

116TH CONGRESS  
2D SESSION

# H. R. 6453

To direct the Director of the Federal Bureau of Investigation to report the number of background checks conducted by the National Instant Criminal Background Check System during the month of March 2019 and during the COVID–19 public health emergency, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 2020

Mr. QUIGLEY (for himself, Mr. CICILLINE, Mr. NEGUSE, Mr. BEYER, Mrs. HAYES, Ms. NORTON, Ms. SCHAKOWSKY, and Mr. ENGEL) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To direct the Director of the Federal Bureau of Investigation to report the number of background checks conducted by the National Instant Criminal Background Check System during the month of March 2019 and during the COVID–19 public health emergency, 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. FINDINGS.**

4 Congress finds the following:

1           (1) COVID–19 infections have grown rapidly  
2 throughout the United States creating a widespread  
3 outbreak that has been deemed a public health emer-  
4 gency by the World Health Organization.

5           (2) The COVID–19 public health emergency  
6 has led to an increase in firearm sales, which poses  
7 a serious health and security risk to the American  
8 public.

9           (3) A firearm may be sold before a background  
10 check is completed.

11           (4) The increased public demand to purchase a  
12 firearm strains the resources of the National Instant  
13 Criminal Background Check System (“NICS”).

14           (5) A person who is prohibited by Federal law  
15 from possessing a firearm, such as a person who has  
16 been convicted of a misdemeanor crime of domestic  
17 violence, has an increased chance of acquiring a fire-  
18 arm due to this increased public demand to purchase  
19 a firearm.

20           (6) This strain on resources is affecting the  
21 ability of the NICS to complete background checks  
22 within 3-business-days, allowing for federally li-  
23 censed firearm dealers to complete a firearm sale  
24 without a completed background check, which is  
25 known as a “default proceed sale”.

1           (7) Such firearm sales conducted in the absence  
2 of a completed background check are known as “de-  
3 fault proceeds” and may have devastating con-  
4 sequences by making it easier for a person who is  
5 prohibited by Federal law from possessing firearms  
6 to acquire such firearms.

7 **SEC. 2. REPORT ON THE NATIONAL INSTANT CRIMINAL**  
8 **BACKGROUND CHECK SYSTEM.**

9           Not later than 30 days after the date of the enact-  
10 ment of this Act, the Director of the Federal Bureau of  
11 Investigation, in consultation with the Director of Bureau  
12 of Alcohol, Tobacco, Firearms, and Explosives, shall sub-  
13 mit to Congress a report on the operation of the National  
14 Instant Criminal Background Check System beginning on  
15 January 31, 2020 (the date of the public health emergency  
16 declared by the Secretary pursuant to section 319 of the  
17 Public Health Service Act with respect to COVID–19),  
18 through the date of the enactment of this Act, and the  
19 equivalent period in 2019, to include the following:

20           (1) The total number of background checks ini-  
21 tiated.

22           (2) The total number of background checks  
23 completed.

24           (3) The total number of background checks re-  
25 sulting in approval.

1           (4) The total number of background checks  
2 that were delayed.

3           (5) The number of background checks resulting  
4 in—

5                   (A) a denial before the 3-business-day re-  
6 view period is completed; and

7                   (B) delayed denials.

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