

118TH CONGRESS
1ST SESSION

H. R. 5949

To amend title 18, United States Code, to enhance the privacy of legal gun owners, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 12, 2023

Mr. ROSENDALE (for himself, Mr. GOSAR, Ms. VAN DUYNE, Mr. MOORE of Alabama, Mr. WEBER of Texas, Mr. BUCK, Mr. BRECHEEN, Mr. DUNCAN, and Mr. COLLINS) introduced the following bill

OCTOBER 25, 2023

Referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to enhance the privacy of legal gun owners, 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 “Protecting Gun Own-
5 ers’ Privacy Act of 2023”.

1 **SEC. 2. ENHANCEMENT OF PRIVACY OF LEGAL GUN OWN-**
2 **ERS.**

3 (a) DISPOSITION OF RECORDS.—Section 923(g) of
4 title 18, United States Code, is amended by adding at the
5 end the following:

6 “(8)(A) Nothing in this paragraph shall be inter-
7 preted to expand or restrict the authority of the Bureau
8 of Alcohol, Tobacco, Firearms, and Explosives to carry out
9 any provision of this chapter.

10 “(B)(i) A department, agency, or instrumentality of
11 the Federal Government may not store any record or
12 bound volume required under this chapter that is received
13 by the department, agency, or instrumentality on or after
14 the date of the enactment of this clause, unless the record
15 or bound volume is needed in an ongoing bona fide crimi-
16 nal investigation or prosecution.

17 “(ii) In the case of such a record or bound volume
18 received by such a department, agency, or instrumentality
19 before such date of enactment, the department, agency,
20 or instrumentality shall destroy the record and any infor-
21 mation from the record or bound volume that the depart-
22 ment, agency, or instrumentality has stored, unless the
23 record or bound volume is needed in an ongoing bona fide
24 criminal investigation or prosecution.

25 “(C) A department or agency of the Federal Govern-
26 ment may not acquire directly from a licensed importer,

1 licensed manufacturer, or licensed dealer a record required
2 to be maintained by the licensee under this chapter. On
3 request of such a department or agency, the Attorney Gen-
4 eral may provide the department or agency, as the case
5 may be, with such a record obtained by the Attorney Gen-
6 eral pursuant to this chapter.”.

7 (b) LIMITATION ON CONTENT OF REQUIRED RE-
8 PORTS AND RECORDS.—

9 (1) MULTIPLE FIREARM SALES REPORTS.—Sec-
10 tion 923(g)(3)(A) of such title is amended by adding
11 at the end the following: “The Attorney General may
12 not require or authorize any personal identifying in-
13 formation to be included on the form.”.

14 (2) FIREARM TRANSACTION RECORDS.—Section
15 926 of such title is amended by adding at the end
16 the following:

17 “(d) The Attorney General may not require or au-
18 thorize any personal identifying information of an indi-
19 vidual seeking to acquire a firearm to be included in any
20 record required to be kept pursuant to this chapter.”.

21 (c) DEFINITION OF PERSONAL IDENTIFYING INFOR-
22 MATION.—Section 921(a) of such title is amended by in-
23 serting after paragraph (30) the following:

24 “(31) The term ‘personal identifying information’
25 means any representation of information that permits the

1 identity of an individual to whom the information applies
2 to be reasonably inferred by either direct or indirect
3 means, including information enabling the contacting of
4 the individual.”.

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