

115TH CONGRESS 2D SESSION H.R. 5271

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

IN THE HOUSE OF REPRESENTATIVES

March 14, 2018

Ms. Lee 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 "Tiahrt Restrictions Re-
- 5 peal Act".
- 6 SEC. 2. FINDINGS.
- 7 The Congress finds as follows:
- 8 (1) The Tiahrt Amendments severely limit the
- 9 authority of the Bureau of Alcohol, Tobacco, Fire-
- arms, and Explosives (ATF) to disclose crime gun
- 11 trace data to the public.

- 1 (2) The Tiahrt Amendments prevent the collec-2 tion of valuable information, and the establishment 3 of effective policies to prevent illegal guns from 4 being used in crimes.
 - (3) The Tiahrt Amendments impede enforcement of the gun laws by requiring most background check records to be destroyed within 24 hours, and by barring the Government from requiring annual inventory audits by owners of gun shops.
 - (4) A 2012 study by researchers at Johns Hopkins Bloomberg School of Public Health found that the Tiahrt Amendments dramatically increased gun sales to criminals.
 - (5) A 2016 study from the University of Pittsburgh Graduate School of Public Health found that in 2008, 79 percent of all guns recovered by police from crime scenes belonged to someone other than the perpetrator—30 percent had been stolen.
 - (6) A gun is stolen in the United States every 2 minutes.
- 21 (7) Every year, nearly 115,000 Americans are shot.
- (8) In 2016, 38,658 Americans were killed with
 a gun.

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1	(9) In 2016, 289,223 firearms were recovered
2	and traced in the United States, of which 211,384
3	were traced to a final retail purchaser.
4	(10) Having effective policies to prevent illegal
5	gun trafficking makes our families and communities
6	safer.
7	(11) Repealing the Tiahrt Amendments would
8	support law enforcement efforts and give the public
9	vital information needed to craft the most effective
10	policies against illegal guns.
11	SEC. 3. REPEAL OF CERTAIN LIMITATIONS ON THE USE OF
12	DATABASE INFORMATION OF THE BUREAU
13	OF ALCOHOL, TOBACCO, FIREARMS, AND EX-
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13 14	OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES.
13 14 15 16	OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES. (a) The matter under the heading "Bureau of Alco-
13 14 15 16	OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES. (a) 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
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13 14 15 16 17 18 19	OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES. (a) 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, 2012 (18 U.S.C. 923 note; Public Law 112–55; 125 Stat. 609–610) is
13 14 15 16 17 18 19 20	OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES. (a) 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, 2012 (18 U.S.C. 923 note; Public Law 112–55; 125 Stat. 609–610) is amended by striking the 6th proviso.
13 14 15 16 17 18 19 20 21	OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES. (a) 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, 2012 (18 U.S.C. 923 note; Public Law 112–55; 125 Stat. 609–610) is amended by striking the 6th proviso. (b) The 6th proviso under the heading "Bureau of

25 111–117; 123 Stat. 3128–3129) is amended by striking

- 1 "beginning in fiscal year 2010 and thereafter" and insert-
- 2 ing "in fiscal year 2010".
- 3 (c) The 6th proviso under the heading "Bureau of
- 4 Alcohol, Tobacco, Firearms and Explosives—Salaries and
- 5 Expenses" in title II of division B of the Omnibus Appro-
- 6 priations Act, 2009 (18 U.S.C. 923 note; Public Law 111-
- 7 8; 123 Stat. 574–576) is amended by striking "beginning
- 8 in fiscal year 2009 and thereafter" and inserting "in fiscal
- 9 year 2009".
- 10 (d) The 6th proviso under the heading "Bureau of
- 11 Alcohol, Tobacco, Firearms and Explosives—Salaries and
- 12 Expenses" in title II of division B of the Consolidated Ap-
- 13 propriations Act, 2008 (18 U.S.C. 923 note; Public Law
- 14 110–161; 121 Stat. 1903–1904) is amended by striking
- 15 "beginning in fiscal year 2008 and thereafter" and insert-
- 16 ing "in fiscal year 2008".
- 17 (e) The 6th proviso under the heading "Bureau of
- 18 Alcohol, Tobacco, Firearms and Explosives—Salaries and
- 19 Expenses" in title I of the Science, State, Justice, Com-
- 20 merce, and Related Agencies Appropriations Act, 2006
- 21 (18 U.S.C. 923 note; Public Law 109-108; 119 Stat.
- 22 2295–2296) is amended by striking "with respect to any
- 23 fiscal year".
- 24 (f) The 6th proviso under the heading in title I of
- 25 division B of the Consolidated Appropriations Act, 2005

1	(18 U.S.C. 923 note; Public Law 108–447; 118 Stat.
2	2859–2860) is amended by striking "with respect to any
3	fiscal year''.
4	SEC. 4. REPEAL OF LIMITATION ON IMPOSITION OF RE-
5	QUIREMENT THAT FIREARMS DEALERS TO
6	CONDUCT PHYSICAL CHECK OF FIREARMS
7	INVENTORY.
8	The matter under the heading "Bureau of Alcohol,
9	Tobacco, Firearms and Explosives—Salaries and Ex-
10	penses" in title I of division B of the Consolidated and
11	Further Continuing Appropriations Act, 2012 (18 U.S.C.
12	923 note; Public Law 112–55; 125 Stat. 609–610) is
13	amended by striking the 7th proviso.
14	SEC. 5. REPEAL OF REQUIREMENT TO DESTROY INSTANT
15	CRIMINAL BACKGROUND CHECK RECORDS
16	WITHIN 24 HOURS.
17	Section 511 of the Consolidated and Further Con-
18	tinuing Appropriations Act, 2012 (18 U.S.C. 922 note;
19	Public Law 112–55; 125 Stat. 632) is amended—

- (1) by striking "for—" and all that follows 20
- through "(1)"; and 21
- (2) by striking the semicolon and all that fol-22 23 lows and inserting a period.

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