

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To ensure that aliens who are prohibited from importing, manufacturing, distributing, storing, shipping, receiving, or possessing explosive materials are also prohibited from shipping, transporting, possessing, or receiving firearms and ammunition.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.**

**S. 247**

To amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by  
\_\_\_\_\_

Viz:

1 At the appropriate place, insert the following:

2 **SEC. \_\_\_\_ . CLARIFICATION OF UNLAWFUL ACTIVITY OF**

3 **ALIENS RELATED TO FIREARMS AND AMMU-**

4 **NITION.**

5 Section 922 of title 18, United States Code, is

6 amended—

7 (1) in subsection (d), by striking paragraph (5)

8 and inserting the following:

1 “(5) is an alien, other than an alien who—

2 “(A) is lawfully admitted for permanent  
3 residence (as defined in section 101(a)(20) of  
4 the Immigration and Nationality Act (8 U.S.C.  
5 1101(a)(20)));

6 “(B)(i) is in lawful nonimmigrant status;  
7 and

8 “(ii) meets 1 of the criteria set out under  
9 subsection (y)(2);

10 “(C) is a member of a North Atlantic  
11 Treaty Organization (NATO) or other friendly  
12 foreign military force, as determined by the At-  
13 torney General in consultation with the Sec-  
14 retary of Defense, who is present in the United  
15 States under military orders for training or  
16 other military purpose authorized by the United  
17 States and the receipt of the firearm or ammu-  
18 nition is in furtherance of the authorized mili-  
19 tary purpose; or

20 “(D) is lawfully present in the United  
21 States in cooperation with the Director of the  
22 Central Intelligence Agency, and the receipt of  
23 the firearm or ammunition is in furtherance of  
24 such cooperation;”;

1           (2) in subsection (g), by striking paragraph (5)  
2           and inserting the following:

3           “(5) who is an alien, other than an alien who—

4                 “(A) is lawfully admitted for permanent  
5                 residence (as that term is defined in section  
6                 101(a)(20) of the Immigration and Nationality  
7                 Act (8 U.S.C. 1101(a)(20)));

8                 “(B)(i) is in lawful nonimmigrant status;  
9                 and

10                 “(ii) meets 1 of the criteria set out under  
11                 subsection (y)(2);

12                 “(C) is a member of a North Atlantic  
13                 Treaty Organization (NATO) or other friendly  
14                 foreign military force, as determined by the At-  
15                 torney General in consultation with the Sec-  
16                 retary of Defense, who is present in the United  
17                 States under military orders for training or  
18                 other military purpose authorized by the United  
19                 States and the shipping, transporting, posses-  
20                 sion, or receipt of the firearm or ammunition is  
21                 in furtherance of the authorized military pur-  
22                 pose; or

23                 “(D) is lawfully present in the United  
24                 States in cooperation with the Director of the  
25                 Central Intelligence Agency, and the shipment,

1 transportation, possession, or receipt of the fire-  
2 arm or ammunition is in furtherance of such  
3 cooperation;” and

4 (3) in subsection (y)—

5 (A) in the subsection heading, by striking  
6 “ADMITTED UNDER NONIMMIGRANT VISAS”;

7 (B) by striking paragraph (1) and insert-  
8 ing the following:

9 “(1) DEFINITION OF ALIEN.—In this sub-  
10 section, the term ‘alien’ has the meaning given that  
11 term in section 101(a)(3) of the Immigration and  
12 Nationality Act (8 U.S.C. 1101(a)(3)).”;

13 (C) in paragraph (2)—

14 (i) in the matter preceding subpara-  
15 graph (A), by striking “United States  
16 under a nonimmigrant visa,” and inserting  
17 “United States,”; and

18 (ii) in subparagraph (C), by striking  
19 “or” at the end; and

20 (iii) by striking subparagraph (D) and  
21 inserting the following:

22 “(D) is a foreign law enforcement officer  
23 of a friendly foreign government entering the  
24 United States on official law enforcement busi-  
25 ness; or

1           “(E) is a person having the power to direct  
2           or cause the direction of the management and  
3           policies of a corporation, partnership, or asso-  
4           ciation licensed under section 923, and the  
5           shipping, transporting, possession, or receipt of  
6           the firearm or ammunition is in furtherance of  
7           such power.”; and

8           (D) in paragraph (3)(A), in the matter  
9           preceding clause (i)—

10                   (i) by striking “under a nonimmigrant  
11                   visa”; and

12                   (ii) by striking “(g)(5),” and inserting  
13                   “(g)(5)(B),”.