

118TH CONGRESS  
1ST SESSION

# H. R. 3236

To ensure that Federal laws that enable Federal, State, and local law enforcement agencies to access firearms apply equally to Tribal law enforcement agencies.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2023

Mr. JOHNSON of South Dakota (for himself, Mr. BACON, Mr. ELLZEY, and Mr. ZINKE) 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 ensure that Federal laws that enable Federal, State, and local law enforcement agencies to access firearms apply equally to Tribal law enforcement agencies.

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 “Tribal Police Depart-  
5 ment Parity Act”.

1 **SEC. 2. TRIBAL LAW ENFORCEMENT ACCESS TO FIREARMS.**

2 (a) AMENDMENTS TO TITLE 18, UNITED STATES  
3 CODE.—

4 (1) TRANSFER AND POSSESSION OF POST-1986  
5 MACHINEGUNS.—Section 922(o)(2)(A) of title 18,  
6 United States Code, is amended—

7 (A) by striking “or a State, or” and insert-  
8 ing “, a State or”; and

9 (B) by inserting before “; or” the fol-  
10 lowing: “, or an Indian Tribe (as defined in sec-  
11 tion 4 of the Indian Self-Determination and  
12 Education Assistance Act (25 U.S.C. 5304)) or  
13 any department or agency thereof”.

14 (2) TRANSPORTATION, SHIPMENT, RECEIPT,  
15 POSSESSION, AND IMPORTATION OF FIREARMS AND  
16 AMMUNITION.—Section 925(a)(1) of such title is  
17 amended—

18 (A) by striking “or any State” and insert-  
19 ing “, any State”; and

20 (B) by inserting before the period at the  
21 end the following: “, or any Indian Tribe (as  
22 defined in section 4 of the Indian Self-Deter-  
23 mination and Education Assistance Act (25  
24 U.S.C. 5304)) or any department or agency  
25 thereof”.

1 (b) AMENDMENTS TO INTERNAL REVENUE CODE OF  
2 1986.—

3 (1) TRANSFER TAX EXEMPTION.—Section  
4 5853(a) of the Internal Revenue Code of 1986 is  
5 amended by inserting “, Indian Tribe (as defined in  
6 section 4 of the Indian Self-Determination and Edu-  
7 cation Assistance Act (25 U.S.C. 5304))” after “any  
8 State”.

9 (2) MAKING TAX EXEMPTION.—Section 5853(b)  
10 of such Code is amended by inserting “, Indian  
11 Tribe (as defined in section 4 of the Indian Self-De-  
12 termination and Education Assistance Act (25  
13 U.S.C. 5304))” after “any State”.

14 (3) EFFECTIVE DATE.—The amendments made  
15 by this subsection shall apply to any firearm trans-  
16 ferred or made after the date of enactment of this  
17 Act.

○