

107TH CONGRESS
1ST SESSION

H. R. 3182

To regulate certain 50 caliber sniper weapons in the same manner as machine guns and other firearms.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2001

Mr. BLAGOJEVICH (for himself and Mr. WAXMAN) 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 regulate certain 50 caliber sniper weapons in the same manner as machine guns and other firearms.

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 “Trooper Timothy
5 Mossbrucker Memorial Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) certain firearms originally designed and
9 built for use as long-range 50 caliber military sniper

1 weapons are increasingly sold in the domestic civil-
2 ian market, and there are fewer legal restrictions on
3 their possession or transfer than there are on hand-
4 guns;

5 (2) the intended use of these long-range fire-
6 arms, and an increasing number of models derived
7 directly from them, is the taking of human life and
8 the destruction of materiel, including armored vehi-
9 cles and such components of the national critical in-
10 frastructure as radars and microwave transmission
11 devices;

12 (3) these firearms are neither designed nor used
13 in any significant number for legitimate sporting or
14 hunting purposes and are clearly distinguishable
15 from rifles intended for sporting and hunting use;

16 (4) extraordinarily destructive ammunition for
17 these weapons, including armor-piercing and armor-
18 piercing incendiary ammunition, is freely sold in
19 interstate commerce; and

20 (5) the virtually unrestricted availability of
21 these firearms and ammunition, given the uses in-
22 tended in their design and manufacture, present a
23 serious and substantial threat to the national secu-
24 rity.

1 **SEC. 3. COVERAGE OF 50 CALIBER SNIPER WEAPONS**
2 **UNDER NATIONAL FIREARMS ACT.**

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

11 (b) 50 CALIBER SNIPER WEAPON.—

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

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

22 (2) MODIFICATION TO DEFINITION OF RIFLE.—
23 Subsection (c) of section 5845 of such Code is
24 amended by inserting “or from a bipod or other sup-
25 port” after “shoulder”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on the date of the enactment
3 of this Act.

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

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

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

11 “(2) Paragraph (1) shall not apply with respect to—

12 “(A) a transfer to or by, or possession by or
13 under the authority of, the United States or any de-
14 partment or agency thereof or a State, or a depart-
15 ment, agency, or political subdivision thereof; or

16 “(B) any otherwise lawful transfer or otherwise
17 lawful possession of a 50 caliber sniper weapon that
18 was lawfully possessed before the date this sub-
19 section takes effect.”.

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

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

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

○