

117TH CONGRESS
1ST SESSION

H. R. 2971

To amend title 18, United States Code, to require an alien lawfully admitted to the United States under a nonimmigrant visa to obtain the approval of the Attorney General before receiving a firearm, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 4, 2021

Mr. CRIST (for himself, Mr. RUTHERFORD, and Mrs. DEMINGS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to require an alien lawfully admitted to the United States under a nonimmigrant visa to obtain the approval of the Attorney General before receiving 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 “Foreign National Fire-
5 arms Background Check Enhancement Act”.

1 **SEC. 2. REQUIREMENT THAT ALIEN LAWFULLY ADMITTED**
2 **TO THE UNITED STATES UNDER A NON-**
3 **IMMIGRANT VISA OBTAIN THE APPROVAL OF**
4 **THE ATTORNEY GENERAL BEFORE RECEIV-**
5 **ING A FIREARM.**

6 (a) IN GENERAL.—Section 922(y) of title 18, United
7 States Code, is amended—

8 (1) in paragraph (2)—

9 (A) by striking all that precedes subpara-
10 graph (B) and inserting the following:

11 “(2) EXCEPTIONS.—Subsections (d)(5)(B) and
12 (g)(5)(B) do not apply to the transfer or other dis-
13 position of a firearm to, or the possession or receipt
14 of a firearm by, an alien who has been lawfully ad-
15 mitted to the United States under a nonimmigrant
16 visa, if—

17 “(A)(i) the alien has obtained a valid waiver
18 issued by the Attorney General under para-
19 graph (3), and, in the case of a transfer or
20 other disposition, the transferor has received a
21 copy of the waiver and verified the validity of
22 the waiver with the Attorney General; and

23 “(ii) the alien—

24 “(I) is admitted to the United States
25 for lawful hunting or sporting purposes or

1 is in possession of a hunting license or per-
2 mit lawfully issued in the United States; or

3 “(II) has resided in the United States
4 for a continuous period of not less than
5 180 days before the date on which the pe-
6 tition is submitted under this paragraph;”;

7 (B) in each of subparagraphs (B) and (C),
8 by inserting “the alien is” before “an official”;
9 and

10 (C) in subparagraph (D), by inserting “the
11 alien is” before “a foreign”; and

12 (2) in paragraph (3)—

13 (A) in subparagraph (A)—

14 (i) in the matter preceding clause (i),
15 by striking “subsection” and inserting
16 “subsections (d)(5) and”; and

17 (ii) in clause (i), by striking “(C)”
18 and inserting “(B)”;

19 (B) in subparagraph (B)—

20 (i) by striking “under subparagraph
21 (B) shall—” and all that follows through
22 “(ii)” and inserting “shall”;

23 (ii) by striking “, absent the applica-
24 tion of subsection (g)(5)(B),”; and

1 (iii) by inserting “(d) or” before
2 “(g)”;

3 (C) in subparagraph (C), by striking “sub-
4 section” and inserting “subsections (d)(5)(B)
5 and”; and

6 (D) by adding at the end the following:

7 “(D) VALIDITY OF WAIVER.—A waiver
8 issued under this paragraph shall be valid for
9 a term set by the Attorney General, which shall
10 be not longer than 1 year from the date the pe-
11 tition for the waiver is approved.”.

12 (b) EFFECTIVE DATE.—The amendments made by
13 subsection (a) shall take effect 180 days after the date
14 of the enactment of this Act.

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