

118TH CONGRESS
1ST SESSION

H. R. 28

To require the national instant criminal background check system to notify U.S. Immigration and Customs Enforcement and the relevant State and local law enforcement agencies whenever the information available to the system indicates that a person illegally or unlawfully in the United States may be attempting to receive a firearm.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2023

Mr. STEUBE (for himself, Mr. RESCENTIALER, and Mr. FITZGERALD) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require the national instant criminal background check system to notify U.S. Immigration and Customs Enforcement and the relevant State and local law enforcement agencies whenever the information available to the system indicates that a person illegally or unlawfully in the United States may be attempting to receive a firearm.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Illegal Alien NICS
3 Alert Act”.

4 **SEC. 2. REQUIREMENT THAT NICS NOTIFY ICE AND STATE**
5 **AND LOCAL LAW ENFORCEMENT AGENCIES**
6 **OF ATTEMPTED RECEIPT OF FIREARM BY**
7 **PERSON ILLEGALLY OR UNLAWFULLY IN THE**
8 **UNITED STATES.**

9 Section 103(e) of the Brady Handgun Violence Pre-
10 vention Act (34 U.S.C. 40901(e)) is amended by adding
11 at the end the following:

12 “(3) REQUIREMENT TO NOTIFY ICE AND STATE
13 AND LOCAL LAW ENFORCEMENT AGENCIES OF AT-
14 TEMPTED RECEIPT OF FIREARM BY PERSON ILLE-
15 GALLY OR UNLAWFULLY IN THE UNITED STATES.—

16 The Attorney General shall ensure that, whenever
17 the information available to the system established
18 under this section indicates that a prospective fire-
19 arm transferee is illegally or unlawfully in the
20 United States, the system shall transmit to the Im-
21 migration and Customs Enforcement Agency and to
22 relevant State and local law enforcement agencies a
23 notice that the person may have attempted to receive
24 a firearm in violation of section 922(g)(5) of title
25 18, United States Code, and shall include with the

- 1 notice all relevant information possessed by the sys-
- 2 tem.”.

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