

118TH CONGRESS
2D SESSION

S. 5209

To require the Attorney General to make publicly available a list of federally licensed firearms dealers with a high number of short time-to-crime firearm traces, and to prohibit Federal departments and agencies from contracting with such dealers.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Mr. PADILLA (for himself, Ms. WARREN, Mr. DURBIN, Mr. BOOKER, Ms. DUCKWORTH, Mr. BLUMENTHAL, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To require the Attorney General to make publicly available a list of federally licensed firearms dealers with a high number of short time-to-crime firearm traces, and to prohibit Federal departments and agencies from contracting with such dealers.

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 “Clean Hands Firearm
5 Procurement Act”.

1 **SEC. 2. FEDERAL GUN TRACING NOTIFICATIONS.**

2 Not later than 120 days after the date of enactment
3 of this Act, and annually thereafter, the Attorney General,
4 acting through the Director of the Bureau of Alcohol, To-
5 bacco, Firearms, and Explosives, shall publish or make
6 publicly available a list of covered firearms dealers.

7 **SEC. 3. PROHIBITION ON FEDERAL CONTRACTS WITH CER-**
8 **TAIN FEDERAL FIREARMS DEALERS.**

9 (a) PROHIBITION.—A Federal agency may not enter
10 into a contract with a licensed dealer that has been listed
11 as a covered firearms dealer during the current calendar
12 year or either of the preceding 2 calendar years.

13 (b) WAIVER AUTHORITY.—

14 (1) IN GENERAL.—Upon a request by the Sec-
15 retary of Defense or the Secretary of Homeland Se-
16 curity, the Attorney General may waive the applica-
17 bility of subsection (a) to a contract, to protect the
18 national security of the United States.

19 (2) NOTICE.—The Attorney General shall im-
20 mediately notify the Chair and Ranking Minority
21 Member of the Committee on the Judiciary of the
22 House of Representatives and the Chair and Rank-
23 ing Minority Member of the Committee on the Judi-
24 ciary of the Senate of any waiver granted under
25 paragraph (1). Notice under this paragraph may be
26 submitted in classified form.

1 (c) EFFECTIVE DATE.—This section shall take effect
2 180 days after the date of enactment of this Act.

3 **SEC. 4. DEFINITIONS.**

4 In this Act:

5 (1) COVERED FIREARMS DEALER.—The term
6 “covered firearms dealer” means a licensed dealer
7 with respect to whom, during not less than 2 of the
8 3 calendar years before the publication of the appli-
9 cable list under section 2, the National Tracing Cen-
10 ter of the Bureau of Alcohol, Tobacco, Firearms,
11 and Explosives has traced to the firearms business
12 of the licensed dealer not less than 25 firearms with
13 a time-to-crime of not more than 3 years.

14 (2) FEDERAL AGENCY.—The term “Federal
15 agency” means a department, agency, office, or
16 other establishment in the executive, legislative, or
17 judicial branch of the Government of the United
18 States.

19 (3) FIREARM.—The term “firearm” has the
20 meaning given that term in section 921(a) of title
21 18, United States Code.

22 (4) LICENSED DEALER.—The term “licensed
23 dealer” has the meaning given that term in section
24 921(a) of title 18, United States Code.

1 (5) TIME-TO-CRIME.—The term “time-to-
2 crime” means, with respect to a firearm, the period
3 between the date of the last known retail sale of the
4 firearm and the date a law enforcement agency re-
5 covers the firearm as a result of an actual or sus-
6 pected purchase, use, or possession of the firearm in,
7 or that constitutes, a crime.

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