

114TH CONGRESS  
2D SESSION

# H. R. 4905

To restore the ability of law enforcement authorities to enforce gun safety laws, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2016

Mr. BEYER (for himself, Mr. ENGEL, Mr. VARGAS, Ms. NORTON, Mrs. WATSON COLEMAN, Mr. QUIGLEY, Mr. BLUMENAUER, Mr. MEEKS, Mr. GUTIÉRREZ, and Mr. CONNOLLY) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To restore the ability of law enforcement authorities to enforce gun safety laws, and for other purposes.

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 “ATF Enforcement  
5 Act”.

1 **SEC. 2. ELIMINATION OF SENATE CONFIRMATION RE-**  
2 **QUIREMENT FOR THE APPOINTMENT OF THE**  
3 **DIRECTOR OF THE BUREAU OF ALCOHOL, TO-**  
4 **BACCO, FIREARMS AND EXPLOSIVES.**

5 Section 599A(a)(2) of title 28, United States Code,  
6 is amended by striking “President, by and with the advice  
7 and consent of the Senate” and inserting “Attorney Gen-  
8 eral,”.

9 **SEC. 3. ELIMINATION OF LIMITATIONS RELATING TO FIRE-**  
10 **ARMS TRACE DATA.**

11 (a) TIAHRT AMENDMENTS.—

12 (1) The matter under the heading “Bureau of  
13 Alcohol, Tobacco, Firearms and Explosives—Sala-  
14 ries and Expenses” in title I of division B of the  
15 Consolidated and Further Continuing Appropria-  
16 tions Act, 2012 (18 U.S.C. 923 note; Public Law  
17 112–55; 125 Stat. 609–610) is amended by striking  
18 the 6th proviso.

19 (2) The 6th proviso under the heading “Bureau  
20 of Alcohol, Tobacco, Firearms and Explosives—Sala-  
21 ries and Expenses” in title II of division B of the  
22 Consolidated Appropriations Act, 2010 (18 U.S.C.  
23 923 note; Public Law 111–117; 123 Stat. 3128–  
24 3129) is amended by striking “beginning in fiscal  
25 year 2010 and thereafter” and inserting “in fiscal  
26 year 2010”.

1           (3) The 6th proviso under the heading “Bureau  
2 of Alcohol, Tobacco, Firearms and Explosives—Sala-  
3 ries and Expenses” in title II of division B of the  
4 Omnibus Appropriations Act, 2009 (18 U.S.C. 923  
5 note; Public Law 111–8; 123 Stat. 574–576) is  
6 amended by striking “beginning in fiscal year 2009  
7 and thereafter” and inserting “in fiscal year 2009”.

8           (4) The 6th proviso under the heading “Bureau  
9 of Alcohol, Tobacco, Firearms and Explosives—Sala-  
10 ries and Expenses” in title II of division B of the  
11 Consolidated Appropriations Act, 2008 (18 U.S.C.  
12 923 note; Public Law 110–161; 121 Stat. 1903–  
13 1904) is amended by striking “beginning in fiscal  
14 year 2008 and thereafter” and inserting “in fiscal  
15 year 2008”.

16           (5) The 6th proviso under the heading “Bureau  
17 of Alcohol, Tobacco, Firearms and Explosives—Sala-  
18 ries and Expenses” in title I of the Science, State,  
19 Justice, Commerce, and Related Agencies Appro-  
20 priations Act, 2006 (18 U.S.C. 923 note; Public  
21 Law 109–108; 119 Stat. 2295–2296) is amended by  
22 striking “with respect to any fiscal year”.

23           (6) The 6th proviso under the heading in title  
24 I of division B of the Consolidated Appropriations  
25 Act, 2005 (18 U.S.C. 923 note; Public Law 108–

1 447; 118 Stat. 2859–2860) is amended by striking  
2 “with respect to any fiscal year”.

3 (b) PROHIBITION ON USE OF FIREARMS TRACE  
4 DATA TO DRAW BROAD CONCLUSIONS ABOUT FIREARMS-  
5 RELATED CRIME.—

6 (1) Section 514 of division B of the Consoli-  
7 dated and Further Continuing Appropriations Act,  
8 2013 (18 U.S.C. 923 note; Public Law 113–6; 127  
9 Stat. 271–272) is repealed.

10 (2) Section 516 of the Consolidated and Fur-  
11 ther Continuing Appropriations Act, 2012 (Public  
12 Law 112–55; 125 Stat. 633) is repealed.

13 **SEC. 4. ELIMINATION OF PROHIBITION ON CONSOLIDA-**  
14 **TION OR CENTRALIZATION IN THE DEPART-**  
15 **MENT OF JUSTICE OF FIREARMS ACQUI-**  
16 **TION AND DISPOSITION RECORDS MAIN-**  
17 **TAINED BY FEDERAL FIREARMS LICENSEES.**

18 The matter under the heading “Bureau of Alcohol,  
19 Tobacco, Firearms and Explosives—Salaries and Ex-  
20 penses” in title I of division B of the Consolidated and  
21 Further Continuing Appropriations Act, 2012 (18 U.S.C.  
22 923 note; Public Law 112–55; 125 Stat. 609–610) is  
23 amended by striking the 1st proviso.

1 **SEC. 5. ELIMINATION OF PROHIBITION ON IMPOSITION OF**  
2 **REQUIREMENT THAT FIREARMS DEALERS**  
3 **CONDUCT PHYSICAL CHECK OF FIREARMS**  
4 **INVENTORY.**

5 The matter under the heading “Bureau of Alcohol,  
6 Tobacco, Firearms and Explosives—Salaries and Ex-  
7 penses” in title II of division B of the Consolidated and  
8 Further Continuing Appropriations Act, 2013 (18 U.S.C.  
9 923 note; Public Law 113–6; 127 Stat. 248) is amended  
10 by striking the 5th proviso.

11 **SEC. 6. ELIMINATION OF REQUIREMENT THAT INSTANT**  
12 **CHECK RECORDS BE DESTROYED WITHIN 24**  
13 **HOURS.**

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

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

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

1 **SEC. 7. ELIMINATION OF PROHIBITION ON PROCESSING OF**  
2 **FREEDOM OF INFORMATION ACT REQUESTS**  
3 **ABOUT ARSON OR EXPLOSIVES INCIDENTS**  
4 **OR FIREARM TRACES.**

5 Section 644 of division J of the Consolidated Appro-  
6 priations Resolution, 2003 (5 U.S.C. 552 note; Public  
7 Law 108–7; 117 Stat. 473–474) is repealed.

8 **SEC. 8. ELIMINATION OF PROHIBITIONS RELATING TO “CU-**  
9 **RIOS OR RELICS” AND IMPORTATION OF SUR-**  
10 **PLUS MILITARY FIREARMS.**

11 (a) Section 518 of division B of the Consolidated Ap-  
12 propriations Act, 2016 (Public Law 114–113) is repealed.

13 (b) 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 and  
16 Further Continuing Appropriations Act, 2013 (18 U.S.C.  
17 921 note; Public Law 113–6; 127 Stat. 248) is amended  
18 by striking the 1st proviso.

19 (c) Section 519 of division B of the Consolidated and  
20 Further Continuing Appropriations Act, 2013 (Public  
21 Law 113–6; 127 Stat. 274) is repealed.

22 **SEC. 9. ELIMINATION OF PROHIBITION ON DENIAL OF FED-**  
23 **ERAL FIREARMS LICENSE DUE TO LACK OF**  
24 **BUSINESS ACTIVITY.**

25 The matter under the heading “Bureau of Alcohol,  
26 Tobacco, Firearms and Explosives—Salaries and Ex-

1 penses” in title II of division B of the Consolidated and  
2 Further Continuing Appropriations Act, 2013 (18 U.S.C.  
3 923 note; Public Law 113–6; 127 Stat. 248) is amended  
4 by striking the 6th proviso.

5 **SEC. 10. ELIMINATION OF PROHIBITION ON THE TRANSFER**  
6 **OF THE FUNCTIONS, MISSIONS, OR ACTIVI-**  
7 **TIES OF THE BUREAU OF ALCOHOL, TO-**  
8 **BACCO, FIREARMS AND EXPLOSIVES TO**  
9 **OTHER AGENCIES OR DEPARTMENTS.**

10 The matter under the heading “Bureau of Alcohol,  
11 Tobacco, Firearms and Explosives—Salaries and Ex-  
12 penses” in title II of division B of the Consolidated Appro-  
13 priations Act, 2016 (Public Law 114–113) is amended by  
14 striking the 3rd proviso.

15 **SEC. 11. ELIMINATION OF PROHIBITION ON SEARCH COM-**  
16 **PUTERIZED RECORDS OF FEDERALLY LI-**  
17 **CENSED FIREARMS DEALERS WHO ARE OUT**  
18 **OF BUSINESS.**

19 The matter under the heading “Bureau of Alcohol,  
20 Tobacco, Firearms and Explosives—Salaries and Ex-  
21 penses” in title II 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. 610) is amended  
24 by striking the 7th proviso.

1 **SEC. 12. ELIMINATION OF PROHIBITION ON DENYING, OR**  
2 **FAILING TO ACT ON, APPLICATION TO IM-**  
3 **PORT CERTAIN SHOTGUN MODELS ON THE**  
4 **BASIS THAT THE SHOTGUN WAS NOT PAR-**  
5 **TICULARLY SUITABLE FOR OR READILY**  
6 **ADAPTABLE TO SPORTING PURPOSES.**

7 Section 532 of division B of the Consolidated Appro-  
8 priations Act, 2016 (Public Law 114–113) is repealed.

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