

119TH CONGRESS
1ST SESSION

S. 89

To reform restrictions on the importation of firearms and ammunition.

IN THE SENATE OF THE UNITED STATES

JANUARY 14, 2025

Mr. RISCH (for himself, Ms. LUMMIS, Mr. CASSIDY, Mr. SCOTT of Florida, Mr. CORNYN, Mr. DAINES, Mr. WICKER, Mr. MARSHALL, Mr. SHEEHY, Mr. TILLIS, Mr. CRAPO, Mr. BUDD, and Mr. RICKETTS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To reform restrictions on the importation of firearms and ammunition.

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 “Sporting Firearms Ac-
5 cess Act of 2025”.

6 **SEC. 2. IMPORTATION OF FIREARMS AND AMMUNITION.**

7 (a) IN GENERAL.—Section 925(d) of title 18, United
8 States Code, is amended—

1 (1) by redesignating paragraphs (1) through
 2 (4) as subparagraphs (A) through (D), respectively,
 3 and adjusting the margins accordingly;

4 (2) by striking “The Attorney General shall au-
 5 thorize” and inserting the following:

6 “(1) IN GENERAL.—The Attorney General shall
 7 authorize”;

8 (3) by striking “The Attorney General shall
 9 permit” and inserting the following:

10 “(3) CONDITIONAL IMPORTATION.—The Attor-
 11 ney General shall permit”; and

12 (4) by inserting after paragraph (1), as so des-
 13 ignated, the following:

14 “(2) DETERMINATION REGARDING IMPORTA-
 15 TION FOR SPORTING PURPOSES.—

16 “(A) DEFINITION.—For purposes of para-
 17 graph (1)(C), the term ‘generally recognized as
 18 particularly suitable for or readily adaptable to
 19 sporting purposes’, with respect to a firearm or
 20 ammunition, includes a firearm or ammunition
 21 that is designed and intended by the manufac-
 22 turer for such uses as hunting, recreational tar-
 23 get shooting, organized and governed competi-
 24 tions, or civilian rifle match competitions.

25 “(B) DEADLINE FOR DETERMINATION.—

“(i) IN GENERAL.—Not later than 90 days after the date on which a person attempting to import or bring in a firearm or ammunition under paragraph (1)(C) requests a determination of whether the importation or bringing in of the firearm or ammunition will be allowed under that paragraph, the Attorney General shall make the determination.

“(ii) DEEMED ALLOWANCE.—If the Attorney General does not make a determination regarding a firearm or ammunition described in clause (i) by the date specified in that clause, the importation or bringing in of the firearm or ammunition shall be deemed to have been allowed as of that date.

“(C) FORM OF DENIAL.—If the Attorney General denies the importation or bringing in of a firearm or ammunition under paragraph (1)(C), the Attorney General shall—

“(i) provide the person attempting to import or bring in the firearm or ammunition with the basis for the denial, in writing; and

1 “(ii) post the basis for the denial on
 2 the website of the Bureau of Alcohol, To-
 3 bacco, Firearms, and Explosives.

4 “(D) DENIAL OF SUBSTANTIALLY SIMILAR
 5 FIREARMS OR AMMUNITION PROHIBITED.—

6 “(i) IN GENERAL.—The Attorney
 7 General may not deny the importation or
 8 bringing in of a firearm or ammunition
 9 under paragraph (1)(C) that is substan-
 10 tially similar to firearms or ammunition
 11 that are in circulation in the United
 12 States.

13 “(ii) DEFINITION.—The Attorney
 14 General shall define the term ‘substantially
 15 similar’ for purposes of clause (i)—

16 “(I) in consultation with rep-
 17 resentatives of the firearms industry,
 18 including hunting guides, shooting
 19 magazine editors, State game commis-
 20 sioners, organized competitive hunting
 21 and shooting groups, law enforcement
 22 agencies or organizations, firearms in-
 23 dustry members and trade associa-
 24 tions, and interest and information
 25 groups; and

1 “(II) with reference to processes
2 used by the Attorney General as of
3 the date of enactment of the Sporting
4 Firearms Access Act of 2025 that ex-
5 amine the physical and technical char-
6 acteristics of firearms and ammuni-
7 tion and the similarity of those phys-
8 ical and technical characteristics to
9 the physical and technical characteris-
10 tics of firearms and ammunition in
11 circulation within the United States.

12 “(E) HEARING.—If the Attorney General
13 denies an application for the importation or
14 bringing in of a firearm or ammunition under
15 paragraph (1)(C), the Attorney General shall,
16 upon request by the aggrieved party, promptly
17 hold a hearing to review the denial at a location
18 convenient to the aggrieved party.

19 “(F) JUDICIAL REVIEW.—

20 “(i) IN GENERAL.—If, after a hearing
21 held under subparagraph (E), the Attorney
22 General decides not to reverse a determina-
23 tion to deny an application under para-
24 graph (1)(C), the Attorney General shall

1 give notice of that decision to the ag-
2 grievied party.

3 “(ii) PETITION FOR JUDICIAL RE-
4 VIEW.—Not later than 60 days after the
5 date on which notice is given under clause
6 (i), the aggrieved party may file a petition
7 with the United States district court for
8 the district in which the aggrieved party
9 resides or has his or her principal place of
10 business for a de novo judicial review of
11 the denial.

12 “(iii) CONSIDERATION OF EVI-
13 DENCE.—In a proceeding conducted under
14 this subparagraph, the court may consider
15 any evidence submitted by the parties to
16 the proceeding whether or not the evidence
17 was considered at the hearing held under
18 subparagraph (E).

19 “(iv) BURDEN OF PROOF.—In a pro-
20 ceeding conducted under this subpara-
21 graph, the Attorney General shall have the
22 burden of proof to establish that the fire-
23 arm or ammunition is not generally recog-
24 nized as particularly suitable for or readily
25 adaptable to sporting purposes, including

by establishing that the firearm or ammunition is not substantially similar to firearms or ammunition that are in circulation in the United States, as described in subparagraph (D).

“(v) REVERSAL OF DECISION; ATTORNEY FEES.—If the court decides that the Attorney General was not authorized to deny the application, the court shall—

“(I) order the Attorney General to take such action as may be necessary to comply with the judgment of the court; and

“(II) award reasonable attorney fees to the aggrieved party.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CONFORMING AMENDMENT.—Section 161A(b) of the Atomic Energy Act of 1954 (42 U.S.C. 2201a(b)) is amended by striking “section 925(d)(3)” and inserting “section 925(d)(1)(C)”.

(2) SUBSECTION HEADINGS.—Section 925 of title 18, United States Code, is amended—

(A) in subsection (d), by inserting after the subsection enumerator the following: “IMPORTATION RELATING TO SCIENTIFIC OR RE-

1 SEARCH PURPOSES, COMPETITION OR TRAIN-
 2 ING, CURIOS AND MUSEUM PIECES, SPORTING
 3 PURPOSES, AND PREVIOUSLY REMOVED FIRE-
 4 ARMS AND AMMUNITION.—”;

5 (B) in subsection (e), by inserting after the
 6 subsection enumerator the following: “IMPOR-
 7 TATION OF CURIOS AND RELICS BY LICENSED
 8 IMPORTERS.—”; and

9 (C) in subsection (f), by inserting after the
 10 subsection enumerator the following: “IMPOR-
 11 TATION OF UNDETECTABLE FIREARMS.—”.

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