

118TH CONGRESS
1ST SESSION

S. _____

To prohibit the importation, sale, manufacture, transfer, or possession of
.50 caliber rifles, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. WYDEN,
Mr. WELCH, Mr. KELLY, and Ms. HIRONO) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To prohibit the importation, sale, manufacture, transfer, or
possession of .50 caliber rifles, 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 “Stop Arming Cartels
5 Act of 2023”.

6 **SEC. 2. PROHIBITION ON RIFLES CAPABLE OF FIRING .50**
7 **CALIBER AMMUNITION.**

8 (a) IN GENERAL.—Chapter 44 of title 18, United
9 States Code, is amended—

1 (1) in section 922, by adding at the end the fol-
2 lowing:

3 “(aa) RIFLES CAPABLE OF FIRING .50 CALIBER AM-
4 MUNITION.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), it shall be unlawful for any person to im-
7 port, sell, manufacture, transfer, or possess, in or af-
8 fecting interstate or foreign commerce, a rifle capa-
9 ble of firing .50 caliber ammunition.

10 “(2) EXCEPTIONS.—

11 “(A) GOVERNMENT USE.—Paragraph (1)
12 shall not apply to the importation for, manufac-
13 ture for, sale to, transfer to, or possession by
14 the United States, a department or agency of
15 the United States, a State, or a department,
16 agency, or political subdivision of a State, of a
17 rifle capable of firing .50 caliber ammunition.

18 “(B) GRANDFATHERED RIFLES.—Para-
19 graph (1) shall not apply to the sale, transfer,
20 or possession of any rifle otherwise lawfully pos-
21 sessed on or before the date of enactment of the
22 Stop Arming Cartels Act of 2023.”; and

23 (2) in section 924(a)(1)(B), by striking “or
24 (q)” and inserting “(q), or (aa)”.

1 (b) INCLUSION OF CERTAIN RIFLES AS FIREARMS
2 UNDER NATIONAL FIREARMS ACT.—

3 (1) IN GENERAL.—Section 5845(a) of the In-
4 ternal Revenue Code of 1986 is amended by striking
5 “and (8) a destructive device” and inserting “(8) a
6 destructive device; and (9) a rifle which is capable
7 of firing .50 caliber ammunition and is lawfully pos-
8 sessed on or before the date of enactment of the
9 Stop Arming Cartels Act of 2023”.

10 (2) EFFECTIVE DATE.—

11 (A) IN GENERAL.—Subject to subpara-
12 graph (B), the amendments made by this sub-
13 section shall take effect on the date which is 12
14 months after the date of enactment of this Act.

15 (B) REGISTRATION.—

16 (i) IN GENERAL.—Notwithstanding
17 subparagraph (A) or any other provision of
18 law, any person possessing a rifle which is
19 capable of firing .50 caliber ammunition
20 which is not registered to such person in
21 the National Firearms Registration and
22 Transfer Record shall register each such
23 rifle so possessed with the Secretary in
24 such form and manner as the Secretary
25 may require within the 12-month period

1 immediately following the date of enact-
2 ment of this Act. No fee or tax shall be im-
3 posed with respect to any registration re-
4 quired under this subparagraph.

5 (ii) INCLUSION IN REGISTRY.—Any
6 registration described in clause (i) shall be-
7 come a part of the National Firearms Reg-
8 istration and Transfer Record. No infor-
9 mation or evidence required to be sub-
10 mitted or retained by a natural person to
11 register a firearm under this subparagraph
12 shall be used, directly or indirectly, as evi-
13 dence against such person in any criminal
14 proceeding with respect to a prior or con-
15 current violation of law.

16 (C) DEFINITIONS.—In this paragraph:

17 (i) NATIONAL FIREARMS REGISTRA-
18 TION AND TRANSFER RECORD.—The term
19 “National Firearms Registration and
20 Transfer Record” means the registry es-
21 tablished pursuant to section 5841 of the
22 Internal Revenue Code of 1986.

23 (ii) SECRETARY.—The term “Sec-
24 retary” has the same meaning given such

1 term under section 7701(a)(11)(B) of the
2 Internal Revenue Code of 1986.

3 **SEC. 3. EXCEPTION TO COVERAGE UNDER PROTECTION OF**
4 **LAWFUL COMMERCE IN ARMS ACT.**

5 Section 4(5)(A) of the Protection of Lawful Com-
6 merce in Arms Act (15 U.S.C. 7903(5)(A)) is amended—

7 (1) in clause (v), by striking “or” at the end;

8 (2) in clause (vi), by striking the period at the
9 end and inserting “; or”; and

10 (3) by adding at the end the following:

11 “(vii) an action brought against a
12 manufacturer or seller that knowingly sells
13 or transfers a qualified product, or at-
14 tempts or conspires to do so, knowing or
15 having reasonable cause to believe that the
16 transaction is prohibited under section
17 805(c) of the Foreign Narcotics Kingpin
18 Designation Act (21 U.S.C. 1904(c)).”.

19 **SEC. 4. FEDERAL FIREARM PROHIBITOR FOR SIGNIFICANT**
20 **FOREIGN NARCOTICS TRAFFICKERS AND**
21 **CERTAIN OTHER FOREIGN PERSONS.**

22 (a) IN GENERAL.—Section 922(d) of title 18, United
23 States Code, is amended—

24 (1) in paragraph (10), by striking “or” at the
25 end;

1 (2) by redesignating paragraph (11) as para-
2 graph (12);

3 (3) by inserting after paragraph (10) the fol-
4 lowing:

5 “(11) is—

6 “(A) a significant foreign narcotics traf-
7 ficker publicly identified by the President in a
8 report under subsection (b) or (h)(1) of section
9 804 of the Foreign Narcotics Kingpin Designa-
10 tion Act (21 U.S.C. 1903); or

11 “(B) a foreign person designated by the
12 Secretary of the Treasury under section 805(b)
13 of the Foreign Narcotics Kingpin Designation
14 Act (21 U.S.C. 1904(b)); or”;

15 (4) in paragraph (12), as so redesignated, by
16 striking “(10)” and inserting “(11)”.

17 (b) CONFORMING AMENDMENTS RELATING TO
18 NICS.—Section 103 of the Brady Handgun Violence Pre-
19 vention Act (34 U.S.C. 40901) is amended—

20 (1) in subsection (b)(2)(D), by inserting “or
21 that transfer of a firearm or ammunition to the indi-
22 vidual would violate subsection (d)(11) of such sec-
23 tion 922” after “section 922 of title 18, United
24 States Code,”;

25 (2) in subsection (e)(1)—

1 (A) in subparagraph (A), by inserting “or
2 to whom transfer of a firearm would violate
3 subsection (d)(11) of such section 922,” after
4 “section 922 of title 18, United States Code or
5 State law,”;

6 (B) in subparagraph (C), by inserting “or
7 that transfer of a firearm or ammunition to the
8 person would violate subsection (d)(11) of such
9 section 922,” after “section 922 of title 18,
10 United States Code,”;

11 (C) in subparagraph (F)(iii)(I), by striking
12 “(g) or (n)” and inserting “(d)(11), (g), or
13 (n)”; and

14 (D) in subparagraph (G)(i), by striking
15 “(g) or (n)” and inserting “(d)(11), (g), or
16 (n)”; and

17 (3) in subsection (g), by inserting “or that
18 transfer of a firearm to a prospective transferee
19 would violate subsection (d)(11) of such section
20 922,” after “section 922 of title 18, United States
21 Code or State law,”; and

22 (4) in subsection (i)(2)—

23 (A) by striking “persons,” and inserting
24 “persons who are”; and

1 (B) by inserting before the period at the
2 end the following: “, or to whom transfer of a
3 firearm would violate subsection (d)(11) of such
4 section 922”.

5 **SEC. 5. ADDING RIFLES TO MULTIPLE FIREARM SALES RE-**
6 **PORTING REQUIREMENTS.**

7 Section 923(g)(3)(A) of title 18, United States Code,
8 is amended by striking “pistols, or revolvers, or any com-
9 bination of pistols and revolvers” and inserting “pistols,
10 revolvers, or rifles, or any combination of pistols, revolvers,
11 and rifles”.