

*Democratic Caucus*  
S.L.C.

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

Purpose: To authorize the Attorney General to deny requests to transfer a firearm to known or suspected terrorists.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

	<b>AMENDMENT NO 4720</b>		
Making	By <u>Feinstein</u>		ree
and	To: <u>Amdt. No. 4685</u>		cal
year			ur-
pos			
Referr		<u>3</u> Page(s)	d

GPO: 2010 63-070 (mac)

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. NELSON, Mr. REID, Mr. DURBIN, Mr. SCHUMER, Ms. MIKULSKI, Mrs. BOXER, Mr. UDALL, Mr. CARPER, Mr. MARKEY, Mr. MENENDEZ, Mr. COONS, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. BROWN, Mr. SCHATZ, Ms. KLOBUCHAR, Mr. MURPHY, Mrs. MCCASKILL, and Mr. HEINRICH) to the amendment (No. 4685) proposed by Mr. SHELBY

Viz:

- 1 At the appropriate place, insert the following:
- 2 SEC. \_\_\_\_\_. Hereafter, the Attorney General may
- 3 deny the transfer of a firearm if the Attorney General de-
- 4 termines, based on the totality of the circumstances, that
- 5 the transferee represents a threat to public safety based
- 6 on a reasonable suspicion that the transferee is engaged,
- 7 or has been engaged, in conduct constituting, in prepara-

1 tion for, in aid of, or related to terrorism, or providing  
2 material support or resources therefor. For purposes of  
3 sections 922(t)(1), (2), (5), and (6) and 925A of title 18,  
4 United States Code, and section 103(g) of Public Law  
5 103–159 (18 U.S.C. 922 note), a denial by the Attorney  
6 General pursuant to this provision shall be treated as  
7 equivalent to a determination that receipt of a firearm  
8 would violate section (g) or (n) of section 922 of title 18,  
9 United States Code, or State law. A denial described in  
10 this section shall be subject to the remedial procedures set  
11 forth in section 103(g) of Public Law 103–159 (18 U.S.C.  
12 922 note) and the intended transferee may pursue a rem-  
13 edy for an erroneous denial of a firearm under section  
14 925A of title 18, United States Code. Notwithstanding  
15 any other provision of law, such remedial procedures and  
16 judicial review shall be subject to procedures that may be  
17 developed by the Attorney General to prevent the unau-  
18 thorized disclosure of information that reasonably could  
19 be expected to result in damage to national security or  
20 ongoing law enforcement operations, including but not  
21 limited to procedures for submission of information to the  
22 court ex parte as appropriate, consistent with due process.  
23 The Attorney General shall establish, within the amounts  
24 appropriated, procedures to ensure that, if an individual  
25 who is, or within the previous 5 years has been, under

1 investigation for conduct related to a Federal crime of ter-  
2 rorism, as defined in section 2332b(g)(5) of title 18,  
3 United States Code, attempts to purchase a firearm, the  
4 Attorney General or a designee of the Attorney General  
5 shall be promptly notified of the attempted purchase.