

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; 1185 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.

○