

116TH CONGRESS
2D SESSION

H. R. 5917

To repeal certain impediments to the administration of the firearms laws.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2020

Ms. LEE of California (for herself, Ms. MOORE, Mr. DEUTCH, Mr. GALLEGOS, Mr. CLAY, Ms. PRESSLEY, Mr. RYAN, Ms. NORTON, Mr. RUSH, Mr. GRIJALVA, Mr. CONNOLLY, Mr. BLUMENAUER, Ms. GARCIA of Texas, Mr. LEVIN of Michigan, Mrs. MURPHY of Florida, Mr. RASKIN, Mr. DANNY K. DAVIS of Illinois, Mr. ENGEL, Mr. CARSON of Indiana, Mr. SABLAN, Mr. GARCÍA of Illinois, Ms. SHERRILL, Mrs. KIRKPATRICK, Ms. ADAMS, Mr. MEEKS, Mr. SCOTT of Virginia, Ms. SCHAKOWSKY, and Ms. SHALALA) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To repeal certain impediments to the administration of the firearms laws.

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 “Gun Records Restora-
5 tion and Preservation Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1 (1) The Tiahrt Amendments severely limit the
2 authority of the Bureau of Alcohol, Tobacco, Fire-
3 arms and Explosives (ATF) to disclose crime gun
4 trace data to the public.

5 (2) The Tiahrt Amendments prevent the collec-
6 tion of valuable information, and the establishment
7 of effective policies to prevent illegal guns from
8 being used in crimes.

9 (3) The Tiahrt Amendments impede enforce-
10 ment of the gun laws by requiring most background
11 check records to be destroyed within 24 hours, and
12 by barring the Government from requiring annual
13 inventory audits by owners of gun shops.

14 (4) A 2012 study by researchers at Johns Hop-
15 kins Bloomberg School of Public Health found that
16 the Tiahrt Amendments dramatically increased gun
17 sales to criminals.

18 (5) A 2016 study from the University of Pitts-
19 burgh Graduate School of Public Health found that
20 in 2008, 79 percent of all guns recovered by police
21 from crime scenes belonged to someone other than
22 the perpetrator—30 percent had been stolen.

23 (6) A gun is stolen in the United States every
24 2 minutes.

1 (7) Every year, nearly 115,000 Americans are
2 shot.

3 (8) In 2016, 38,658 Americans were killed with
4 a gun.

5 (9) In 2016, 289,223 firearms were recovered
6 and traced in the United States, of which 211,384
7 were traced to a final retail purchaser.

8 (10) Having effective policies to prevent illegal
9 gun trafficking makes our families and communities
10 safer.

11 (11) Repealing the Tiahrt Amendments would
12 support law enforcement efforts and give the public
13 vital information needed to craft the most effective
14 policies against illegal guns.

15 **SEC. 3. REPEAL OF CERTAIN LIMITATIONS ON THE USE OF**
16 **DATABASE INFORMATION OF THE BUREAU**
17 **OF ALCOHOL, TOBACCO, FIREARMS AND EX-**
18 **PLOSIVES.**

19 (a) The matter under the heading “Bureau of Alco-
20 hol, Tobacco, Firearms and Explosives—Salaries and Ex-
21 penses” in title I of division B of the Consolidated and
22 Further Continuing Appropriations Act, 2012 (18 U.S.C.
23 923 note; Public Law 112–55; 125 Stat. 609–610) is
24 amended by striking the 6th proviso.

1 (b) The 6th proviso under the heading “Bureau of
2 Alcohol, Tobacco, Firearms and Explosives—Salaries and
3 Expenses” in title II of division B of the Consolidated Ap-
4 propriations Act, 2010 (18 U.S.C. 923 note; Public Law
5 111–117; 123 Stat. 3128–3129) is amended by striking
6 “beginning in fiscal year 2010 and thereafter” and insert-
7 ing “in fiscal year 2010”.

8 (c) The 6th proviso under the heading “Bureau of
9 Alcohol, Tobacco, Firearms and Explosives—Salaries and
10 Expenses” in title II of division B of the Omnibus Appro-
11 priations Act, 2009 (18 U.S.C. 923 note; Public Law 111–
12 8; 123 Stat. 574–576) is amended by striking “beginning
13 in fiscal year 2009 and thereafter” and inserting “in fiscal
14 year 2009”.

15 (d) The 6th proviso under the heading “Bureau of
16 Alcohol, Tobacco, Firearms and Explosives—Salaries and
17 Expenses” in title II of division B of the Consolidated Ap-
18 propriations Act, 2008 (18 U.S.C. 923 note; Public Law
19 110–161; 121 Stat. 1903–1904) is amended by striking
20 “beginning in fiscal year 2008 and thereafter” and insert-
21 ing “in fiscal year 2008”.

22 (e) The 6th proviso under the heading “Bureau of
23 Alcohol, Tobacco, Firearms and Explosives—Salaries and
24 Expenses” in title I of the Science, State, Justice, Com-
25 merce, and Related Agencies Appropriations Act, 2006

1 (18 U.S.C. 923 note; Public Law 109–108; 119 Stat.
2 2295–2296) is amended by striking “with respect to any
3 fiscal year”.

4 (f) The 6th proviso under the heading in title I of
5 division B of the Consolidated Appropriations Act, 2005
6 (18 U.S.C. 923 note; Public Law 108–447; 118 Stat.
7 2859–2860) is amended by striking “with respect to any
8 fiscal year”.

9 **SEC. 4. REPEAL OF LIMITATIONS ON IMPOSITION OF RE-**
10 **QUIREMENT THAT FIREARMS DEALERS CON-**
11 **DUCT PHYSICAL CHECK OF FIREARMS IN-**
12 **VENTORY.**

13 (a) The 5th proviso under the heading “Bureau of
14 Alcohol, Tobacco, Firearms and Explosives—Salaries and
15 Expenses” in title II of division B of the Consolidated and
16 Further Continuing Appropriations Act, 2013 (18 U.S.C.
17 923 note; Public Law 113–6; 127 Stat. 248) is amended
18 by striking “and any fiscal year thereafter”.

19 (b) The matter under the heading “Bureau of Alco-
20 hol, Tobacco, Firearms and Explosives—Salaries and Ex-
21 penses” in title I of division B of the Consolidated and
22 Further Continuing Appropriations Act, 2012 (18 U.S.C.
23 923 note; Public Law 112–55; 125 Stat. 609–610) is
24 amended by striking the 7th proviso.

1 (c) The matter under the heading “Bureau of Alco-
2 hol, Tobacco, Firearms and Explosives—Salaries and Ex-
3 penses” in title II of Division B of the Consolidated Ap-
4 propriations Act of 2010 (18 U.S.C. 923 note; Public Law
5 111–117; 123 Stat. 3128) is amended by striking “or any
6 other Act” in the 7th proviso.

7 (d) The matter under the heading “Bureau of Alco-
8 hol, Tobacco, Firearms and Explosives—Salaries and Ex-
9 penses” in title II of Division B of the Omnibus Appro-
10 priations Act of 2009 (18 U.S.C. 923 note; Public Law
11 111–8; 123 Stat. 574) is amended by striking “or any
12 other Act” in the 7th proviso.

13 (e) The matter under the heading “Bureau of Alco-
14 hol, Tobacco, Firearms and Explosives—Salaries and Ex-
15 penses” in title II of Division B of the Consolidated Ap-
16 propriations Act of 2008 (18 U.S.C. 923 note; Public Law
17 110–161; 121 Stat. 1903) is amended by striking “or any
18 other Act” in the 7th proviso.

19 (f) The matter under the heading “Bureau of Alco-
20 hol, Tobacco, Firearms and Explosives—Salaries and Ex-
21 penses” in title I of the Science, State, Justice, Commerce
22 And Related Agencies Appropriations Act of 2006 (18
23 U.S.C. 923 note; Public Law 109–108; 119 Stat. 2295)
24 is amended by striking “or any other Act” in the 7th pro-
25 viso.

(g) The matter under the heading “Bureau of Alcohol, Tobacco, Firearms and Explosives—Salaries and Expenses” in title I of Division B of the Consolidated and Further Continuing Appropriations Act, 2005 (18 U.S.C. 923 note; Public Law 108–447; 118 Stat. 2859–2860) is amended by striking “or any other Act” in the 7th proviso.

(h) The matter under the heading “Bureau of Alcohol, Tobacco, Firearms and Explosives—Salaries and Expenses” in title I of Division B of the Consolidated and Further Continuing Appropriations Act, 2004 (18 U.S.C. 923 note; Public Law 108–199; 118 Stat. 53) is amended by striking “or any other Act” in the 7th proviso.

**SEC. 5. REPEAL OF REQUIREMENT TO DESTROY INSTANT
CRIMINAL BACKGROUND CHECK RECORDS
WITHIN 24 HOURS.**

Section 511 of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 922 note; Public Law 112–55; 125 Stat. 632) is amended—

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

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

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