

112TH CONGRESS
1ST SESSION

H. R. 2554

To prohibit firearms trafficking.

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2011

Mrs. MALONEY (for herself, Mr. CUMMINGS, Mrs. MCCARTHY of New York, Mr. CONYERS, Mr. TIERNEY, Mr. CONNOLLY of Virginia, Ms. CHU, Ms. NORTON, Mr. RANGEL, Mr. MORAN, Mr. LYNCH, Ms. SPEIER, Mr. FILNER, Mr. ACKERMAN, Mr. FARR, and Mr. QUIGLEY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prohibit firearms trafficking.

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 “Stop Gun Trafficking
5 and Strengthen Law Enforcement Act of 2011”.

6 **SEC. 2. PROHIBITION ON FIREARMS TRAFFICKING.**

7 (a) IN GENERAL.—Chapter 44 of title 18, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

1 **“§ 932. Trafficking in firearms**

2 “(a) IN GENERAL.—It shall be unlawful for any per-
3 son, regardless of whether anything of value is exchanged,
4 to receive, or to transfer or otherwise dispose of to 1 or
5 more individuals, 2 or more firearms that have been
6 shipped or transported in interstate or foreign commerce,
7 knowing or having reasonable cause to believe that such
8 conduct will result in the disposing of 1 or more such fire-
9 arms to an individual—

10 “(1) whose possession or receipt of the firearm
11 would be unlawful; or

12 “(2) who intends to or will use, carry, possess,
13 or dispose of the firearm unlawfully.

14 “(b) ORGANIZER.—It shall be unlawful for any per-
15 son to knowingly direct, promote, or facilitate conduct that
16 violates subsection (a).

17 “(c) CONSPIRACY.—It shall be unlawful for any per-
18 son to conspire to violate subsection (a).

19 “(d) DEFINITIONS.—In subsection (a):

20 “(1) The term ‘individual whose possession or
21 receipt of the firearm would be unlawful’ means an
22 individual—

23 “(A) who is under indictment or has a
24 prior conviction for a violent felony or a felony
25 drug offense;

1 “(B) who at the time of the offense was
 2 under a criminal sentence, including on proba-
 3 tion, parole, supervised release, or work release,
 4 or in escape status;

5 “(C) whose possession of the firearm vio-
 6 lates or would violate section 922(x)(2); or

7 “(D) whose possession of the firearm vio-
 8 lates or would violate paragraph (2), (3), (4),
 9 (5), (8), or (9) of section 922(g).

10 “(2) The term ‘violent felony’ has the meaning
 11 given in section 924(e)(2)(B).

12 “(3) The term ‘felony drug offense’ has the
 13 meaning given in section 102(44) of the Controlled
 14 Substances Act, and includes a drug trafficking
 15 crime (as defined in section 924(c)).”.

16 (b) PENALTIES.—Section 924(a) of such title is
 17 amended by adding at the end the following:

18 “(8)(A) Whoever violates subsection (a) or (b) of sec-
 19 tion 932 shall be fined under this title, imprisoned not
 20 more than 20 years, or both, subject to subparagraph (B).

21 “(B) The term of imprisonment imposed on a person
 22 who violates section 932 in concert with 5 or more other
 23 persons with respect to whom the person occupies a posi-
 24 tion of organizer, a supervisory position, or any other posi-
 25 tion of management, shall be not more than 25 years.

1 “(C) Whoever violates section 932(c) shall be fined
2 under this title, imprisoned not more than 10 years, or
3 both.”.

4 (c) CLERICAL AMENDMENT.—The table of sections
5 for such chapter is amended by adding at the end the fol-
6 lowing:

“932. Trafficking in firearms.

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