

The Stop Arming Cartels Act *Senate Judiciary Committee Chair Richard J. Durbin*

Mexican drug cartels arm themselves by exploiting weak American gun laws, together with the willingness of some U.S. manufacturers and dealers to look the other way as a deadly “iron river” flows south across the border. Of nearly 125,000 weapons recovered by Mexican authorities between 2010 and 2020, 90 percent originated in the United States.¹ Mexico has only one legal gun store open to the public, and it is located on a military base.² An estimated quarter of a million firearms are trafficked annually into Mexico, and they are largely sourced from the United States, where straw purchasers buy guns in Texas, New Mexico, Arizona, and beyond.³

Among the weapons recovered from cartel members are .50 caliber rifles with the capability of ripping through armored police cars and downing aircraft. These weapons cannot be legally purchased in Mexico, but they can be purchased in the U.S.⁴ In June 2020, gunmen used a .50 caliber rifle in an assassination attempt on Mexico City’s police chief that killed three people. Cartel gunmen also used American .50-caliber rifles to kill five Mexican marines in Nuevo Laredo in 2018 and to kill 14 state police officers in Michoacán in 2019.⁵

Gun and drug trafficking across the U.S.-Mexico border are intimately linked. Guns flow south into Mexico, while drugs flow north into the U.S. Guns smuggled from the U.S. bolster the cartels’ ability to funnel drugs into the U.S., accounting for a significant portion of the cocaine, fentanyl, heroin, marijuana, and methamphetamine trafficked into the U.S. each year.⁶

The **Stop Arming Cartels Act** would:

1. Prohibit future nongovernmental manufacture, importation, sale, transfer, or possession of .50 caliber rifles;
2. Regulate existing .50 caliber rifles under the National Firearms Act, with a fee waiver and 12-month grace period for registration on the National Firearms Registration and Transfer Record for those who lawfully possess them under current law;
3. Create an exception to the Protection of Lawful Commerce in Arms Act (PLCAA), allowing victims of gun violence to sue manufacturers and dealers who engage in firearm transactions prohibited under the Foreign Narcotics Kingpin Designation Act (the “Kingpin Act”);
4. Prohibit the sale or transfer of firearms to individuals sanctioned under the Kingpin Act and add Kingpin Act designations to the National Instant Criminal Background Check System (NICS); and
5. Require firearms dealers to report multiple sales of rifles to state and local law enforcement agencies, as they must currently do for handguns.

¹ <https://www.thetrace.org/2022/10/how-many-american-guns-mexican-cartels/>

² <https://www.latimes.com/world/la-fg-mexico-guns-20180524-story.html>

³ <https://www.rollingstone.com/culture/culture-features/arming-mexican-cartels-inside-story-of-a-texas-gun-smuggling-ring-866836/>

⁴ <https://www.usatoday.com/story/news/nation/2021/08/25/american-guns-help-arm-mexican-drug-cartels-including-cjng/5586129001/>

⁵ <https://www.washingtonpost.com/graphics/2020/world/mexico-losing-control/mexico-drug-cartels-sniper-rifles-us-gun-policy/>

⁶ <https://www.cfr.org/background/mexicos-long-war-drugs-crime-and-cartels>