

108TH CONGRESS  
1ST SESSION

# S. 1243

To amend section 924, title 18, United States Code, to increase the maximum term of imprisonment for interstate firearms trafficking and to include interstate firearms trafficking in the definition of racketeering activity, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 11, 2003

Mr. SCHUMER (for himself and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend section 924, title 18, United States Code, to increase the maximum term of imprisonment for interstate firearms trafficking and to include interstate firearms trafficking in the definition of racketeering activity, 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 “Gun Trafficking Pen-  
5       alties Enhancement Act of 2003”.

1 **SEC. 2. ILLEGAL FIREARMS TRAFFICKING.**

2 (a) INCREASED MAXIMUM TERM OF IMPRISON-  
3 MENT.—Section 924 of title 18, United States Code, is  
4 amended—

5 (1) in subsection (a)(2)—

6 (A) by inserting “(A)” after “(2)”;

7 (B) by striking “(d),”; and

8 (C) by adding at the end the following:

9 “(B) Whoever knowingly violates sub-  
10 section (d) of section 922 shall be fined under  
11 this title, imprisoned not more than 20 years,  
12 or both.”;

13 (2) in subsection (g), by striking “10 years,  
14 fined in accordance with” and inserting “20 years,  
15 fined under”;

16 (3) in subsection (h), by striking “10 years,  
17 fined in accordance with” and inserting “20 years,  
18 fined under”; and

19 (4) in subsection (n), by striking “10 years”  
20 and inserting “20 years”.

21 (b) SENTENCING GUIDELINES.—Notwithstanding  
22 any other provision of law regarding the amendment of  
23 the Sentencing Guidelines, the United States Sentencing  
24 Commission shall amend the Sentencing Guidelines to—

25 (1) raise the base offense level for interstate  
26 firearms trafficking under section 922(d) of title 18,

1 United States Code, and subsections (g), (h), and  
2 (n) of section 924 of such title, as set out under sec-  
3 tion 2K2.1 of the Sentencing Guidelines, to not less  
4 than level 20; and

5 (2) increase the punishment for violations of  
6 section 922(d) of title 18, United States Code, and  
7 subsections (g), (h), and (n) of section 924 of such  
8 title, in conformance with the amendments made  
9 under paragraph (1).

10 (c) RACKETEERING ACTIVITY.—Section 1961(1) of  
11 title 18, United States Code, is amended by inserting “sec-  
12 tion 922(d) (relating to firearms sales to ineligible per-  
13 sons), subsections (g), (h), and (n) of section 924 (relating  
14 to illegal firearms trafficking),” before “section 1028”.

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