

108TH CONGRESS
1ST SESSION

S. 1882

To require that certain notifications occur whenever a query to the National Instant Criminal Background Check System reveals that a person listed in the Violent Gang and Terrorist Organization File is attempting to purchase a firearm, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 2003

Mr. LAUTENBERG (for himself, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. CORZINE, Mr. REED, and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To require that certain notifications occur whenever a query to the National Instant Criminal Background Check System reveals that a person listed in the Violent Gang and Terrorist Organization File is attempting to purchase a firearm, 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 “Terrorist Apprehension
5 Act”.

1 **SEC. 2. AMENDMENTS TO BRADY HANDGUN VIOLENCE PRE-**
2 **VENTION ACT.**

3 (a) Section 103 of the Brady Handgun Violence Pre-
4 vention Act (18 U.S.C. 922 note) is amended—

5 (1) in subsection (i), by striking “No depart-
6 ment” and inserting “Except as provided in sub-
7 section (j), no department”;

8 (2) by redesignating subsections (j) and (k) as
9 subsections (k) and (l), respectively; and

10 (3) by inserting after subsection (i) the fol-
11 lowing:

12 “(j) **TERRORIST APPREHENSION.**—

13 “(1) **INITIAL NOTIFICATION.**—If the system es-
14 tablished under this section determines that a pro-
15 spective transferee is listed in the Violent Gang and
16 Terrorist Organization file or a similar terrorist
17 watch list, regardless of the eligibility of such person
18 to purchase a firearm, the system shall provide this
19 information to the employee at the Criminal Justice
20 Information Services Division of the Federal Bureau
21 of Investigation that is accessing the national in-
22 stant criminal background check system (referred to
23 in this subsection as the ‘NICS operator’).

24 “(2) **NOTIFICATION OF LOCAL LAW ENFORCE-**
25 **MENT.**—Upon receiving information under para-
26 graph (1), the NICS operator shall immediately pro-

1 vide the Federal Bureau of Investigation, the De-
2 partment of Homeland Security, and the terrorist
3 task force and State and local law enforcement in
4 the jurisdiction in which the firearm purchase is
5 being attempted with—

6 “(A) the name, date of birth, and any
7 other identifying information reported by the
8 prospective transferee;

9 “(B) the time and place of the attempted
10 firearm purchase; and

11 “(C) the type of weapon, if known, that
12 the prospective transferee attempted to pur-
13 chase.

14 “(3) NOTIFICATION OF ORIGINATING AGEN-
15 CY.—In addition to the notification under paragraph
16 (2), the NICS operator shall immediately provide the
17 agency that placed the name of the suspected ter-
18 rorist on the terrorist watch list with the informa-
19 tion described in subparagraphs (A) through (C) of
20 paragraph (2).”.

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