

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-
10 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.

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

10 (4) A 2012 study by researchers at Johns Hop-
11 kins Bloomberg School of Public Health found that
12 the Tiahrt Amendments dramatically increased gun
13 sales to criminals.

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

19 (6) A gun is stolen in the United States every
20 2 minutes.

21 (7) Every year, nearly 115,000 Americans are
22 shot.

23 (8) In 2016, 38,658 Americans were killed with
24 a gun.

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-**
14 **PLOSIVES.**

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

21 (b) The 6th proviso under the heading “Bureau of
22 Alcohol, Tobacco, Firearms and Explosives—Salaries and
23 Expenses” in title II of division B of the Consolidated Ap-
24 propriations Act, 2010 (18 U.S.C. 923 note; Public Law
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—

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

22 (2) by striking the semicolon and all that fol-
23 lows and inserting a period.

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