

112TH CONGRESS
1ST SESSION

S. 381

To amend the Arms Export Control Act to provide that certain firearms listed as curios or relics may be imported into the United States by a licensed importer without obtaining authorization from the Department of State or the Department of Defense, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 17, 2011

Mr. TESTER (for himself, Mr. CRAPO, Mr. WICKER, Mr. INHOFE, Mr. ENZI, Mr. BEGICH, Ms. MURKOWSKI, and Mr. BAUCUS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To amend the Arms Export Control Act to provide that certain firearms listed as curios or relics may be imported into the United States by a licensed importer without obtaining authorization from the Department of State or the Department of Defense, 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 “Collectible Firearms
5 Protection Act”.

1 **SEC. 2. AMENDMENTS TO ARMS EXPORT CONTROL ACT.**

2 (a) IN GENERAL.—Section 38(b)(1) of the Arms Ex-
3 port Control Act (22 U.S.C. 2778(b)(1)) is amended—

4 (1) by redesignating the first subparagraph (B)
5 (as added by section 8142(a) of the Department of
6 Defense Appropriations Act, 1988 (as enacted into
7 law by Public Law 100–202; 101 Stat. 1329–88)) as
8 subparagraph (C);

9 (2) in subparagraph (C) (as redesignated by
10 paragraph (1) of this subsection)—

11 (A) in the matter preceding clause (i), by
12 striking “subparagraph (A)” and inserting
13 “subparagraph (A)(i)”;

14 (B) in clause (i), by striking “Secretary of
15 the Treasury” and inserting “Attorney Gen-
16 eral”; and

17 (C) by striking clause (ii) and inserting the
18 following:

19 “(ii) the person seeking to export such firearms
20 to the United States certifies to the Attorney Gen-
21 eral that the firearms are lawfully possessed under
22 the laws of the exporting country.”; and

23 (3) by adding at the end the following:

24 “(D) Notwithstanding any other provision of law,
25 regulation, or executive order, any such firearms described
26 in subparagraph (C) may be imported into the United

1 States by an importer licensed under the provisions of
2 chapter 44 of title 18, United States Code, without the
3 importer or the person described in subparagraph
4 (C)(ii)—

5 “(i) obtaining authorization from the Depart-
6 ment of State or the Department of Defense for the
7 transfer of such firearms by the person to the im-
8 porter; or

9 “(ii) providing payment to the Department of
10 State or the Department of Defense of any of the
11 proceeds of the transfer of such firearms by the per-
12 son to the importer.”.

13 (b) EFFECTIVE DATE.—The amendments made by
14 subsection (a) apply to the importation of firearms de-
15 scribed in section 38(b)(1)(C) of the Arms Export Control
16 Act (as amended by subsection (a) of this section) on or
17 after the date of the enactment of this Act.

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