

118TH CONGRESS  
2D SESSION

# S. 4165

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 information contained in the system indicates that an alien who is illegally or unlawfully in the United States attempted to receive a firearm.

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## IN THE SENATE OF THE UNITED STATES

APRIL 18, 2024

Mr. COTTON (for himself, Mr. TILLIS, Ms. ERNST, Ms. LUMMIS, and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## 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 information contained in the system indicates that an alien who is illegally or unlawfully in the United States attempted 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Illegal Alien NICS  
5 Alert Act”.

1 **SEC. 2. REQUIRED NOTIFICATION BY NICS TO ICE AND**  
2 **STATE AND LOCAL LAW ENFORCEMENT**  
3 **AGENCIES OF ATTEMPTED RECEIPT OF FIRE-**  
4 **ARM BY ALIEN WHO IS ILLEGALLY OR UN-**  
5 **LAWFULLY IN THE UNITED STATES.**

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

9 “(3) NOTIFICATION TO ICE AND STATE AND  
10 LOCAL LAW ENFORCEMENT AGENCIES OF AT-  
11 TEMPTED RECEIPT OF FIREARM BY PERSON ILLE-  
12 GALLY OR UNLAWFULLY IN THE UNITED STATES.—  
13 Whenever information contained in the system es-  
14 tablished under this section indicates that a prospec-  
15 tive firearm transferee is illegally or unlawfully in  
16 the United States, the system shall automatically no-  
17 tify U.S. Immigration and Customs Enforcement  
18 and relevant State and local law enforcement agen-  
19 cies that an alien may have attempted to receive a  
20 firearm in violation of section 922(g)(5)(A) of title  
21 18, United States Code, and include all relevant in-  
22 formation contained in the system.”.

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