

108TH CONGRESS
2D SESSION

H. R. 4292

To ban the transfer of 50 caliber sniper weapons, and otherwise regulate the weapons in the same manner as machine guns are regulated.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2004

Mr. MORAN of Virginia (for himself, Mr. CONYERS, Ms. NORTON, Mr. WEXLER, Mr. EMANUEL, Mrs. MALONEY, and Mr. VAN HOLLEN) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To ban the transfer of 50 caliber sniper weapons, and otherwise regulate the weapons in the same manner as machine guns are regulated.

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 “50 Caliber Sniper Rifle
5 Reduction Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

1 (1) certain firearms originally designed and
2 built for use as long-range 50 caliber military sniper
3 weapons are increasingly sold in the domestic civil-
4 ian market, and there are fewer legal restrictions on
5 their possession or transfer than there are on hand-
6 guns;

7 (2) the intended use of these long-range fire-
8 arms, and an increasing number of models derived
9 directly from them, is the taking of human life and
10 the destruction of materiel, including armored vehi-
11 cles and such components of the national critical in-
12 frastructure as radars and microwave transmission
13 devices, in addition 50 caliber sniper weapons pose
14 a significant threat to civil aviation in that they are
15 capable of destroying or disabling jet aircraft;

16 (3) these firearms are neither designed nor used
17 in any significant number for legitimate sporting or
18 hunting purposes and are clearly distinguishable
19 from rifles intended for sporting and hunting use;

20 (4) extraordinarily destructive ammunition for
21 these weapons, including armor-piercing and armor-
22 piercing incendiary ammunition, is freely sold in
23 interstate commerce; and

24 (5) the virtually unrestricted availability of
25 these firearms and ammunition, given the uses in-

1 tended in their design and manufacture, present a
2 serious and substantial threat to the national secu-
3 rity.

4 **SEC. 3. COVERAGE OF 50 CALIBER SNIPER WEAPONS**
5 **UNDER THE NATIONAL FIREARMS ACT.**

6 (a) IN GENERAL.—Subsection (a) of section 5845 of
7 the Internal Revenue Code of 1986 (defining firearm) is
8 amended by striking “(6) a machine gun; (7) any silencer
9 (as defined in section 921 of title 18, United States Code);
10 and (8) a destructive device.” and inserting “(6) a 50 cal-
11 iber sniper weapon; (7) a machine gun; (8) any silencer
12 (as defined in section 921 of title 18, United States Code);
13 and (9) a destructive device.”

14 (b) 50 CALIBER SNIPER WEAPON.—

15 (1) IN GENERAL.—Section 5845 of such Code
16 is amended by redesignating subsections (d) through
17 (m) as subsections (e) through (n), respectively, and
18 by inserting after subsection (c) the following new
19 subsection:

20 “(d) 50 CALIBER SNIPER WEAPON.—The term ‘50
21 caliber sniper weapon’ means a rifle capable of firing a
22 center-fire cartridge in 50 caliber, .50 BMG caliber, any
23 other variant of 50 caliber, or any metric equivalent of
24 such calibers.”.

1 (2) MODIFICATION TO DEFINITION OF RIFLE.—
2 Subsection (e) of section 5845 of such Code is
3 amended by inserting “or from a bipod or other sup-
4 port” after “shoulder”.

5 (c) CONFORMING AMENDMENT.—Section 5811(a) of
6 such Code is amended by striking “5845(e)” and inserting
7 “5845(f)”.

8 (d) EFFECTIVE DATE.—The amendments made by
9 this section shall take effect on the date of the enactment
10 of this Act.

11 **SEC. 4. COVERAGE OF 50 CALIBER SNIPER WEAPONS**
12 **UNDER THE GUN CONTROL ACT OF 1968.**

13 (a) IN GENERAL.—Section 922 of title 18, United
14 States Code, is amended by adding at the end the fol-
15 lowing:

16 “(z)(1) It shall be unlawful for any person to transfer
17 or possess a 50 caliber sniper weapon.

18 “(2)(A) The prohibitions of paragraph (1) shall not
19 apply with respect to a transfer to or by, or possession
20 by or under the authority of, the United States or any
21 department or agency thereof or a State, or a department,
22 agency, or political subdivision thereof.

23 “(B) The possession prohibition of paragraph (1)
24 shall not apply with respect to the otherwise lawful posses-

1 sion of a 50 caliber sniper weapon that was lawfully pos-
2 sessed before the date this subsection takes effect.”.

3 (b) 50 CALIBER SNIPER WEAPON DEFINED.—Sec-
4 tion 921(a) of such title is amended by adding at the end
5 the following:

6 “(35) The term ‘50 caliber sniper weapon’ has the
7 meaning given such term in section 5845(d) of the Na-
8 tional Firearms Act (26 U.S.C. 5845(d)).”.

9 (c) PENALTIES.—Section 924(a)(2) of such title is
10 amended by striking “or (o)” and inserting “(o), or (z)”.

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