

## SECTION BY SECTION

### SECTION 1: Collaboration between U.S. Immigration and Customs Enforcement and the Bureau of Alcohol, Tobacco, and Explosives

*A January 2016 United States Government Accountability Office (GAO) report noted that, while Immigration and Customs Enforcement (ICE) and the Bureau of Alcohol, Tobacco, and Explosives (ATF) are the two principal agencies tasked with combatting illegal firearms trafficking at the Southwest border, there are ongoing coordination challenges between the two agencies that may impede investigation. In particular, GAO recommended that the two agencies institute a mechanism to regularly monitor the implementation of a 2009 Memorandum of Understanding between the two agencies. This section would require the agencies to do so.*

### SECTION 2: Comprehensive Indicators to stem arms trafficking to Mexico

*Office of National Drug Control Policy (ONDCP) National Southwest Border Counternarcotic Strategy currently utilizes the number of firearms seized in Mexico that are traced by ATF as a measure of success of U.S. agencies in combatting illegal firearms trafficking to Mexico. The January 2016 GAO report found that this was not an adequate measure of success, and recommended that ONDCP develop more comprehensive indicators to measure progress. This section would require ONDCP to do that.*

### SECTION 3: Firearms trafficking

*Currently, firearms trafficking is not a federal crime. This section amends the United States Code to define the crime of gun trafficking and provides for penalties of up to 20 years. This section is similar to H.R. 5080, the Hadiya Pendleton and Nyasia Pryear-Yard Gun Trafficking and Crime Prevention Act of 2016, which Rep. Yvette Clarke (D-NY) introduced in the 114<sup>th</sup> Congress.*

### SECTION 4: Requirement that federal firearms licensees report multiple sales of firearms

*The Gun Control Act of 1968 requires federal firearms licensees (FFLs) to report multiple sales of handguns to ATF. However, this requirement does not apply to long guns, including the semi-automatic assault rifles that are frequently trafficked to Mexico. In 2011, the Obama administration instituted a long gun reporting requirement for multiple sales in the four southwest border states. This section would effectively codify that requirement and expand it to all fifty states, by amending the Gun Control Act of 1968 to require a multiple sales requirement for all firearms.*

### SECTION 5: Public availability of information about firearms seized by Mexico and submitted to the Bureau of Alcohol, Tobacco, Firearms, and Explosives

*Each year, the bureau of Alcohol, Tobacco, Firearms, and Explosives publishes a report with basic information about firearms that are recovered and traced in Mexico. However, that report does not include detailed information about the type, make, model, or caliber of firearms referenced. This section requires ATF to make this information public.*