

118TH CONGRESS
1ST SESSION

S. 1319

To address the importation and proliferation of machinegun conversion devices.

IN THE SENATE OF THE UNITED STATES

APRIL 26, 2023

Ms. KLOBUCHAR (for herself, Mr. PETERS, Mr. BLUMENTHAL, Mr. CASEY, Mr. DURBIN, Mrs. FEINSTEIN, Mr. HEINRICH, Ms. HIRONO, Mr. MARKEY, Mr. MENENDEZ, Mr. MURPHY, Mr. PADILLA, Mr. REED, Mrs. SHAHEEN, Ms. SMITH, Mr. WHITEHOUSE, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To address the importation and proliferation of machinegun conversion devices.

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 “Preventing Illegal
5 Weapons Trafficking Act of 2023”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

1 (1) the term “machinegun” has the meaning
2 given the term in section 5845 of the Internal Rev-
3 enue Code of 1986; and

4 (2) the term “machinegun conversion device”
5 means any part designed and intended solely and ex-
6 clusively, or combination of parts designed and in-
7 tended, for use in converting a weapon into a ma-
8 chinegun.

9 **SEC. 3. PREVENTION AND INTERCEPTION STRATEGY.**

10 (a) STRATEGY.—

11 (1) IN GENERAL.—Not later than 120 days
12 after the date of enactment of this Act, the Attorney
13 General, the Secretary of Homeland Security, and
14 the Secretary of the Treasury shall develop and im-
15 plement a strategy to prevent or intercept the impor-
16 tation or trafficking of machinegun conversion de-
17 vices.

18 (2) CONTENTS.—The strategy described in
19 paragraph (1) shall include plans to optimize—

20 (A) the capacity of Federal law enforce-
21 ment agencies to detect, intercept, and seize
22 machinegun conversion devices;

23 (B) the coordination between State and
24 local law enforcement agencies and Federal law
25 enforcement agencies, including the Bureau of

1 Alcohol, Tobacco, Firearms and Explosives, the
2 Federal Bureau of Investigation, Homeland Se-
3 curity Investigations, and U.S. Customs and
4 Border Protection, when machinegun conversion
5 devices are seized at ports of entry;

6 (C) efforts by the Bureau of Alcohol, To-
7 bacco, Firearms and Explosives to collaborate
8 with State and local law enforcement agencies
9 to identify and trace machinegun conversion de-
10 vices used in crimes, including identifying the
11 source of the device, whether from a foreign
12 country or the United States;

13 (D) training programs provided by Federal
14 law enforcement agencies to aid State and local
15 law enforcement agencies in identifying ma-
16 chinegun conversion devices;

17 (E) the investigation and collection of data
18 regarding the origins of machinegun conversion
19 devices that are seized at ports of entry or re-
20 covered by law enforcement agencies in the
21 United States in order to identify patterns and
22 detect vulnerabilities; and

23 (F) the capacity of Federal law enforce-
24 ment agencies, including the Bureau of Alcohol,
25 Tobacco, Firearms and Explosives, the Federal

1 Bureau of Investigation, and Homeland Secu-
2 rity Investigations, to detect, intercept, and
3 seize domestically produced machinegun conver-
4 sion devices, including machinegun conversion
5 devices produced using 3D printing technology.

6 (b) REPORTS.—

7 (1) INITIAL REPORT.—Not later than 120 days
8 after the date of enactment of this Act, the Attorney
9 General, the Secretary of Homeland Security, and
10 the Secretary of the Treasury shall submit a report
11 on the strategy developed and implemented under
12 subsection (a), which shall include relevant statis-
13 tical information, to—

14 (A) the Committee on the Judiciary of the
15 Senate;

16 (B) the Committee on Homeland Security
17 and Governmental Affairs of the Senate;

18 (C) the Committee on the Judiciary of the
19 House of Representatives; and

20 (D) the Committee on Homeland Security
21 of the House of Representatives.

22 (2) PERIODIC UPDATES.—Not less frequently
23 than once every 2 years, the Attorney General, the
24 Secretary of Homeland Security, and the Secretary
25 of the Treasury shall submit to the congressional

1 committees described in paragraph (1) an update to
2 the report submitted under that paragraph that de-
3 scribes progress made on the implementation of the
4 strategy developed under subsection (a).

5 **SEC. 4. FORFEITURE OF PROCEEDS FROM MACHINEGUN**
6 **VIOLATIONS.**

7 Section 5872 of the Internal Revenue Code of 1986
8 is amended—

9 (1) in subsection (a), by inserting “, and any
10 proceeds derived from the illegal trafficking of a ma-
11 chinegun,” after “provisions of this chapter”; and

12 (2) by adding at the end the following:

13 “(c) **ILLEGAL TRAFFICKING OF A MACHINEGUN.**—
14 For purposes of subsection (a), the term ‘illegal trafficking
15 of a machinegun’ means the making, manufacture, impor-
16 tation, exportation, or transfer of a machinegun in viola-
17 tion of the provisions of this chapter or any regulations
18 prescribed under this chapter.”.

19 **SEC. 5. GUN TRAFFICKING REPORT.**

20 The Attorney General shall include information about
21 machinegun conversion devices in the annual firearms
22 trafficking report announced by the President on April 7,
23 2021, including—

24 (1) the number of crimes in which machinegun
25 conversion devices are used; and

1 (2) whether the machinegun conversion devices
2 recovered from crimes described in paragraph (1)
3 are manufactured in the United States or a foreign
4 country.

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