

118TH CONGRESS  
1ST SESSION

# H. R. 4966

To require the Attorney General to report certain revocation and remedial action data with respect to Federal firearm licenses and to require the Comptroller General of the United States to study the effectiveness of the Bureau of Alcohol, Tobacco, Firearms and Explosives in investigating and revoking the licenses.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2023

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

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## A BILL

To require the Attorney General to report certain revocation and remedial action data with respect to Federal firearm licenses and to require the Comptroller General of the United States to study the effectiveness of the Bureau of Alcohol, Tobacco, Firearms and Explosives in investigating and revoking the licenses.

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 “Protecting Americans  
5 from Reckless Gun Dealers Act of 2023”.

1 **SEC. 2. ANNUAL REPORT OF THE ATTORNEY GENERAL.**

2 (a) IN GENERAL.—Chapter 44 of title 18, United  
3 States Code is amended by inserting after section 925D  
4 the following:

5 **“§ 925E. Annual report to Congress on license inspec-**  
6 **tions.**

7 “(a) IN GENERAL.—Within 180 days after the date  
8 of the enactment of this section, and annually thereafter,  
9 the Attorney General shall submit to the appropriate con-  
10 gressional committees a written report on the actions un-  
11 dertaken by the Bureau of Alcohol, Tobacco, Firearms,  
12 and Explosives in the year covered by the report to issue  
13 and revoke licenses and inspect licensees under section  
14 923, that includes the following:

15 “(1) The number of inspections completed each  
16 month.

17 “(2) The number of inspections that identified  
18 at least 1 serious violation.

19 “(3) The number of licenses that were revoked,  
20 the number of licenses that were not renewed in lieu  
21 of revocation, and the number of licenses surren-  
22 dered after an inspection.

23 “(4) For each licensee whose license was re-  
24 voked on the basis of an inspection, the name and  
25 location of the licensee, the date of revocation, and  
26 any serious violation identified by the inspection.

1           “(5) For each licensee whose license was not re-  
2 renewed in lieu of revocation after an inspection, the  
3 name and location of the licensee, the date the li-  
4 cense expired, and any serious violation identified by  
5 the inspection.

6           “(6) For each licensee who surrendered such a  
7 license after an inspection, including a licensee who  
8 discontinued business operations, the name and loca-  
9 tion of the licensee, the date of surrender, and any  
10 serious violation identified by the inspection.

11           “(7) The number of inspections that identified  
12 at least 1 serious violation but with respect to which  
13 the Attorney General did not revoke the applicable  
14 license, broken down by—

15           “(A) the Attorney General’s decision not to  
16 pursue revocation, further broken down by the  
17 Attorney General’s reason for the decision;

18           “(B) the reversal of an initial decision of  
19 the Attorney General to revoke the license after  
20 a hearing held pursuant to section 923(f)(2);  
21 and

22           “(C) the order of a court to reverse a rev-  
23 ocation after a petition was filed for review of  
24 a final agency determination.

1           “(8) The reasons of the Attorney General not  
2           to pursue revocation, broken down geographically  
3           based on the location of the field office of the Bu-  
4           reau with responsibility for the area where the li-  
5           censee involved is located.

6           “(9) The number of reports of violations and  
7           warning letters issued and warning conferences held  
8           by the Bureau, broken down geographically based on  
9           the location of the field office of the Bureau in-  
10          volved.

11          “(b) PUBLICATION ON WEBSITE.—On each date a re-  
12         port required by subsection (a) is submitted, the Attorney  
13         General shall cause to be published on the website of the  
14         Bureau the information contained in the report.

15          “(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—  
16         In this section, the term ‘appropriate congressional com-  
17         mittees’ means—

18                 “(1) the Committee on the Judiciary of the  
19                 House of Representatives; and

20                 “(2) the Committee on the Judiciary of the  
21                 Senate.

22          “(d) SERIOUS VIOLATION.—In this section, the term  
23         ‘serious violation’ means one of the following:

24                 “(1) Refusing to allow an inspection pursuant  
25                 to section 923(g).

1           “(2) Transferring a firearm in violation of sec-  
2           tion 922(d).

3           “(3) Failing to wait 3 business days before  
4           transferring a firearm pursuant to section 922(t)(1).

5           “(4) Failing to comply with any other require-  
6           ment of section 922(t)(1) before transferring a fire-  
7           arm.

8           “(5) Falsifying a record required to be main-  
9           tained pursuant to section 923(g).

10          “(6) Failing to respond to a trace request pur-  
11          suant to section 923(g)(7).

12          “(7) Transferring a firearm to another person  
13          with the knowledge that the person is making a  
14          straw purchase of the firearm in violation of section  
15          932.

16          “(8) Failing to submit a report of multiple sales  
17          or other dispositions to an unlicensed person pursu-  
18          ant to section 923(g)(3).

19          “(9) Failing to report a theft or loss of a fire-  
20          arm pursuant to section 923(g)(6).

21          “(10) Failing to maintain an accurate record of  
22          the receipt, sale, or other disposition of a firearm  
23          pursuant to section 923(g)(2).”.

1 (b) CLERICAL AMENDMENT.—The table of contents  
 2 for such chapter is amended by inserting after the item  
 3 relating to section 925D the following:

“925E. Annual report to Congress on license inspections.”.

4 **SEC. 3. GAO STUDY AND REPORT ON THE EFFECTIVENESS**  
 5 **OF THE BUREAU OF ALCOHOL, TOBACCO,**  
 6 **FIREARMS, AND EXPLOSIVES TO INVES-**  
 7 **TIGATE FEDERAL FIREARM LICENSES.**

8 (a) STUDY.—The Comptroller General of the United  
 9 States shall conduct a study on the operations and proce-  
 10 dures used to issue and revoke licenses under section 923  
 11 of title 18, United States Code, and to investigate and in-  
 12 spect holders of such licenses, that focuses on—

13 (1) whether systemic failures in the issuance  
 14 and revocation of the licenses have resulted in inef-  
 15 fective enforcement of chapter 44 of such title;

16 (2) the extent to which the Attorney General  
 17 has exercised discretion not to pursue revocation of  
 18 a license based on the putative existence of extraor-  
 19 dinary circumstances, notwithstanding a finding by  
 20 the Attorney General that a licensee willfully com-  
 21 mitted a violation that renders the license eligible for  
 22 revocation;

23 (3) geographic variability in the enforcement of  
 24 such chapter;

1           (4) the outcomes related to the revocation of li-  
2           censes, including—

3                   (A) the number of licensees who received a  
4                   notice of license revocation but whose licenses  
5                   were not revoked; and

6                   (B) the average and median periods of  
7                   time from inspection to revocation of a license,  
8                   broken down by—

9                           (i) revocations without hearing or ap-  
10                           peal by the licensee;

11                           (ii) revocations after an administrative  
12                           determination without judicial review pur-  
13                           sued by the licensee; and

14                           (iii) revocations after such a judicial  
15                           review; and

16           (5) the policies and practices for providing over-  
17           sight of the activities of the licensees during the  
18           pendency of revocation proceedings, including while  
19           a licensee seeks judicial review.

20           (b) REPORT TO CONGRESS.—Within 1 year after the  
21           date of the enactment of this Act, the Comptroller General  
22           of the United States shall submit a written report to Con-  
23           gress on the results of the study required by subsection  
24           (a).

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