

116TH CONGRESS  
1ST SESSION

# H. R. 3599

To establish a grant program for States and Indian Tribes to enroll individuals purchasing firearms and holders of licenses or permits to possess, carry, sell, or transfer firearms into the FBI's Rap Back program.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2019

Ms. ADAMS introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To establish a grant program for States and Indian Tribes to enroll individuals purchasing firearms and holders of licenses or permits to possess, carry, sell, or transfer firearms into the FBI's Rap Back program.

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 “Law Enforcement  
5       Needs to Know Act”.

6       **SEC. 2. SENSE OF CONGRESS.**

7       It is the sense of Congress that—

1           (1) The National Instant Criminal Background  
2           Check System (NICS), which is used to conduct  
3           background checks on individuals as they purchase  
4           a gun from federally licensed firearms dealers, pro-  
5           vides a one-time snapshot view of an individual's  
6           criminal history status. It does not, however, provide  
7           notice to Federal, State, or local law enforcement of-  
8           ficials if a firearm owner later falls into a category  
9           of people prohibited by law from possessing fire-  
10          arms.

11          (2) Law enforcement should be notified when a  
12          firearm license or permit holder loses his or her legal  
13          eligibility for the license or permit through criminal  
14          activity anywhere in the country.

15          (3) The Rap Back Service is a capability of the  
16          Federal Bureau of Investigation's Next Generation  
17          Identification (NGI) system. The Rap Back Service  
18          provides notice to authorized agencies of activity of  
19          licensed individuals that might impact their contin-  
20          ued eligibility for a license. Enrollment in the Rap  
21          Back Service eliminates the need for repeated back-  
22          ground checks on a person in order to determine  
23          whether they continue to be eligible for their license.

24          (4) In 2012, the Government Accountability Of-  
25          fice issued a report based on a survey of State con-

1        cealed carry permitting systems. The report found  
2        that 6 of the 9 States surveyed used in-State rap  
3        back services to monitor the continued eligibility of  
4        concealed carry permit holders. The report also found  
5        that the FBI's nationwide Rap Back Service may  
6        provide States with "the opportunity to subscribe to  
7        this service and automatically be notified of subse-  
8        quent arrests across the United States for crimes  
9        committed by permit holders."

10 **SEC. 3. GRANT PROGRAM.**

11        (a) IN GENERAL.—The Attorney General shall award  
12        grants to States and Indian Tribal governments to assist  
13        those States and Indian Tribal governments in enrolling  
14        individuals purchasing firearms or applying for firearm li-  
15        censes in the Rap Back Service.

16        (b) ELIGIBILITY REQUIREMENTS.—

17                (1) IN GENERAL.—To be eligible for a grant  
18        under subsection (a), a State or Indian Tribal gov-  
19        ernment shall have in place a law that—

20                        (A) with respect to an individual pur-  
21        chasing a firearm—

22                                (i) requires the individual to provide  
23        fingerprints in connection with such pur-  
24        chase, which fingerprints shall be sufficient  
25        to enroll the individual in the Rap Back

1 Service upon the completion of the sale of  
2 the firearm; and

3 (ii) requires each agency that facili-  
4 tates the sale of the firearm to ensure that  
5 the individual is enrolled in the Rap Back  
6 Service; and

7 (B) in the case of a State or Indian Tribal  
8 government that issues licenses for an indi-  
9 vidual to purchase, possess, transfer, acquire, or  
10 carry a firearm in some or all circumstances or  
11 locations—

12 (i) requires the individual to provide  
13 fingerprints in connection with an applica-  
14 tion for the issuance or renewal of such a  
15 license, which fingerprints shall be suffi-  
16 cient to enroll the individual in the Rap  
17 Back Service upon the completion of the  
18 sale of the firearm; and

19 (ii) requires each agency that issues  
20 or renews such license to ensure that the  
21 individual is enrolled in the Rap Back  
22 Service.

23 (2) APPLICATION.—A requirement for a law de-  
24 scribed under paragraph (1) does not apply with re-  
25 spect to individuals who are certified to purchase,

1 possess, own, transfer, acquire, or carry a firearm in  
2 the course of their employment.

3 (c) USE OF GRANT AMOUNTS.—Grants awarded to  
4 States or Indian Tribes under this section may only be  
5 used to—

6 (1) create electronic systems to enroll individ-  
7 uals described in subparagraphs (A) and (B) of sub-  
8 section (b)(1) in the Rap Back Service and for the  
9 receipt of criminal history information about such  
10 individuals from the Rap Back Service;

11 (2) assist local agencies in establishing or en-  
12 hancing their own capacities to perform activities de-  
13 scribed in paragraph (1);

14 (3) ensure the accuracy and security of the sys-  
15 tems established under paragraphs (1) and (2);

16 (4) enroll such individuals in the Rap Back  
17 Service; or

18 (5) collect and analyze data to measure compli-  
19 ance with the level of enrollment of such individuals  
20 in the Rap Back Service.

21 (d) MATCHING FUNDS.—The portion of the costs of  
22 an activity provided by a grant under subsection (a) may  
23 not exceed 50 percent, unless the Attorney General waives,  
24 wholly or in part, the requirement under this subsection  
25 of a non-Federal contribution to the costs of an activity.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated such sums as may be nec-  
3 essary to carry out this section.

4 (f) CONSISTENCY WITH NATIONAL CRIMINAL HIS-  
5 TORY IMPROVEMENT PROGRAM.—The Attorney General  
6 shall carry out the grant program under this section in  
7 a manner that is consistent with the National Criminal  
8 History Improvement Program.

9 **SEC. 4. DEFINITIONS.**

10 In this Act:

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

14 (2) The term “Rap Back Service” means the  
15 capability of the Federal Bureau of Investigation’s  
16 Next Generation Identification system to provide no-  
17 tice to law enforcement agencies authorized by the  
18 Federal Bureau of Investigation to use such capa-  
19 bility of arrests or other activity of licensees that  
20 might impact their continued eligibility for a license  
21 to purchase, possess, own, transfer, acquire, or carry  
22 a firearm in some or all circumstances or locations.

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