

105TH CONGRESS
1ST SESSION

S. 723

To increase the safety of the American people by preventing dangerous military firearms in the control of foreign governments from being imported into the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 8, 1997

Mr. LAUTENBERG (for himself, Mrs. BOXER, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To increase the safety of the American people by preventing dangerous military firearms in the control of foreign governments from being imported into the United States, 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 “Anti-Gun Invasion Act
5 of 1997”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Since 1950, the United States Government
2 has furnished to foreign governments at least
3 2,500,000 military firearms that are considered to
4 be “curios or relics” under the Gun Control Act of
5 1968.

6 (2) These firearms include more than
7 1,200,000 M-1 Carbine rifles and 250,000 M1911
8 pistols of United States manufacture that have been
9 furnished to foreign governments under United
10 States foreign military assistance grant, loan, or
11 sales programs.

12 (4) Criminals tend to use low-cost firearms that
13 are concealable, capable of accepting large-capacity
14 magazines, or are capable of being easily converted
15 to fully automatic fire.

16 (5) An M-1 Carbine can be converted easily to
17 a fully automatic weapon by disassembling the weap-
18 on and reassembling the weapon with a few addi-
19 tional parts.

20 (6) An M1911 or M1911A pistol is easily con-
21 cealable.

22 (7) At least 9 police officers have been mur-
23 dered in the United States using M-1 Carbines or
24 M1911 pistols in the past 7 years.

1 (8) The importation of large numbers of “curio
2 or relic” weapons would lower their cost, make them
3 more readily available to criminals, and constitute a
4 threat to public safety and to law enforcement offi-
5 cers.

6 (9) The importation of these “curios or relics”
7 weapons could result in a financial windfall for for-
8 eign governments.

9 (10) In order to ensure that these weapons are
10 never permitted to be imported into the United
11 States, a provision of the Arms Export Control Act
12 must be deleted.

13 **SEC. 3. REMOVAL OF EXEMPTION FROM PROHIBITION ON**
14 **IMPORTS OF CERTAIN FIREARMS AND AMMU-**
15 **NITION.**

16 (a) **REMOVAL OF EXEMPTION.**—Section 38(b)(1) of
17 the Arms Export Control Act (22 U.S.C. 2778(b)(1)) is
18 amended by striking subparagraph (B), as added by sec-
19 tion 8142(a) of the Department of Defense Appropriations
20 Act, 1988 (contained in Public Law 100–202).

21 (b) **SAVINGS PROVISION.**—The amendment made by
22 subsection (a) shall not affect any license issued before
23 the date of the enactment of this Act.

1 **SEC. 4. REPORT ON IMPORTS OF FOREIGN-MADE SURPLUS**
2 **MILITARY FIREARMS THAT ARE CURIOS OR**
3 **RELICS.**

4 Not later than 1 year after the date of enactment
5 of this Act, the Secretary of the Treasury, acting through
6 the Bureau of Alcohol, Tobacco and Firearms, shall sub-
7 mit a report to Congress on the scope and effect of the
8 importation of foreign-made surplus military firearms
9 under section 925(e) of title 18, United States Code. The
10 report shall contain the following:

11 (1) **CURRENT IMPORTATION.**—A list of types
12 and models of military firearms currently being im-
13 ported into the United States as “curios or relics”
14 under section 925(e) of title 18, United States Code,
15 which would otherwise be barred from importation
16 as surplus military firearms under section 925(d)(3)
17 of that title.

18 (2) **IMPORTATION DURING PRECEDING 5**
19 **YEARS.**—A list of the number of each type and
20 model listed under paragraph (1) that has been im-
21 ported into the United States during the 5 years
22 preceding the date of submission of the report.

23 (3) **EASE OF CONVERSION.**—A description of
24 the ease with which each type and model listed
25 under paragraph (1) may be converted to a semi-
26 automatic assault weapon as defined in section

1 921(a)(30)(B) of that title or to a fully automatic
2 weapon.

3 (4) INVOLVEMENT IN CRIMINAL ACTIVITIES.—
4 Statistics that may be relevant to the use for crimi-
5 nal activities of each type and model of weapons list-
6 ed in paragraph (1), including—

7 (A) statistics involving the use of the
8 weapons in homicides of law enforcement offi-
9 cials; and

10 (B) the number of firearm traces by the
11 Bureau of Alcohol, Tobacco and Firearms that
12 involved those weapons.

13 (5) COMPREHENSIVE EVALUATION.—A com-
14 prehensive evaluation of the scope of imports under
15 section 925(e) of that title and the use of such
16 weapons in crimes in the United States.

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