

116TH CONGRESS  
1ST SESSION

# H. R. 4939

To amend title 18, United States Code, to combat straw purchases of firearms.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 31, 2019

Mr. BACON (for himself and Mr. CISNEROS) introduced the following bill;  
which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to combat straw purchases of firearms.

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 “STOP Straw Pur-  
5 chases Act”.

6 **SEC. 2. INCREASE IN PENALTIES FOR STRAW PURCHASERS**  
7 **OF FIREARMS.**

8 Section 924(a)(2) of title 18, United States Code, is  
9 amended by inserting “, except that in the case of a viola-  
10 tion of section 922(a)(6) involving deception as to the

1 identity of the actual transferee of a firearm, if the viola-  
 2 tor knows or has reasonable cause to believe the actual  
 3 transferee intends the firearm to be used to commit a  
 4 crime of violence (as defined in subsection (c)(3)) or drug  
 5 trafficking crime (as defined in subsection (c)(2)) or to  
 6 be disposed of to a person prohibited from receiving the  
 7 firearm, the violator shall be fined not more than  
 8 \$750,000, imprisoned not more than 25 years, or both”  
 9 before the period.

10 **SEC. 3. PROHIBITION ON CONTINUING CRIMINAL ENTER-**  
 11 **PRISE INVOLVING STRAW PURCHASES OF**  
 12 **FIREARMS; PROHIBITION ON OBTAINING**  
 13 **FIREARM BY INDUCING STRAW PURCHASE.**

14 (a) PROHIBITIONS.—Section 922 of title 18, United  
 15 States Code, is amended by adding at the end the fol-  
 16 lowing:

17 “(aa) It shall be unlawful for any person, in or affect-  
 18 ing interstate or foreign commerce, to—

19 “(1) induce, or act in concert with, another per-  
 20 son to engage in a continuing series of violations of  
 21 subsection (a)(6) involving deception as to the iden-  
 22 tity of the actual transferee of a firearm, with the  
 23 intent to obtain the firearm for use in a crime of vi-  
 24 olence (as defined in section 924(c)(3)) or drug traf-  
 25 ficking crime (as defined in section 924(c)(2)) or on

1       behalf of a person prohibited from receiving the fire-  
2       arm, from which such person obtains substantial in-  
3       come or resources; and

4               “(2) with respect to such other person, occupy  
5       a position of organizer, a supervisory position, or  
6       any other position of management.

7       “(bb) It shall be unlawful for any person, in or affect-  
8       ing interstate or foreign commerce, to obtain a firearm  
9       by inducing another person to violate subsection (a)(6) by  
10      falsely claiming to be the actual transferee of the firearm,  
11      with the intent to obtain the firearm for use in a crime  
12      of violence (as defined in section 924(c)(3)) or drug traf-  
13      ficking crime (as defined in section 924(c)(2)) or on behalf  
14      of a person prohibited from receiving the firearm.”.

15       (b) PENALTIES.—Section 924(a) of such title is  
16      amended by adding at the end the following:

17       “(8) Whoever knowingly violates section 922(aa)  
18      shall be fined not more than \$1,000,000, imprisoned not  
19      more than 30 years, or both.

20       “(9) Whoever knowingly violates section 922(bb)  
21      shall be fined not more than \$750,000, imprisoned not  
22      more than 25 years, or both.”.

1 **SEC. 4. INCLUSION IN FIREARMS TRANSACTION RECORD**  
2 **FORM OF OUTLINE OF PENALTIES FOR THE**  
3 **STRAW PURCHASE OF A FIREARM.**

4 The Director of the Bureau of Alcohol, Tobacco,  
5 Firearms and Explosives shall ensure that the Firearms  
6 Transaction Record form used by the Bureau includes a  
7 statement outlining the penalties for acting as the straw  
8 purchaser of a firearm. For purposes of this section, a  
9 person acts as the straw purchaser of a firearm if the per-  
10 son violates section 922(a)(6) of title 18, United States  
11 Code, through deception as to the identity of the actual  
12 transferee of the firearm, if the person knows or has rea-  
13 sonable cause to believe the actual transferee intends the  
14 firearm is to be used to commit a crime of violence (as  
15 defined in section 924(c)(3) of such title) or drug traf-  
16 ficking crime (as defined in section 924(c)(2) of such title)  
17 or to be disposed of to a person prohibited from receiving  
18 the firearm.

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