

H.R. 1565, Public Safety and Second Amendment Rights Protection Act
(Sponsors: Rep. Peter King [R-NY] and Rep. Mike Thompson [D-CA])

☐ **What does H.R. 1565 do?**

- **Requires background checks for all gun sales in commercial settings:** H.R. 1565 would require background checks for all gun sales in commercial settings, including at gun shows, on the internet, and in classified ads.
 - **Private sales have same background check as licensed sales:** Private, unlicensed firearms sellers would be required to conduct background checks through licensed dealers, using the same background check system already in use for dealer sales.
 - **Exemptions:** The bill would exempt transfers of firearms between friends and family from background check requirements.
- **Improves the existing background check system:** The bill would improve NICS—the federal background checks database—by helping states improve their reporting systems, requiring federal courts to submit records, and removing hurdles to the submission of critical mental health records.
- **Prohibits gun registries:** H.R. 1565 would continue to prohibit national gun registries.
- **Penalties:** The bill would make it a felony for a private seller to transfer a gun to a person federally prohibited from buying guns in commercial settings.
- **Streamlines gun laws:** H.R. 1565 would streamline certain laws, including:
 - **Military:** Active military personnel would be able to purchase guns in the state where they live, as well as in the state where they are stationed for duty.
 - **Veterans:** Veterans who are prohibited from owning guns due to mental incapacitation have an opportunity to appeal before losing their gun rights.
 - **Out of State Buyers:** Licensed dealers can sell guns to a resident of any state, provided they follow laws of sale in the state where the sale takes place and the state in which the buyer resides.
 - **Guns Across State Lines:** People traveling across state lines may carry guns that are locked and unloaded.

☐ **How would H.R.1565 enhance public safety?**

- **Cuts off access to firearms by criminals and dangerous individuals:** Over 6.6 million guns are transferred each year through private transfers not subject to background checks. Criminals exploit this loophole-nearly 80% of those incarcerated for crimes using handguns obtained their guns through private transfers.
- **Gives police ability to trace crime guns:** Licensed dealers who run the background checks on potential buyers would continue to be required to keep sales records, which are critical to law enforcement's ability to trace guns when they end up being used in a crime.