

118TH CONGRESS  
1ST SESSION

# S. 1319

To address the importation and proliferation of machinegun conversion devices.

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## 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

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## 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 Security  
2 Investigations, to detect, intercept, and  
3 seize domestically produced machinegun conversion  
4 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 statistical  
13 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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