4 respectively.

5 (21) Section 1956(e)(7)(D) of title 18, United
6 States Code, is amended—

7 (A) by striking “922(l)” and inserting
8 “922(h)”; and

9 (B) by striking “section 924(n) (relating to
10 firearms trafficking),”.

11 (22) Section 2516(1) of title 18, United States
12 Code, is amended—

13 (A) in paragraph (c), by striking “930 (re-
14 lating to possession of weapons in Federal fa-
15 cilities,”; and

16 (B) in paragraph (n), by striking “sections
17 922 and” and inserting “section”.

18 (23) Section 2343 of title 18, United States
19 Code, is amended by striking subsection (c) and re-
20 designating subsections (d) through (f) as sub-
21 sections (c) through (e), respectively.

22 (24)(A) Section 3051 of title 18, United States
23 Code, is amended—

24 (i) in the section heading, by striking
25 “**Special Agents of Bureau of Alcohol,**

1 **Tobacco, Firearms, and Explosives”**
2 and inserting “**certain investigators and**
3 **officers of the Department of Jus-**
4 **tice”;**

5 (ii) in subsection (a), by striking “(a) Spe-
6 cial agents of the Bureau of Alcohol, Tobacco,
7 Firearms, and Explosives, as well as any other”
8 and inserting “Any”; and

9 (iii) by striking subsections (b) and (c).

10 (B) The section analysis for chapter 203 of title
11 18, United States Code, is amended by striking the
12 item relating to section 3051 and inserting the fol-
13 lowing:

 “3051. Powers of certain investigators and officers of the Department of Jus-
 tice.”.

14 (25) Section 3142(e)(3)(B) of title 18, United
15 States Code, is amended by striking “924(e)” and
16 inserting “924(b)”.

17 (26) Section 3559(c)(2) of title 18, United
18 States Code, is amended in each of subparagraphs
19 (D) and (F)(i) by striking “924(e)” and inserting
20 “924(b)”.

21 (27) Section 3632(d)(4)(D)(xxii) of title 18,
22 United States Code, is amended by striking
23 “924(e)” and inserting “924(b)”.

1 (28) Section 4042(b)(3) of title 18, United
2 States Code, is amended—

3 (A) in subparagraph (A), by striking
4 “924(c)(2)” and inserting “924(b)(2)”; and

5 (B) in subparagraph (B), by striking
6 “924(c)(3)” and inserting “924(b)(3)”.

7 (29) Section 5031 of title 18, United States
8 Code, is amended by striking “or a violation by such
9 a person of section 922(x)”.

10 (30) Section 5032 of title 18, United States
11 Code, is amended—

12 (A) in the 1st undesignated paragraph, by
13 striking “section 922(x) or section 924(b), (g),
14 or (h)” and inserting “section 924(a), (d), or
15 (e)”; and

16 (B) in the 4th undesignated paragraph, by
17 striking “or section 922(x) of this title, or in
18 section 924(b), (g), or (h)” and inserting “or in
19 section 924(a), (d), or (e)”.

20 (i) AMENDMENT RELATING TO TITLE 20, UNITED
21 STATES CODE.—Section 615(k)(7)(C) of the Individuals
22 with Disabilities Education Act (20 U.S.C. 1415(k)(7)(C))
23 is amended by inserting “, as in effect before the abolish-
24 ment date (as defined in section 102(b)(1) of the Brian

1 A. Terry Memorial Eliminate the ATF Act)” before the
2 period.

3 (j) AMENDMENTS RELATING TO TITLE 21, UNITED
4 STATES CODE.—

5 (1) Section 102 of the Controlled Substances
6 Act (21 U.S.C. 802) is amended in the 2nd para-
7 graph (57) by inserting “, as in effect before the
8 abolishment date (as defined in section 102(b)(1) of
9 the Brian A. Terry Memorial Eliminate the ATF
10 Act),” before “for which”.

11 (2) Section 716(c)(1)(B) of the National Drug
12 Control Policy Reauthorization Act of 1998 (21
13 U.S.C. 1714(c)(1)(B)) is amended by striking
14 “Agency, the Bureau of Alcohol, Tobacco, Firearms,
15 and Explosives,” and inserting “Administration, the
16 Department of Justice,”.

17 (k) AMENDMENT RELATING TO TITLE 22, UNITED
18 STATES CODE.—Section 655(b)(3) of the Foreign Assist-
19 ance Act of 1961 (22 U.S.C. 2415(b)(3)) is amended by
20 striking “, including” and all that follows through “re-
21 port”.

22 (l) AMENDMENTS TO THE INTERNAL REVENUE
23 CODE OF 1986.—

1 (1) REPEAL OF NATIONAL FIREARMS ACT.—
2 Chapter 53 of the Internal Revenue Code of 1986 is
3 hereby repealed.

4 (2) REPEAL OF FIREARMS AND AMMUNITION
5 EXCISE TAX.—Part III of subchapter D of chapter
6 32 of such Code is hereby repealed.

7 (3) Section 6103(i)(8)(A)(i) of such Code (26
8 U.S.C. 6103(i)(8)(A)) is amended by striking “the
9 Bureau of Alcohol, Tobacco, Firearms, and Explo-
10 sives” and all that follows through “Department of
11 the Treasury” and inserting “or the Department of
12 Justice”.

13 (m) AMENDMENTS RELATING TO TITLE 28, UNITED
14 STATES CODE.—

15 (1) Each of the following provisions of law is
16 amended by striking “Bureau of Alcohol, Tobacco,
17 Firearms and Explosives,” each place it appears and
18 inserting “Department of Justice”:

19 (A) Section 530C(b)(2) of title 28, United
20 States Code.

21 (B) Section 207 of division B of the Con-
22 solidated and Further Continuing Appropria-
23 tions Act, 2013 (28 U.S.C. 533 note).

1 (C) Section 207 of division B of the Con-
2 solidated and Further Continuing Appropria-
3 tions Act, 2012 (28 U.S.C. 533 note).

4 (D) Section 207 of division B of the Con-
5 solidated Appropriations Act, 2010 (28 U.S.C.
6 533 note).

7 (E) Section 207 of division B of the Omni-
8 bus Appropriations Act, 2009 (28 U.S.C. 533
9 note).

10 (F) Section 207 of division B of the Con-
11 solidated Appropriations Act, 2008 (28 U.S.C.
12 533 note).

13 (G) Section 107 of title I of the Consoli-
14 dated and Further Continuing Appropriations
15 Act, 2013 (28 U.S.C. 533 note).

16 (H) Section 116 of title I of the Science,
17 State, Justice, Commerce, and Related Agencies
18 Appropriations Act, 2006 (28 U.S.C. 533 note).

19 (2) Section 1151(c) of title XI of the Consoli-
20 dated and Further Continuing Appropriations Act,
21 2013 (28 U.S.C. 533 note) is amended—

22 (A) by striking “Bureau of Alcohol, To-
23 bacco, Firearms and Explosives,” each place it
24 appears and inserting “Department of Justice”;
25 and

1 (B) by striking “Bureau on” and inserting
2 “Department on”.

3 (3)(A) Section 599B of title 28, United States
4 Code, is repealed.

5 (B) The section analysis for chapter 40A of
6 such title is amended by striking the item relating
7 to section 599B.

8 (4) Section 2006(2) of title 28, United States
9 Code, is amended by striking “, the Director, Bu-
10 reau of Alcohol, Tobacco, Firearms, and Explosives,
11 Department of Justice,”.

12 (n) AMENDMENTS TO TITLE 31, UNITED STATES
13 CODE.—

14 (1)(A) Section 713 of title 31, United States
15 Code, is amended—

16 (i) in the section heading, by striking
17 **“Service, Tax and Trade Bureau, and**
18 **Bureau of Alcohol, Tobacco, Fire-**
19 **arms, and Explosives”** and inserting
20 **“Service and Department of Justice”**;

21 (ii) in subsection (a), by striking “and the
22 Tax and Trade Bureau” and all that follows
23 though “Department of Justice of the Depart-
24 ment of the Treasury” and inserting “and so
25 much of the Department of Justice as relates to

1 the administration and enforcement of provi-
 2 sions transferred under the Brian A. Terry Me-
 3 morial Eliminate the ATF Act”; and

4 (iii) in subsection (b)—

5 (I) in each of paragraphs (1), (2), and
 6 (3), by striking “either Bureau” and in-
 7 serting “the Department”; and

8 (II) in paragraph (2), by striking “,
 9 the Tax and Trade Bureau, Department of
 10 the Treasury, and the Director of the Bu-
 11 reau of Alcohol, Tobacco, Firearms, and
 12 Explosives, Department of Justice” and in-
 13 serting “and the Department of Justice”.

14 (B) The section analysis for chapter 7 of such
 15 title is amended by striking the item relating to sec-
 16 tion 713 and inserting the following:

“713. Audit of Internal Revenue Service and Department of Justice.”.

17 (2) Section 1344(b)(6) of such title is amended
 18 by striking “Director of the Bureau of Alcohol, To-
 19 bacco, Firearms and Explosives”.

20 (o) AMENDMENTS RELATING TO TITLE 34, UNITED
 21 STATES CODE.—

22 (1) AMENDMENT TO THE 21st CENTURY CURES
 23 ACT.—Section 14003(a)(1)(B)(ii) of division B of
 24 the 21st Century Cures Act (34 U.S.C. 10471 note)
 25 is amended by inserting “, as in effect before the

1 abolishment date (as defined in section 102(b)(1) of
2 the Brian A. Terry Memorial Eliminate the ATF
3 Act)” before the semicolon.

4 (2) AMENDMENTS TO THE JAMES GUELFF AND
5 CHRIS MCCURLEY BODY ARMOR ACT OF 2002.—Sec-
6 tion 11009 of the James Guelff and Chris McCurley
7 Body Armor Act of 2002 (34 U.S.C. 10534) is
8 amended—

9 (A) in subsection (d)(1), by striking
10 “924(c)” and inserting “924(b)”; and

11 (B) in subsection (e)(4)(B), by striking
12 clause (i) and redesignating clauses (ii) and (iii)
13 as clauses (i) and (ii), respectively.

14 (3) AMENDMENT TO THE JUVENILE JUSTICE
15 AND DELINQUENCY PREVENTION ACT OF 1974.—Sec-
16 tion 223(a)(11)(A)(i) of the Juvenile Justice and
17 Delinquency Prevention Act of 1974 (34 U.S.C.
18 11133(a)(11)(A)(i)(I)) is amended by striking sub-
19 clause (I) and redesignating subclauses (II) and
20 (III) as subclauses (I) and (II), respectively.

21 (4) AMENDMENTS TO THE VIOLENT CRIME
22 CONTROL AND LAW ENFORCEMENT ACT OF 1994.—

23 (A) Section 32401(a)(3)(B) of the Violent
24 Crime Control and Law Enforcement Act of
25 1994 (34 U.S.C. 12281(a)(3)(B)) is amended

1 by striking “Bureau of Alcohol, Tobacco, Fire-
2 arms, and Explosives, Department of Justice
3 for salaries, expenses, and associated adminis-
4 trative costs for operating and overseeing such
5 projects” and inserting “the trust fund estab-
6 lished under section 201 of the Brian A. Terry
7 Memorial Eliminate the ATF Act for use in ac-
8 cordance with such section”.

9 (B) Section 180102(b)(2) of such Act (34
10 U.S.C. 12541(b)(2)) is amended by striking
11 “Bureau of Alcohol, Tobacco, and Firearms,”.

12 (5) AMENDMENTS TO THE CRIME IDENTIFICA-
13 TION TECHNOLOGY ACT OF 1998.—Section 102(b) of
14 the Crime Identification Technology Act of 1998 (34
15 U.S.C. 40301(b)) is amended by striking paragraphs
16 (6) and (8) and redesignating paragraphs (7) and
17 (9) through (18) as paragraphs (6) through (16), re-
18 spectively.

19 (6) AMENDMENTS TO THE BRADY HANDGUN VI-
20 OLENCE PREVENTION ACT.—

21 (A) Section 103 of the Brady Handgun Vi-
22 oLENCE Prevention Act (34 U.S.C. 40901) is
23 hereby repealed.

24 (B) Section 106 of such Act (34 U.S.C.
25 40302) is amended by striking subsection (b).

1 (7) REPEAL OF THE NICS IMPROVEMENT
2 AMENDMENTS ACT OF 2007.—The NICS Improve-
3 ment Amendments Act of 2007 (34 U.S.C. 40911–
4 40941) is hereby repealed.

5 (8) AMENDMENTS TO THE VIOLENCE AGAINST
6 WOMEN AND DEPARTMENT OF JUSTICE REAUTHOR-
7 IZATION ACT OF 2005.—

8 (A) Section 1106(a)(1) of the Violence
9 Against Women and Department of Justice Re-
10 authorization Act of 2005 (34 U.S.C.
11 41506(a)(1)) is amended by striking “the Bu-
12 reau of Alcohol, Tobacco, Firearms, and Explo-
13 sives,”.

14 (B) Section 1107(a) of such Act (34
15 U.S.C. 41507(a)) is amended by striking para-
16 graph (2) and redesignating paragraphs (3)
17 through (13) as paragraphs (2) through (12),
18 respectively.

19 (9) AMENDMENT TO THE JUSTICE ASSISTANCE
20 ACT OF 1984.—Section 609N(2) of the Justice As-
21 sistance Act of 1984 (34 U.S.C. 50102(2)) is
22 amended—

23 (A) by adding “and” at the end of sub-
24 paragraph (L); and

1 (B) by striking subparagraph (M) and re-
2 designating subparagraph (N) as subparagraph
3 (M).

4 (10) AMENDMENT TO THE INTERSTATE TRANS-
5 PORTATION OF DANGEROUS CRIMINALS ACT OF
6 2000.—Section 3(1) of the Interstate Transportation
7 of Dangerous Criminals Act of 2000 (34 U.S.C.
8 60102(1)) is amended by striking “924(c)(3)” and
9 inserting “924(b)(3)”.

10 (11) AMENDMENT TO THE PROJECT SAFE
11 NEIGHBORHOODS GRANT PROGRAM AUTHORIZATION
12 ACT OF 2018.—Section 2(1) of the Project Safe
13 Neighborhoods Grant Program Authorization Act of
14 2018 (34 U.S.C. 60701(1)) is amended by striking
15 “922 or”.

16 (p) AMENDMENTS TO TITLE 36, UNITED STATES
17 CODE.—

18 (1) Section 40723 of title 36, United States
19 Code, is amended—

20 (A) in subsection (a)—

21 (i) in paragraph (1)—

22 (I) by striking “(1)”;

23 (II) by striking “(A)” and insert-
24 ing “(1)”;

1 (III) by adding “and” after the
2 1st semicolon;

3 (IV) by striking subparagraph
4 (B); and

5 (V) by striking “(C)” and insert-
6 ing “(2)”; and

7 (ii) by striking paragraph (2); and

8 (B) in subsection (b), by striking “—” and
9 all that follows and inserting “has been con-
10 victed of a felony.”.

11 (2) Section 40728B(c) of such title is amended
12 by striking “—” and all that follows through “(2)”.

13 (3) Section 40732(c)(2) of such title is amend-
14 ed by striking “—” and all that follows and insert-
15 ing “a felony.”.

16 (q) AMENDMENTS RELATING TO TITLE 42, UNITED
17 STATES CODE.—Section 161A of the Atomic Energy Act
18 of 1954 (42 U.S.C. 2201a) is amended—

19 (1) in subsection (a), by inserting “, as in effect
20 before the abolishment date (as defined in section
21 102(b)(1) of the Brian A. Terry Memorial Eliminate
22 the ATF Act)” before the period;

23 (2) in subsection (b), by striking “subsections
24 (a)(4), (a)(5), (b)(2), (b)(4), and (o) of section 922
25 of title 18, section 925(d)(3) of title 18, section

1 5844 of the Internal Revenue Code of 1986, and”;
2 and

3 (3) by striking subsection (c) and redesignating
4 subsection (d) as subsection (c).

5 (r) AMENDMENT TO TITLE 44, UNITED STATES
6 CODE.—Section 3903(c)(2)(A)(i)(III) of title 44, United
7 States Code, is amended by striking “, including” and all
8 that follows through “violence”.

9 (s) AMENDMENTS RELATING TO TITLE 49, UNITED
10 STATES CODE.—

11 (1) Section 363(b) of the FAA Reauthorization
12 Act of 2018 (49 U.S.C. 44802 note) is amended by
13 inserting “, as in effect before the abolishment date
14 (as defined in section 102(b)(1) of the Brian A.
15 Terry Memorial Eliminate the ATF Act)” before the
16 period.

17 (2) Section 80304(d) of title 49, United States
18 Code, is amended by striking “Bureau of Alcohol,
19 Tobacco, Firearms, and Explosives,”.

20 (t) EFFECTIVE DATE.—The repeals and amendments
21 made by this section shall take effect on the abolishment
22 date.

23 (u) REPORT TO THE CONGRESS ON OTHER AMEND-
24 MENTS TO FEDERAL STATUTE.—The Attorney General
25 shall submit to the relevant Committees a written report

1 that contains suggestions for such other amendments to
2 Federal statutes as may be necessary or appropriate as
3 a result of this title.

4 **TITLE II—TRUST FUND AND**
5 **GRANT PROGRAMS**

6 **SEC. 201. BORDER PATROL AGENT KILLED IN ACTION**
7 **TRUST FUND.**

8 (a) **CREATION OF TRUST FUND.**—There is estab-
9 lished in the Treasury of the United States a trust fund
10 to be known as the “Border Patrol Agent Killed in Action
11 Trust Fund” consisting of amounts transferred under
12 subsection (b).

13 (b) **TRANSFERS TO TRUST FUND.**—

14 (1) The Director of the Bureau of Alcohol, To-
15 bacco, Firearms and Explosives shall transfer to the
16 Trust Fund all proceeds from the sales made under
17 section 101(d)(2).

18 (2) The amounts that, in the absence of this
19 Act would be allocated under section 32401(a)(3)(B)
20 of the Violent Crime Control and Law Enforcement
21 Act of 1994, as in effect just before the abolishment
22 date (as defined in section 102(b)(1) of this Act),
23 shall be transferred to the Trust Fund.

1 (c) USE OF TRUST FUND.—Amounts in the Trust
2 Fund shall be made available to the Commissioner, with-
3 out further appropriation, to—

4 (1) carry out section 202 until January 1,
5 2032; and

6 (2) carry out section 203 beginning on January
7 2, 2032.

8 (d) PROHIBITION.—Amounts in the Trust Fund may
9 not be used to carry out any statute, regulation, or any
10 executive action relating to restrictions on firearms.

11 **SEC. 202. GRANTS TO FAMILIES OF BORDER PATROL**

12 **AGENT KILLED IN THE LINE OF DUTY.**

13 (a) IN GENERAL.—The Commissioner shall establish
14 a program (referred to in this section as the “Program”)
15 to award grants to eligible recipients described in sub-
16 section (b).

17 (b) ELIGIBLE RECIPIENT.—An eligible recipient is
18 the surviving spouse, child, or parent of a Border Patrol
19 agent killed in the line of duty on or after December 1,
20 2009.

21 (c) GRANTS.—The Commissioner shall award grants
22 to carry out the Program.

23 (d) GRANT AMOUNT.—The amount of a grant under
24 the Program may not exceed \$150,000.

1 (e) APPLICATION.—To be eligible to receive a grant
2 under the Program, an eligible recipient shall submit to
3 the Commissioner an application in such form, at such
4 time, and containing such information as the Commis-
5 sioner may require.

6 **SEC. 203. FIREARM SAFETY PROGRAM.**

7 (a) GRANT PROGRAM.—The Commissioner shall es-
8 tablish a program (in this section referred to as the “Fire-
9 arm Safety Program”) to commence on January 2, 2032,
10 to award grants to States for the purpose of establishing
11 firearm safety programs in such States.

12 (b) GRANTS.—The Commissioner may award grants
13 to carry out the purpose described in subsection (a).

14 (c) APPLICATION.—To be eligible to receive a grant
15 under the Firearm Safety Program, the State shall submit
16 to the Commissioner an application in such form, at such
17 time, and containing such information as the Commis-
18 sioner may require.

19 (d) GRANT AMOUNT.—

20 (1) IN GENERAL.—The amount of a grant
21 under the Firearm Safety Program may not exceed
22 \$14,000,000.

23 (2) APPORTIONMENT.—The amount of a grant
24 awarded to each State under the Firearm Safety

1 Program shall be apportioned by the number of li-
2 censed dealers in each such State.

3 **SEC. 204. DEFINITIONS.**

4 In this title:

5 (1) **BORDER PATROL AGENT.**—The term “Bor-
6 der Patrol agent” has the meaning given the term
7 in section 5550(a)(2) of title 5, United States Code.

8 (2) **COMMISSIONER.**—The term “Commis-
9 sioner” means the Commissioner of U.S. Customs
10 and Border Protection.

11 (3) **FIREARM.**—The term “firearm” has the
12 meaning given the term in section 921(a)(3) of title
13 18, United States Code.

14 (4) **LICENSED DEALER.**—The term “licensed
15 dealer” has the meaning given the term in section
16 921(a)(11) of title 18, United States Code.

17 (5) **STATE.**—The term “State” has the mean-
18 ing given the term in section 311 of title 5, United
19 States Code.

20 (6) **TRUST FUND.**—The term “Trust Fund”
21 means the Border Patrol Agent Killed in Action
22 Trust Fund established in section 201(a).

○