

AMENDMENT TO RULES COMMITTEE PRINT 116-5
OFFERED BY MR. RUSH OF ILLINOIS

Page 1, before line 1, insert the following:

1 TITLE I—BIPARTISAN BACK-
2 GROUND CHECKS ACT OF 2019

Page 1, line 1, strike “1” and insert “101”.

Page 1, line 4, strike “2” and insert “102”.

Page 1, line 2, strike “Act” and insert “title”.

Page 1, line 5, strike “Act” and insert “title”.

Page 1, line 9, strike “3” and insert “103”.

Page 5, line 14, strike “4” and insert “104”.

Page 6, line 1, strike “5” and insert “105”.

Page 6, line 2, strike “Act” and insert “title”.

Page 6, line 3, strike “Act” and insert “title”.

Page 6, line 10, strike “6” and insert “106”.

Page 6, line 11, strike “Act” and insert “title”.

Page 6, line 12, strike “Act” and insert “title”.

Page 6, after line 12, add the following:

1 **TITLE II—BLAIR HOLT FIREARM**
2 **OWNER LICENSING AND**
3 **RECORD OF SALE ACT OF 2019**

4 **SEC. 201. SHORT TITLE; TABLE OF CONTENTS.**

5 (a) SHORT TITLE.—This title may be cited as the
6 “Blair Holt Firearm Owner Licensing and Record of Sale
7 Act of 2019”.

8 (b) TABLE OF CONTENTS.—The table of contents for
9 this title is as follows:

TITLE II—BLAIR HOLT FIREARM OWNER LICENSING AND
RECORD OF SALE ACT OF 2019

- Sec. 201. Short title; table of contents.
- Sec. 202. Findings and purposes.
- Sec. 203. Definitions.

Subtitle A—Licensing

- Sec. 211. Licensing requirement.
- Sec. 212. Issuance, revocation, and renewal of firearm owner licenses.
- Sec. 213. Relief from denial or revocation of firearm owner licenses.

Subtitle B—Record of Sale or Transfer

- Sec. 221. Sale or transfer requirements for qualifying firearms.
- Sec. 222. Firearm records.

Subtitle C—Additional Prohibitions

- Sec. 231. Failure to maintain or permit inspection of records.
- Sec. 232. Failure to report loss or theft of firearm.
- Sec. 233. Failure to provide notice of change of address.
- Sec. 234. Child access prevention.

Subtitle D—Enforcement

- Sec. 241. Criminal penalties.

Subtitle E—Firearm Injury Prevention and Research

- Sec. 251. Duties of the Attorney General.

Subtitle F—Effect on State Law

- Sec. 261. Effect on State law.
- Sec. 262. Certification of State firearm licensing systems and State firearm record of sale systems.

Subtitle G—Relationship to Other Law

Sec. 271. Subordination to Arms Export Control Act.

Subtitle H—Inapplicability

Sec. 281. Inapplicability to governmental authorities.

Subtitle I—Effective Date

Sec. 291. Effective date of amendments.

1 **SEC. 202. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

3 (1) the manufacture, distribution, and importa-
4 tion of firearms is inherently commercial in nature;

5 (2) firearms regularly move in interstate com-
6 merce;

7 (3) to the extent that firearms trafficking is
8 intrastate in nature, it arises out of and is substan-
9 tially connected with a commercial transaction that,
10 when viewed in the aggregate, substantially affects
11 interstate commerce;

12 (4) because the intrastate and interstate traf-
13 ficking of firearms are so commingled, full regula-
14 tion of interstate commerce requires the incidental
15 regulation of intrastate commerce;

16 (5) firearm-related assaults in the United
17 States—

18 (A) during the 16-year period between
19 2001 and 2016, were associated with the major-
20 ity of homicides and half of all suicides; and

1 (B) during the 15-year period between
2 2001 and 2015, were the seventh leading cause
3 of nonfatal violent injuries;

4 (6) on the afternoon of May 10, 2007, Blair
5 Holt, a junior at Julian High School in Chicago, was
6 killed on a public bus riding home from school when
7 he used his body to shield a girl who was in the line
8 of fire after a young man boarded the bus and start-
9 ed shooting;

10 (7) since 2007, when 32 students and teachers
11 were killed at Virginia Tech, 7 of the 11 most deadly
12 mass shootings in the United States have taken
13 place;

14 (8) since 2012, when 20 first graders and
15 teachers were murdered with an assault rifle at
16 Sandy Hook Elementary School in Newtown, Con-
17 necticut, more than 230 school shootings have oc-
18 curred in the United States;

19 (9) in 2015, there were 294 mass shootings, in-
20 cluding, notably, the shooting at Umpqua Commu-
21 nity College in Oregon, the Charleston church shoot-
22 ing in South Carolina, the theatre shooting in La-
23 fayette, Louisiana, and the Isla Vista community
24 shootings in California;

1 (10) since 2016, the country has witnessed 4 of
2 the 10 worst gun massacres in modern United
3 States history; and

4 (11) in February 2018, 17 members of the
5 Marjory Stoneman Douglas High School community
6 in Parkland, Florida, lost their lives at the hands of
7 a 19-year-old armed with an AR-15 semiautomatic
8 assault rifle.

9 (b) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that—

11 (1) firearms trafficking is prevalent and wide-
12 spread in and among the States, and it is usually
13 impossible to distinguish between intrastate traf-
14 ficking and interstate trafficking; and

15 (2) it is in the national interest and within the
16 role of the Federal Government to ensure that the
17 regulation of firearms is uniform among the States,
18 that law enforcement can quickly and effectively
19 trace firearms used in crime, and that firearms own-
20 ers know how to use and safely store their firearms.

21 (c) PURPOSES.—The purposes of this title and the
22 amendments made by this title are—

23 (1) to protect the public against the unreason-
24 able risk of injury and negligent or reckless death

1 associated with the unrecorded sale or transfer of
2 qualifying firearms to criminals and youths;

3 (2) to ensure that owners of qualifying firearms
4 are knowledgeable in the safe use, handling, and
5 storage of those firearms;

6 (3) to restrict the availability of qualifying fire-
7 arms to criminals, youth, and other persons prohib-
8 ited by Federal law from receiving firearms;

9 (4) to facilitate the tracing of qualifying fire-
10 arms used in crime by Federal and State law en-
11 forcement agencies; and

12 (5) to hold criminally and civilly liable those
13 who facilitate the transfer of qualifying firearms,
14 causing risk of injury and negligent or reckless
15 death associated with the transfer of those quali-
16 fying firearms.

17 **SEC. 203. DEFINITIONS.**

18 (a) **IN GENERAL.**—In this title, the terms “firearm”,
19 “qualifying firearm”, and “State” have the meanings
20 given those terms in section 921(a) of title 18, United
21 States Code, as amended by subsection (b).

22 (b) **TITLE 18, UNITED STATES CODE.**—Section
23 921(a) of title 18, United States Code, is amended by add-
24 ing at the end the following:

1 “(36) The term ‘detachable ammunition feeding de-
2 vice’ —

3 “(A) means a magazine, belt, drum, feed strip,
4 or similar device that—

5 “(i) is capable of being detached from a
6 semiautomatic rifle; and

7 “(ii) has a capacity of, or that can be read-
8 ily restored or converted to accept, more than
9 10 rounds of ammunition; and

10 “(B) does not include an attached tubular de-
11 vice designed to accept, and capable of operating
12 only with, .22 caliber rimfire ammunition.

13 “(37) The term ‘firearm owner license’ means a li-
14 cense issued under section 923(m).

15 “(38) The term ‘qualifying firearm’—

16 “(A) means—

17 “(i) a handgun; or

18 “(ii) a semiautomatic rifle that is capable
19 of accepting a detachable ammunition feeding
20 device; and

21 “(B) does not include an antique firearm.”.

22 **Subtitle A—Licensing**

23 **SEC. 211. LICENSING REQUIREMENT.**

24 Section 922 of title 18, United States Code, is
25 amended by adding at the end the following:

1 “(aa) FIREARM LICENSING REQUIREMENT.—

2 “(1) IN GENERAL.—Subject to paragraph (2),
3 it shall be unlawful for any individual other than a
4 licensed importer, licensed manufacturer, licensed
5 dealer, or licensed collector to possess a qualifying
6 firearm on or after the applicable date, unless that
7 individual has a valid—

8 “(A) firearm owner license; or

9 “(B) State firearm license.

10 “(2) EXEMPTIONS.—

11 “(A) IN GENERAL.—Paragraph (1) shall
12 not apply to—

13 “(i) a Federal, State, local, or tribal
14 law enforcement officer while engaged in
15 the performance of official duties;

16 “(ii) a member of the Armed Forces
17 or National Guard while engaged in the
18 performance of official duties;

19 “(iii) a Federal employee who is re-
20 quired to carry a qualifying firearm in the
21 capacity of that individual as a Federal
22 employee while engaged in the performance
23 of official duties;

24 “(iv) a member of a bona fide vet-
25 erans organization that received the quali-

1 fying firearm directly from the Armed
2 Forces, including a member of the color
3 guard of the veterans organization, while
4 using the qualifying firearm for a ceremo-
5 nial purpose with blank ammunition;

6 “(v) an unemancipated minor who is
7 under the direct supervision of an indi-
8 vidual who—

9 “(I) has a valid firearm owner li-
10 cense or State firearm license; and

11 “(II) is, with respect to the
12 minor—

13 “(aa) a parent;

14 “(bb) a legal guardian; or

15 “(cc) any other individual
16 standing in loco parentis;

17 “(vi) an individual with a valid hunt-
18 ing license issued by a State while the indi-
19 vidual is—

20 “(I) hunting in the State that
21 issued the license; and

22 “(II) accompanied by an indi-
23 vidual who has a valid firearm owner
24 license or State firearm license; or

25 “(vii) an individual who is—

1 “(I)(aa) on a firing or shooting
2 range; or

3 “(bb) participating in a firearms
4 safety or training course recognized
5 by—

6 “(AA) a Federal, State,
7 local, or tribal law enforcement
8 agency; or

9 “(BB) a national or state-
10 wide shooting sports organiza-
11 tion;

12 “(II) otherwise eligible to obtain
13 a firearm owner license; and

14 “(III) under the direct super-
15 vision of an individual who—

16 “(aa) has a valid firearm
17 owner license or State firearm li-
18 cense; and

19 “(bb) is not less than 21
20 years of age.

21 “(B) INDIVIDUALS WITH STATE FIREARM
22 LICENSES.—Not later than 60 days after the
23 date on which an individual who has a State
24 firearm license moves from the State in which
25 the State firearm license of the individual was

1 issued to a different State, the individual
2 shall—

3 “(i) if the State to which the indi-
4 vidual has moved has a State firearm
5 owner licensing system certified by the At-
6 torney General under section 933, apply
7 for—

8 “(I) a State firearm license
9 under that State system; or

10 “(II) a firearm owner license; or

11 “(ii) if the State to which the indi-
12 vidual has moved does not have a State
13 firearm licensing system certified by the
14 Attorney General under section 933, apply
15 for a firearm owner license.

16 “(3) DEFINITIONS.—In this subsection—

17 “(A) the term ‘applicable date’ means,
18 with respect to a qualifying firearm that is ac-
19 quired by the individual—

20 “(i) before the date of enactment of
21 the Blair Holt Firearm Owner Licensing
22 and Record of Sale Act of 2019, 2 years
23 after that date of enactment; and

24 “(ii) on or after the date of enactment
25 of the Blair Holt Firearm Owner Licensing

1 and Record of Sale Act of 2019, 1 year
2 after that date of enactment; and

3 “(B) the term ‘State firearm license’
4 means a firearm license issued under a firearm
5 licensing system established by a State that has
6 been certified by the Attorney General under
7 section 933.

8 “(bb) DENIAL OR REVOCATION OF FIREARM OWNER
9 LICENSES.—It shall be unlawful for any individual who
10 is denied a firearm owner license under paragraph (3)(D)
11 of section 923(m) or receives a revocation notice under
12 paragraph (5)(B)(i) of that section to knowingly—

13 “(1) fail to surrender the firearm owner license
14 of the individual in accordance with paragraph
15 (6)(A)(i) of that section;

16 “(2) fail to submit a firearm disposition record
17 in accordance with paragraph (6)(A)(ii) of that sec-
18 tion;

19 “(3) make a false statement in a firearm dis-
20 position record submitted under paragraph (6)(A)(ii)
21 of that section; or

22 “(4) fail to transfer any qualifying firearm of
23 the individual in accordance with paragraph
24 (6)(A)(iii) of that section.”.

1 **SEC. 212. ISSUANCE, REVOCATION, AND RENEWAL OF FIRE-**
2 **ARM OWNER LICENSES.**

3 Section 923 of title 18, United States Code, is
4 amended—

5 (1) in subsection (d)(1)(F)(iii), by inserting
6 “under subsection (a) or (b)” after “Federal fire-
7 arms license”;

8 (2) in subsection (l), by inserting “under sub-
9 section (a) or (b)” after “a firearms license is
10 issued”; and

11 (3) by adding at the end the following:

12 “(m) FIREARM OWNER LICENSES.—

13 “(1) DEFINITIONS.—In this subsection—

14 “(A) the term ‘clinical psychologist’ means
15 a psychologist licensed or registered to practice
16 psychology in the State in which the psycholo-
17 gist practices who—

18 “(i) has—

19 “(I) a doctoral degree from a re-
20 gionally accredited university, college,
21 or professional school; and

22 “(II) not less than 2 years of su-
23 pervised experience in health services,
24 of which—

25 “(aa) not less than 1 year is
26 of postdoctoral experience; and

1 “(bb) not less than 1 year is
2 of experience in an organized
3 health service program; or

4 “(ii) has—

5 “(I) a graduate degree in psy-
6 chology from a regionally accredited
7 university or college; and

8 “(II) not less than 6 years of ex-
9 perience as a psychologist, of which
10 not less than 2 years are of supervised
11 experience in health services;

12 “(B) the term ‘covered offense’ means bat-
13 tery, assault, aggravated assault, or violation of
14 an order of protection, in which a firearm was
15 used or possessed;

16 “(C) the term ‘identification document’ has
17 the meaning given the term in section 1028(d);

18 “(D) the term ‘licensed individual’ means
19 an individual issued a firearm owner license
20 under paragraph (3);

21 “(E) the term ‘physician’ means a doctor
22 of medicine legally authorized to practice medi-
23 cine by the State in which the physician per-
24 forms that function or action;

1 “(F) the term ‘qualified examiner’ means a
2 medical professional authorized to conduct a
3 qualifying mental health evaluation by the State
4 in which the evaluation occurs; and

5 “(G) the term ‘qualifying mental health
6 evaluation’ means a mental evaluation by a
7 physician, clinical psychologist, or qualified ex-
8 aminer resulting in a certification by the physi-
9 cian, clinical psychologist, or qualified examiner
10 that an individual is not a clear and present
11 danger to the individual or others.

12 “(2) APPLICATIONS.—

13 “(A) IN GENERAL.—An individual applying
14 for a firearm owner license under this sub-
15 section shall submit to the Attorney General, in
16 accordance with the regulations promulgated
17 under subparagraph (B), an application that in-
18 cludes—

19 “(i) a current, passport-sized photo-
20 graph of the applicant that provides a
21 clear, accurate likeness of the applicant;

22 “(ii) the name, address, and date and
23 place of birth of the applicant;

1 “(iii) any other name that the appli-
2 cant has ever used or by which the appli-
3 cant has ever been known;

4 “(iv) with respect to each category of
5 person prohibited by Federal law, or by the
6 law of the State of residence of the appli-
7 cant, from obtaining a firearm, a state-
8 ment that the applicant is not a person
9 prohibited from receiving a firearm;

10 “(v)(I) a certification by the applicant
11 that the applicant is not younger than 21
12 years old; or

13 “(II) in the case of an applicant who
14 is younger than 21 years old—

15 “(aa) written proof of the con-
16 sent of the parent or legal guardian of
17 the applicant for the applicant to pos-
18 sess and acquire a qualifying firearm,
19 provided that the parent or legal
20 guardian—

21 “(AA) is not an individual
22 prohibited by subsection (g) or
23 (n) of section 922 from receiving
24 a firearm; and

1 “(BB) submits an affidavit
2 with the application affirming
3 that the parent or legal guardian
4 is not an individual prohibited by
5 subsection (g) or (n) of section
6 922 from receiving a firearm;
7 and

8 “(bb) a certification by the appli-
9 cant that the applicant has not been
10 convicted of a misdemeanor, other
11 than a traffic offense, or adjudged de-
12 linquent;

13 “(vi) a certification by the applicant
14 that the applicant—

15 “(I) was not a patient in a men-
16 tal health facility during the 5-year
17 period preceding the date on which
18 the application is submitted;

19 “(II) is not an individual with an
20 intellectual or developmental dis-
21 ability;

22 “(III) is not subject to an order
23 of protection prohibiting the applicant
24 from possessing a firearm;

1 “(IV) has not been convicted of a
2 covered offense during the 5-year pe-
3 riod preceding the date on which the
4 application is submitted; and

5 “(V) has not been adjudged de-
6 linquent for an act of juvenile delin-
7 quency that if committed by an adult
8 would be a felony;

9 “(vii) if the individual was a patient
10 in a mental health facility during a period
11 ending more than 5 years before the date
12 on which the application is submitted, a
13 qualifying mental health evaluation;

14 “(viii) an authorization by the appli-
15 cant to release to the Attorney General, or
16 an authorized representative of the Attor-
17 ney General, any mental health records
18 pertaining to the applicant;

19 “(ix) the date on which the applica-
20 tion was submitted; and

21 “(x) the signature of the applicant.

22 “(B) REGULATIONS GOVERNING SUBMIS-
23 SION.—

24 “(i) IN GENERAL.—The Attorney
25 General shall promulgate regulations speci-

1 fying procedures for the submission of an
2 application under subparagraph (A) to the
3 Attorney General that shall—

4 “(I) provide for submission of the
5 application through a licensed dealer
6 or an office or agency of the Federal
7 Government designated by the Attor-
8 ney General;

9 “(II) require the applicant to
10 provide a valid identification docu-
11 ment of the applicant, containing a
12 photograph of the applicant, to the li-
13 censed dealer or to the office or agen-
14 cy of the Federal Government, as ap-
15 plicable, at the time of submission of
16 the application to that licensed dealer,
17 office, or agency; and

18 “(III) require that a completed
19 application be forwarded to the Attor-
20 ney General not later than 48 hours
21 after the application is submitted to
22 the licensed dealer or office or agency
23 of the Federal Government.

1 “(ii) DEFINITION.—In this paragraph,
2 the term ‘agency’ has the meaning given
3 the term in section 551 of title 5.

4 “(C) FEES.—

5 “(i) IN GENERAL.—The Attorney
6 General shall charge and collect from each
7 applicant for a license under this sub-
8 section a fee in an amount determined in
9 accordance with clause (ii).

10 “(ii) FEE AMOUNT.—The amount of
11 the fee collected under this subparagraph
12 shall be not less than the amount deter-
13 mined by the Attorney General to be nec-
14 essary to ensure that the total amount of
15 all fees collected under this subparagraph
16 during a fiscal year is sufficient to cover
17 the costs of carrying out this subsection
18 during that fiscal year, except that such
19 amount shall not exceed \$10.

20 “(3) ISSUANCE OF LICENSES.—

21 “(A) IN GENERAL.—Not later than 30
22 days after the date on which an application is
23 submitted under paragraph (2), the Attorney
24 General shall issue a firearm owner license to
25 an applicant who has submitted an application

1 that meets the requirements under paragraph
2 (2), if the Attorney General determines that the
3 applicant—

4 “(i) is not prohibited by subsection (g)
5 or (n) of section 922 from receiving a
6 qualifying firearm;

7 “(ii)(I) is not younger than 21 years
8 old; or

9 “(II) is younger than 21 years old
10 and—

11 “(aa) has submitted written
12 proof of the consent of the parent or
13 legal guardian of the applicant re-
14 quired under paragraph
15 (2)(A)(v)(II)(aa); and

16 “(bb) has not been convicted of a
17 misdemeanor, other than a traffic of-
18 fense, or adjudged delinquent;

19 “(iii) was not a patient in a mental
20 health facility during the 5-year period
21 preceding the date on which the applica-
22 tion is submitted;

23 “(iv) is not an individual with an in-
24 tellectual or developmental disability;

1 “(v) is not subject to an order of pro-
2 tection prohibiting the applicant from pos-
3 sessing a firearm;

4 “(vi) has not been convicted of a cov-
5 ered offense during the 5-year period pre-
6 ceding the date on which the application is
7 submitted;

8 “(vii) has not been adjudged delin-
9 quent for an act of juvenile delinquency
10 that if committed by an adult would be a
11 felony;

12 “(viii) if the individual was a patient
13 in a mental health facility during a period
14 ending more than 5 years before the date
15 on which the application is submitted, has
16 received a qualifying mental health evalua-
17 tion;

18 “(ix) does not have a mental condition
19 that makes the applicant a clear and
20 present danger to the individual or others;
21 and

22 “(x) has not intentionally made a
23 false statement in the application under
24 paragraph (2).

1 “(B) EFFECT OF ISSUANCE TO PROHIB-
2 ITED INDIVIDUALS.—A firearm owner license
3 issued under this paragraph shall be null and
4 void if issued to an individual who is prohibited
5 by subsection (g) or (n) of section 922 from re-
6 ceiving a firearm.

7 “(C) FORM OF LICENSES.—A firearm
8 owner license issued under this paragraph shall
9 be in the form of a tamper-resistant card, and
10 shall include—

11 “(i) the photograph of the licensed in-
12 dividual submitted with the application
13 under paragraph (2);

14 “(ii) the address of the licensed indi-
15 vidual;

16 “(iii) the date of birth of the licensed
17 individual;

18 “(iv) the sex of the licensed individual;

19 “(v) the height and weight of the li-
20 censed individual;

21 “(vi) a license number, unique to each
22 licensed individual;

23 “(vii) the expiration date of the li-
24 cense, which shall be—

1 “(I) the date that is 5 years after
2 the initial anniversary of the date of
3 birth of the licensed individual fol-
4 lowing the date on which the license is
5 issued; or

6 “(II) in the case of a license re-
7 newed under paragraph (4), the date
8 that is 5 years after the anniversary
9 of the date of birth of the licensed in-
10 dividual following the date on which
11 the license is renewed;

12 “(viii) the signature of the licensed in-
13 dividual provided on the application under
14 paragraph (2), or a facsimile of the signa-
15 ture; and

16 “(ix) centered at the top of the li-
17 cense, capitalized, and in boldface type, the
18 following:

19 ‘FIREARM OWNER LICENSE—NOT VALID
20 FOR ANY OTHER PURPOSE’.

21 “(D) DENIAL.—

22 “(i) IN GENERAL.—If the Attorney
23 General determines that an applicant does
24 not meet the requirements under subpara-
25 graph (A), the Attorney General shall pro-

1 vide written notice to the applicant that
2 states—

3 “(I) the specific grounds on
4 which the denial is based; and

5 “(II) the requirements for
6 issuance of a firearm owner license
7 under subparagraph (A).

8 “(ii) NOTICE TO LOCAL LAW EN-
9 FORCEMENT.—The Attorney General shall
10 transmit a copy of the notice described in
11 clause (i) to the sheriff and law enforce-
12 ment agency having jurisdiction where the
13 individual to whom the denial pertains re-
14 sides.

15 “(E) CHANGE OF ADDRESS.—A licensed
16 individual shall immediately notify the Attorney
17 General if the licensed individual moves from
18 the residence address listed on the firearm
19 owner license of that licensed individual.

20 “(4) RENEWAL OF LICENSES.—

21 “(A) APPLICATIONS FOR RENEWAL OF LI-
22 CENSES.—

23 “(i) IN GENERAL.—A licensed indi-
24 vidual seeking to renew a firearm owner li-
25 cense shall, not later than 60 days before

1 the expiration date of the firearm owner li-
2 cense, submit to the Attorney General, in
3 accordance with the regulations promul-
4 gated under subparagraph (B), an applica-
5 tion for renewal of the license.

6 “(ii) CONTENTS.—An application sub-
7 mitted under clause (i) shall include—

8 “(I) a current, passport-sized
9 photograph of the licensed individual
10 that provides a clear, accurate like-
11 ness of the licensed individual;

12 “(II) current proof of identity of
13 the licensed individual; and

14 “(III) the address of the licensed
15 individual.

16 “(iii) REGULATIONS GOVERNING SUB-
17 MISSION.—The Attorney General shall pro-
18 mulgate regulations specifying procedures
19 for the submission of applications under
20 this subparagraph.

21 “(B) ISSUANCE OF RENEWED LICENSES.—
22 Upon approval of an application submitted
23 under subparagraph (A), the Attorney General
24 shall issue a renewed license, which shall meet
25 the requirements of paragraph (3)(C), except

1 that the license shall include the current photo-
2 graph and address of the licensed individual, as
3 provided in the application submitted under
4 subparagraph (A) of this paragraph, and the
5 expiration date of the renewed license, in ac-
6 cordance with paragraph (3)(C)(vii)(II).

7 “(5) REVOCATION OF LICENSES.—

8 “(A) IN GENERAL.—If a licensed indi-
9 vidual becomes an individual who the Attorney
10 General determines does not meet the require-
11 ments under paragraph (3)(A) of this sub-
12 section—

13 “(i) the firearm owner license is re-
14 voked; and

15 “(ii) the individual shall surrender the
16 firearm owner license to the Attorney Gen-
17 eral in accordance with paragraph (6)(A)
18 of this subsection.

19 “(B) NOTICE.—

20 “(i) IN GENERAL.—Upon receipt by
21 the Attorney General of notice that a li-
22 censed individual has become an individual
23 described in subparagraph (A), the Attor-
24 ney General shall provide written notice to
25 the individual that—

1 “(I) the firearm owner license is
2 revoked; and

3 “(II) states the specific grounds
4 on which the revocation is based.

5 “(ii) NOTICE TO LOCAL LAW EN-
6 FORCEMENT.—The Attorney General shall
7 transmit a copy of the notice described in
8 clause (i) to the sheriff and law enforce-
9 ment agency having jurisdiction where the
10 individual to which the denial pertains re-
11 sides.

12 “(6) SURRENDER OF LICENSES AND QUALI-
13 FYING FIREARMS.—

14 “(A) IN GENERAL.—Subject to subpara-
15 graph (F), an individual who is denied a fire-
16 arm owner license under paragraph (3)(D) or
17 receives a revocation notice under paragraph
18 (5)(B)(i) shall, not later than 48 hours after re-
19 ceiving notice of the denial or revocation—

20 “(i) in the case of an individual who
21 receives a revocation notice, surrender the
22 firearm owner license of the individual—

23 “(I) by bringing the firearm
24 owner license to an office of—

1 “(aa) the Federal Bureau of
2 Investigation;

3 “(bb) the Bureau of Alcohol,
4 Tobacco, Firearms, and Explo-
5 sives; or

6 “(cc) a United States Attor-
7 ney; or

8 “(II) by mailing the firearm
9 owner license to the Attorney General;

10 “(ii) if the individual owns or has cus-
11 tody and control of a qualifying firearm,
12 complete a firearm disposition record de-
13 scribed in subparagraph (B) and—

14 “(I) in the case of an individual
15 who receives a denial notice, submit
16 that firearm disposition record to an
17 entity described in clause (i); and

18 “(II) in the case of an individual
19 who receives a revocation notice, sub-
20 mit that firearm disposition record at
21 the same time that the individual sur-
22 renders the firearm owner license
23 under clause (i); and

1 “(iii) transfer any qualifying firearm
2 that is owned by or under the custody and
3 control of the individual to—

4 “(I) any location other than—

5 “(aa) a location to which the
6 individual has immediate access;

7 “(bb) a residence of the in-
8 dividual;

9 “(cc) a vehicle of the indi-
10 vidual; or

11 “(dd) a storage space of the
12 individual; or

13 “(II) if applicable, any person
14 other than a member of the household
15 of the individual.

16 “(B) FIREARM DISPOSITION RECORDS.—

17 The Attorney General shall prescribe a form for
18 a firearm disposition record to be completed
19 under subparagraph (A)(ii) that shall require
20 an individual completing the firearm disposition
21 record to disclose—

22 “(i) the make, model, and serial num-
23 ber of each qualifying firearm that is
24 owned by or under the custody and control
25 of the individual on the date on which the

1 firearm disposition record is completed by
2 the individual;

3 “(ii) the location where each quali-
4 fying firearm described in clause (i) will be
5 located after the individual submits the
6 firearm disposition record; and

7 “(iii) if any qualifying firearm de-
8 scribed in clause (i) will be transferred to
9 the ownership or custody and control of
10 another person, the name, address, and, if
11 applicable, firearm owner license number
12 of the transferee.

13 “(C) RESPONSIBILITIES OF RECEIVING EN-
14 TITIES.—At the time at which an entity de-
15 scribed in subparagraph (A)(i) receives a fire-
16 arm owner license and firearm disposition
17 record under subparagraph (A), the entity
18 shall—

19 “(i) provide to the individual surren-
20 dering the firearm owner license and sub-
21 mitting the firearm disposition record—

22 “(I) a receipt showing that the
23 individual surrendered the firearm
24 owner license to the entity; and

1 “(II) a copy of the firearm dis-
2 position record submitted by the indi-
3 vidual; and

4 “(ii) if the entity is an entity de-
5 scribed in item (aa), (bb), or (cc) of sub-
6 paragraph (A)(i)(I)—

7 “(I) transmit to the Attorney
8 General—

9 “(aa) the firearm owner li-
10 cense; and

11 “(bb) the firearm disposition
12 record; and

13 “(II) maintain a copy of the doc-
14 uments described in subclause (I) of
15 this clause.

16 “(D) RIGHT TO RECLAIM FIREARM.—An
17 individual who transfers a qualifying firearm
18 under subparagraph (A)(iii) may reclaim the
19 qualifying firearm after a successful application
20 for relief or appeal under section 925(g).”.

21 **SEC. 213. RELIEF FROM DENIAL OR REVOCATION OF FIRE-**
22 **ARM OWNER LICENSES.**

23 Section 925 of title 18, United States Code, is
24 amended by adding at the end the following:

1 “(g) RELIEF FROM DENIAL OR REVOCATION OF
2 FIREARM OWNER LICENSES.—

3 “(1) APPLICATION TO THE ATTORNEY GEN-
4 ERAL.—

5 “(A) IN GENERAL.—If the Attorney Gen-
6 eral denies a firearm owner license to an indi-
7 vidual under subsection (m)(3)(D) of section
8 923 or revokes the firearm owner license of an
9 individual under subsection (m)(5) of that sec-
10 tion, the individual may, not later than 60 days
11 after the date on which the denial or revocation
12 occurs, make an application to the Attorney
13 General for relief from that denial or revoca-
14 tion.

15 “(B) RELIEF.—The Attorney General may
16 grant relief to an applicant under subparagraph
17 (A), if the applicant establishes to the satisfac-
18 tion of the Attorney General that the cir-
19 cumstances relating to the denial or revocation,
20 and the criminal record and personal reputation
21 of the applicant, are such that—

22 “(i) the applicant will not be likely to
23 act in a manner dangerous to public safe-
24 ty; and

1 “(ii) relief under this subparagraph
2 would not be contrary to the public inter-
3 est.

4 “(C) NOTICE IN THE FEDERAL REG-
5 ISTER.—If the Attorney General grants relief
6 under subparagraph (B), the Attorney General
7 shall promptly publish in the Federal Register
8 a notice—

9 “(i) that the relief was granted; and

10 “(ii) that describes the reasons for
11 granting the relief.

12 “(2) APPEAL.—

13 “(A) IN GENERAL.—An applicant who is
14 denied relief under paragraph (1)(B) may file a
15 petition for judicial review of the denial with
16 the district court of the United States for the
17 district in which the applicant resides.

18 “(B) HEARING.—A court that receives a
19 petition under subparagraph (A) shall hold a
20 hearing to determine whether to grant the peti-
21 tioner relief described in paragraph (1)(A) not
22 later than 72 hours after the petitioner files the
23 petition.

24 “(C) NOTICE AND OPPORTUNITY TO BE
25 HEARD.—

1 “(i) IN GENERAL.—The court shall
2 provide the petitioner with notice and the
3 opportunity to be heard at a hearing under
4 this paragraph, sufficient to protect the
5 due process rights of the petitioner.

6 “(ii) RIGHT TO COUNSEL.—

7 “(I) IN GENERAL.—At a hearing
8 under this paragraph, the petitioner
9 may be represented by counsel who
10 is—

11 “(aa) chosen by the peti-
12 tioner; and

13 “(bb) authorized to practice
14 at such a hearing.

15 “(II) COURT-PROVIDED COUN-
16 SEL.—If the petitioner is financially
17 unable to obtain representation by
18 counsel, the court, at the request of
19 the petitioner, shall ensure to the ex-
20 tent practicable that the petitioner is
21 represented by an attorney for the
22 Legal Services Corporation with re-
23 spect to the petition.

1 “(D) BURDEN OF PROOF; STANDARD.—At
2 a hearing under this paragraph, the Attorney
3 General—

4 “(i) shall have the burden of proving
5 all material facts; and

6 “(ii) shall be required to demonstrate,
7 by clear and convincing evidence, that the
8 petitioner is prohibited under section
9 923(m)(3)(A) from receiving a firearm
10 owner license.”.

11 **Subtitle B—Record of Sale or** 12 **Transfer**

13 **SEC. 221. SALE OR TRANSFER REQUIREMENTS FOR QUALI-** 14 **FYING FIREARMS.**

15 Section 922 of title 18, United States Code, as
16 amended by section 211 of this Act, is amended by adding
17 at the end the following:

18 “(cc) UNAUTHORIZED SALE OR TRANSFER OF A
19 QUALIFYING FIREARM.—It shall be unlawful for any per-
20 son to sell, deliver, or otherwise transfer a qualifying fire-
21 arm to, or for, any person who is not a licensed importer,
22 licensed manufacturer, licensed dealer, or licensed col-
23 lector, or to receive a qualifying firearm from a person
24 who is not a licensed importer, licensed manufacturer, li-

1 censed dealer, or licensed collector, unless, at the time and
2 place of the transfer or receipt—

3 “(1) the transferee presents to a licensed dealer
4 a valid firearm owner license issued to the trans-
5 feree—

6 “(A) under subsection (m) of section 923;

7 or

8 “(B) pursuant to a State firearm licensing
9 system certified under section 933 established
10 by the State in which the transfer or receipt oc-
11 curs;

12 “(2) the licensed dealer contacts the Attorney
13 General or the head of the State agency that admin-
14 isters the certified system described in paragraph
15 (1)(B), as applicable, and receives notice that the
16 transferee has been issued a firearm owner license
17 described in paragraph (1) and that the firearm
18 owner license remains valid; and

19 “(3) the licensed dealer records on a document
20 (which, in the case of a sale, shall be the sales re-
21 ceipt) a tracking authorization number provided by
22 the Attorney General or the head of the State agen-
23 cy, as applicable, as evidence that the licensed dealer
24 has verified the validity of the firearm owner li-
25 cense.”.

1 **SEC. 222. FIREARM RECORDS.**

2 (a) IN GENERAL.—Chapter 44 of title 18, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 **“§ 932. Firearm records**

6 “(a) SUBMISSION OF SALE OR TRANSFER RE-
7 PORTS.—Not later than 14 days after the date on which
8 the transfer of a qualifying firearm is processed by a li-
9 censed dealer under section 922(cc), the licensed dealer
10 shall submit to the Attorney General (or, in the case of
11 a licensed dealer located in a State that has a State fire-
12 arm licensing and record of sale system certified under
13 section 933, to the head of the State agency that admin-
14 isters that system) a report of that transfer, which shall
15 include information relating to—

16 “(1) the manufacturer of the qualifying fire-
17 arm;

18 “(2) the model name or number of the quali-
19 fying firearm;

20 “(3) the serial number of the qualifying fire-
21 arm;

22 “(4) the date on which the qualifying firearm
23 was received by the transferee;

24 “(5) the number of the valid firearm owner li-
25 cense issued to the transferee—

26 “(A) under section 923(m); or

1 “(B) in accordance with a State firearm li-
2 censing system certified under section 933 es-
3 tablished by the State in which the transfer or
4 receipt occurs; and

5 “(6) the name and address of the individual
6 who transferred the firearm to the transferee.

7 “(b) FEDERAL RECORD OF SALE SYSTEM.—Not
8 later than 270 days after the date of enactment of the
9 Blair Holt Firearm Owner Licensing and Record of Sale
10 Act of 2019, the Attorney General shall establish and
11 maintain a Federal record of sale system, which shall in-
12 clude the information included in each report submitted
13 to the Attorney General under subsection (a).”.

14 (b) ELIMINATION OF PROHIBITION ON ESTABLISH-
15 MENT OF SYSTEM OF REGISTRATION.—Section 926(a) of
16 title 18, United States Code, is amended by striking the
17 second sentence.

18 (c) CLERICAL AMENDMENT.—The table of sections
19 for chapter 44 of title 18, United States Code, is amended
20 by adding at the end the following:

“932. Firearm records.”.

1 **Subtitle C—Additional Prohibitions**

2 **SEC. 231. FAILURE TO MAINTAIN OR PERMIT INSPECTION**

3 **OF RECORDS.**

4 Section 922 of title 18, United States Code, as
5 amended by sections 211 and 221 of this Act, is amended
6 by adding at the end the following:

7 “(dd) **FAILURE TO MAINTAIN OR PERMIT INSPEC-**
8 **TION OF RECORDS.**—It shall be unlawful for a licensed
9 manufacturer or a licensed dealer to fail to comply with
10 section 932, or to fail to maintain such records or supply
11 such information as the Attorney General may require in
12 order to ascertain compliance with that section and the
13 regulations and orders issued under that section.”.

14 **SEC. 232. FAILURE TO REPORT LOSS OR THEFT OF FIRE-**

15 **ARM.**

16 Section 922 of title 18, United States Code, as
17 amended by sections 211, 221, and 231 of this Act, is
18 amended by adding at the end the following:

19 “(ee) **FAILURE TO REPORT LOSS OR THEFT OF**
20 **FIREARMS.**—It shall be unlawful for any person who owns
21 a qualifying firearm to fail to report the loss or theft of
22 the firearm to the Attorney General within 72 hours after
23 the loss or theft is discovered by the person who owns the
24 qualifying firearm.”.

1 **SEC. 233. FAILURE TO PROVIDE NOTICE OF CHANGE OF AD-**
2 **DRESS.**

3 Section 922 of title 18, United States Code, as
4 amended by sections 211, 221, 231, and 232 of this Act,
5 is amended by adding at the end the following:

6 “(ff) FAILURE TO PROVIDE NOTICE OF CHANGE OF
7 ADDRESS.—It shall be unlawful for any individual to
8 whom a firearm owner license has been issued under sec-
9 tion 923(m) to fail to report to the Attorney General a
10 change in the address of that individual within 60 days
11 of that change of address.”.

12 **SEC. 234. CHILD ACCESS PREVENTION.**

13 Section 922 of title 18, United States Code, as
14 amended by sections 211, 221, 231, 232, and 233 of this
15 Act, is amended by adding at the end the following:

16 “(gg) CHILD ACCESS PREVENTION.—

17 “(1) DEFINITION OF CHILD.—In this sub-
18 section, the term ‘child’ means an individual who has
19 not attained 18 years of age.

20 “(2) PROHIBITION AND PENALTIES.—Except as
21 provided in paragraph (3), it shall be unlawful for
22 any person to keep a loaded firearm, or an unloaded
23 firearm and ammunition for the firearm, any one of
24 which has been shipped or transported in interstate
25 or foreign commerce, within any premises that is
26 under the custody or control of that person, if—

1 “(A) that person—

2 “(i) knows, or recklessly disregards
3 the risk, that a child is capable of gaining
4 access to the firearm; and

5 “(ii) either—

6 “(I) knows, or recklessly dis-
7 regards the risk, that a child will use
8 the firearm to cause the death of, or
9 serious bodily injury (as defined in
10 section 1365) to, the child or any
11 other individual; or

12 “(II) knows, or reasonably should
13 know, that possession of the firearm
14 by a child is unlawful under Federal
15 or State law; and

16 “(B) a child uses the firearm and the use
17 of that firearm causes the death of, or serious
18 bodily injury to, the child or any other indi-
19 vidual.

20 “(3) EXCEPTIONS.—Paragraph (2) shall not
21 apply if—

22 “(A) at the time the child obtained access,
23 the firearm was secured with a secure gun stor-
24 age or safety device;

1 “(B) the person is a peace officer, a mem-
2 ber of the Armed Forces, or a member of the
3 National Guard, and the child obtains the fire-
4 arm during, or incidental to, the performance of
5 the official duties of the person in that capacity;

6 “(C) the child uses the firearm in a lawful
7 act of self-defense or defense of 1 or more other
8 persons; or

9 “(D) the person has no reasonable expecta-
10 tion, based on objective facts and cir-
11 cumstances, that a child is likely to be present
12 on the premises on which the firearm is kept.”.

13 **Subtitle D—Enforcement**

14 **SEC. 241. CRIMINAL PENALTIES.**

15 (a) FAILURE TO POSSESS FIREARM OWNER LI-
16 CENSE; FAILURE TO COMPLY WITH DENIAL AND REV-
17 OCATION REQUIREMENTS; FAILURE TO COMPLY WITH
18 QUALIFYING FIREARM SALE OR TRANSFER REQUIRE-
19 MENTS; FAILURE TO MAINTAIN OR PERMIT INSPECTION
20 OF RECORDS.—Section 924(a) of title 18, United States
21 Code, is amended by adding at the end the following:

22 “(8) Whoever knowingly violates subsection (aa),
23 (bb), (cc), or (ee) of section 922 shall be fined under this
24 title, imprisoned not more than 10 years, or both.”.

1 (b) FAILURE TO TIMELY REPORT LOSS OR THEFT
2 OF A QUALIFYING FIREARM; FAILURE TO PROVIDE NO-
3 TICE OF CHANGE OF ADDRESS.—Section 924(a)(5) of
4 title 18, United States Code, is amended by striking “(s)
5 or (t)” and inserting “(t), (ee), or (ff)”.

6 (c) CHILD ACCESS PREVENTION.—Section 924(a) of
7 title 18, United States Code, as amended by subsection
8 (a) of this section, is amended by adding at the end the
9 following:

10 “(9) Whoever violates section 922(gg) shall be fined
11 under this title, imprisoned not more than 5 years, or
12 both.”.

13 **Subtitle E—Firearm Injury** 14 **Prevention and Research**

15 **SEC. 251. DUTIES OF THE ATTORNEY GENERAL.**

16 (a) IN GENERAL.—The Attorney General shall—

17 (1) establish and maintain a firearm injury in-
18 formation clearinghouse to collect, investigate, ana-
19 lyze, and disseminate data and information relating
20 to the causes and prevention of death and injury as-
21 sociated with firearms;

22 (2) conduct continuing studies and investiga-
23 tions of firearm-related deaths and injuries;

24 (3) collect and maintain current production and
25 sales figures for each licensed manufacturer; and

1 (4) conduct a study on the efficacy of firearms
2 that incorporate technology that prevents the use of
3 those firearms by unauthorized users (commonly
4 known as “smart guns”), in the prevention of unin-
5 tended firearm deaths.

6 (b) AVAILABILITY OF INFORMATION.—Periodically,
7 but not less frequently than annually, the Attorney Gen-
8 eral shall submit to Congress and make available to the
9 public a report on the activities and findings of the Attor-
10 ney General under subsection (a).

11 **Subtitle F—Effect on State Law**

12 **SEC. 261. EFFECT ON STATE LAW.**

13 (a) IN GENERAL.—This title and the amendments
14 made by this title may not be construed to preempt any
15 provision of the law of any State or political subdivision
16 of that State, or prevent a State or political subdivision
17 of that State from enacting any provision of law regulating
18 or prohibiting conduct with respect to firearms, except to
19 the extent that the provision of law is inconsistent with
20 any provision of this title or an amendment made by this
21 title, and then only to the extent of the inconsistency.

22 (b) RULE OF INTERPRETATION.—A provision of
23 State law is not inconsistent with this title or an amend-
24 ment made by this title if the provision imposes a regula-
25 tion or prohibition of greater scope or a penalty of greater

1 severity than a corresponding prohibition or penalty im-
2 posed by this title or an amendment made by this title.

3 **SEC. 262. CERTIFICATION OF STATE FIREARM LICENSING**
4 **SYSTEMS AND STATE FIREARM RECORD OF**
5 **SALE SYSTEMS.**

6 (a) IN GENERAL.—Chapter 44 of title 18, United
7 States Code, as amended by section 222 of this Act, is
8 amended by adding at the end the following:

9 **“§ 933. Certification of State firearm licensing sys-**
10 **tems and State firearm record of sale sys-**
11 **tems**

12 “Upon a written request of the chief executive officer
13 of a State, the Attorney General may certify—

14 “(1) a firearm licensing system established by
15 a State, if State law requires the system to satisfy
16 the requirements applicable to the Federal firearm
17 licensing system established under section 923(m);
18 and

19 “(2) a firearm record of sale system established
20 by a State, if State law requires the head of the
21 State agency that administers the system to submit
22 to the Federal firearm record of sale system estab-
23 lished under section 932(b) a copy of each report
24 submitted to the head of the agency under section

1 932(a), not later than 7 days after receipt of the re-
2 port.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 for chapter 44 of title 18, United States Code, as amended
5 by section 222 of this Act, is amended by adding at the
6 end the following:

“933. Certification of State firearm licensing systems and State firearm record
of sale systems.”.

7 **Subtitle G—Relationship to Other**
8 **Law**

9 **SEC. 271. SUBORDINATION TO ARMS EXPORT CONTROL**
10 **ACT.**

11 In the event of any conflict between any provision of
12 this title or an amendment made by this title, and any
13 provision of the Arms Export Control Act (22 U.S.C. 2751
14 et seq.), the provision of the Arms Export Control Act
15 shall control.

16 **Subtitle H—Inapplicability**

17 **SEC. 281. INAPPLICABILITY TO GOVERNMENTAL AUTHORI-**
18 **TIES.**

19 This title and the amendments made by this title
20 shall not apply to any department or agency of the United
21 States, of a State, or of a political subdivision of a State,
22 or to any official conduct of any officer or employee of
23 such a department or agency.

1 **Subtitle I—Effective Date**

2 **SEC. 291. EFFECTIVE DATE OF AMENDMENTS.**

3 The amendments made by this title shall take effect

4 1 year after the date of enactment of this Act.

