

103^D CONGRESS
2^D SESSION

H. R. 1571

To amend title 18, United States Code, to prohibit the possession, transfer, and certain exports of restricted weapons, the manufacture of firearms capable of accepting a silencer or bayonet without alteration, and the possession and transfer of large capacity ammunition feeding devices, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 1993

Mr. HUGHES (for himself and Mr. KLEIN) introduced the following bill; which was referred to the Committee on the Judiciary

MAY 2, 1994

Additional sponsor: Ms. MARGOLIES-MEZVINSKY

A BILL

To amend title 18, United States Code, to prohibit the possession, transfer, and certain exports of restricted weapons, the manufacture of firearms capable of accepting a silencer or bayonet without alteration, and the possession and transfer of large capacity ammunition feeding devices, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Restricted Weapons
3 Act of 1993”.

4 **SEC. 2. PROHIBITION AGAINST POSSESSION AND TRANS-**
5 **FER OF RESTRICTED WEAPONS.**

6 (a) PROHIBITION.—Section 922 of title 18, United
7 States Code, is amended by adding at the end the follow-
8 ing:

9 “(s)(1) Except as provided in paragraphs (2) and (3),
10 it shall be unlawful for any person to possess or transfer
11 a restricted weapon.

12 “(2) Paragraph (1) shall not apply to any otherwise
13 lawful possession or transfer of a restricted weapon if the
14 weapon was lawfully possessed before the date the weapon
15 was most recently added to the list published pursuant to
16 section 925A.

17 “(3) It shall be unlawful for any person to transfer
18 a restricted weapon that meets the requirement of para-
19 graph (2), except in accordance with regulations pre-
20 scribed by the Secretary.”.

21 (b) RESTRICTED WEAPON DEFINED.—Section
22 921(a) of such title is amended by adding at the end the
23 following:

24 “(29) The term ‘restricted weapon’ means any fire-
25 arm which is on the list most recently published by the
26 Secretary under section 925A.”.

1 (c) AUTHORITY OF THE SECRETARY OF THE TREAS-
2 URY TO DESIGNATE RESTRICTED WEAPONS; PUBLICA-
3 TION OF LIST.—

4 (1) IN GENERAL.—Chapter 44 of title 18, Unit-
5 ed States Code, is amended by inserting after sec-
6 tion 925 the following:

7 **“§ 925A. Designation of restricted weapons**

8 “(a) Within 60 days after the date of the enactment
9 of this section, the Secretary shall—

10 “(1) designate as a restricted weapon—

11 “(A) any semiautomatic rifle which is—

12 “(i) manufactured in the United
13 States; and

14 “(ii) not generally recognized as par-
15 ticularly suitable for, or readily adaptable
16 to, sporting purposes; and

17 “(B) any firearm manufactured outside the
18 United States the importation of which is pro-
19 hibited under section 925(d); and

20 “(2) compile and publish a list of the firearms
21 so designated.

22 “(b) After the end of the 60-day period described in
23 subsection (a), the Secretary shall, from time to time—

24 “(1) revise the list published pursuant to sub-
25 section (a)—

1 “(A) to include in such list any weapon
2 which meets the requirements of subparagraph
3 (A) or (B) of subsection (a)(1); and

4 “(B) to exclude from such list any weapon
5 which is not described in subsection (a)(1)(A)
6 and which is not described in subsection
7 (a)(1)(B); and

8 “(2) publish the revised list.”.

9 (2) SEMIAUTOMATIC RIFLE DEFINED.—Section
10 921(a) of such title is amended by adding after the
11 paragraph added by subsection (b) of this section
12 the following:

13 “(30) The term ‘semiautomatic rifle’, means—

14 “(A) a rifle which uses a portion of the force
15 of a fired cartridge to expel the case of the fired car-
16 tridge and load another cartridge into the firing
17 chamber, and which requires a separate function of
18 the trigger to fire each cartridge; and

19 “(B) any part or combination of parts, designed
20 or intended to convert a rifle into a rifle described
21 in subparagraph (A).”.

22 (3) CLERICAL AMENDMENT.—The table of sec-
23 tions at the beginning of chapter 44 of such title is
24 amended by inserting after the item relating to sec-
25 tion 925 the following:

“925A. Designation of restricted weapons.”.

1 (d) PENALTIES.—

2 (1) UNLAWFUL POSSESSION OR TRANSFER OF
3 RESTRICTED WEAPON.—Section 924(a)(1)(B) of
4 such title, as amended by section 6(b)(2) of this Act,
5 is amended by striking “or (r)” and inserting “(r),
6 or (s)”.

7 (2) ENHANCED PENALTY FOR POSSESSION OR
8 USE OF RESTRICTED WEAPON DURING CRIME OF VI-
9 OLENCE OR DRUG TRAFFICKING CRIME.—Section
10 924(c)(1) of such title is amended by striking “and
11 if the firearm is a short-barreled rifle, short-barreled
12 shotgun” and inserting “if the firearm is a restricted
13 weapon, a short-barreled rifle, or a short-barreled
14 shotgun,”.

15 (e) REGULATIONS GOVERNING TRANSFER OF RE-
16 STRICTED WEAPONS.—

17 (1) REGULATIONS.—Section 926 of such title is
18 amended by adding at the end the following:

19 “(d)(1) Within 60 days after the date of the enact-
20 ment of this subsection, the Secretary shall prescribe regu-
21 lations governing the transfer of restricted weapons, which
22 shall allow such a transfer to proceed within 30 days after
23 the Secretary receives such documentation as the Sec-
24 retary may require to be submitted with respect to the
25 transfer, and shall include provisions for determining

1 whether the transferee is a person described in section
2 922(g).

3 “(2) The Secretary may assess a fee of not more than
4 \$50 in connection with the transfer of a restricted weap-
5 on.”.

6 (2) PENALTY FOR VIOLATION OF REGULA-
7 TIONS.—Section 924(a) of such title is amended—

8 (A) in paragraph (1), by striking “para-
9 graph (2) or (3) of”; and

10 (B) by adding at the end the following:

11 “(5) Whoever transfers a restricted weapon in viola-
12 tion of a regulation issued under section 926(d)(1) but
13 in an otherwise lawful manner shall be fined under this
14 title, imprisoned not more than one year, or both.”.

15 **SEC. 3. PROHIBITION AGAINST CERTAIN EXPORTS OF RE-**
16 **STRICTED WEAPONS.**

17 (a) PROHIBITION.—Section 922 of title 18, United
18 States Code is amended by adding after the subsection
19 added by section 2(a) of this Act the following:

20 “(t)(1) Except as provided in paragraph (2), it shall
21 be unlawful to export or attempt to export a restricted
22 weapon.

23 “(2) Paragraph (1) shall not apply to the exportation
24 of a restricted weapon—

1 “(A) by or for the United States or any depart-
2 ment or agency thereof; or

3 “(B) by or to the government of a foreign coun-
4 try.

5 “(3) Notwithstanding paragraph (2)(B), it shall be
6 unlawful to knowingly export or attempt to export a re-
7 stricted weapon to a country if the Secretary of State finds
8 that—

9 “(A) the government of the country engages in
10 a consistent pattern of gross violations of inter-
11 nationally recognized human rights; or

12 “(B) the country has repeatedly provided sup-
13 port for international terrorism.”.

14 (b) PENALTY.—Section 924(a) of such title, is
15 amended by adding after the paragraph added by section
16 2(e)(2)(B) of this Act the following:

17 “(6) Whoever knowingly violates section 922(t) shall
18 be fined under this title, imprisoned not more than 5
19 years, or both.”.

20 **SEC. 4. PROHIBITION AGAINST MANUFACTURE OF A FIRE-**
21 **ARM CAPABLE OF ACCEPTING A SILENCER**
22 **OR BAYONET WITHOUT ALTERATION.**

23 (a) PROHIBITION.—Section 922 of title 18, United
24 States Code, is amended by adding after the subsections
25 added by sections 2(a) and 3(a) of this Act the following:

1 “(u) It shall be unlawful for any person to manufac-
2 ture a firearm to which a firearm silencer or bayonet may
3 be directly attached without alteration of the firearm.”.

4 (b) PENALTY.—Section 924(a)(1)(B) of such title, as
5 amended by sections 6(a) and 2(d)(1) of this Act, is
6 amended by striking “or (s)” and inserting “(s), or (u)”.

7 **SEC. 5. PROHIBITION AGAINST POSSESSION OR TRANSFER**
8 **OF LARGE CAPACITY AMMUNITION FEEDING**
9 **DEVICES.**

10 (a) PROHIBITION.—Section 922 of title 18, United
11 States Code, is amended by adding after the subsections
12 added by sections 2(a), 3(a), and 4(a) of this Act the fol-
13 lowing:

14 “(v)(1) It shall be unlawful for any person to possess
15 or transfer any large capacity ammunition feeding device.

16 “(2) Paragraph (1) shall not apply to any otherwise
17 lawful possession or otherwise lawful transfer of a large
18 capacity ammunition feeding device that was lawfully pos-
19 sessed before the date of the enactment of this sub-
20 section.”.

21 (b) LARGE CAPACITY AMMUNITION FEEDING DE-
22 VICE DEFINED.—Section 921(a) of such title is amended
23 by adding after the paragraphs added by subsections (b)
24 and (c)(2) of section 2 of this Act the following:

1 “(31)(A) Except as provided in subparagraph (B),
2 the term ‘large capacity ammunition feeding device’
3 means—

4 “(i) a detachable magazine, belt, drum, feed
5 strip, or similar device which has, or which can be
6 readily restored or converted to have, a capacity of
7 more than 7 rounds of ammunition; and

8 “(ii) any part or combination of parts, designed
9 or intended to convert a detachable magazine, belt,
10 drum, feed strip, or similar device into a device de-
11 scribed in clause (i).

12 “(B) The term ‘large capacity ammunition feeding
13 device’ does not include any attached tubular device de-
14 signed to accept and capable of operating with only .22
15 rimfire caliber ammunition.”.

16 (c) PENALTY.—Section 924(a)(1)(B) of such title, as
17 amended by sections 6(a), 2(d)(1), and 4(b) of this Act,
18 is amended by striking “or (u)” and inserting “(u), or
19 (v)”.

20 (d) REGULATIONS.—Section 926 of such title is
21 amended by adding after the subsection added by section
22 2(e)(1) of this Act the following:

23 “(e) The Secretary shall promulgate regulations re-
24 quiring manufacturers of large capacity ammunition feed-
25 ing devices to stamp each such device manufactured after

1 the date of the enactment of this subsection with a perma-
2 nent distinguishing mark selected in accordance with regu-
3 lations.”.

4 **SEC. 6. TECHNICAL CORRECTION RELATING TO FIREARMS**
5 **LAWS.**

6 (a) **IN GENERAL.**—Section 924(a)(1)(B) of title 18,
7 United States Code, is amended by striking “(q)” and in-
8 serting “(r)”.

9 (b) **EFFECTIVE DATE.**—The amendment made by
10 this section shall take effect if such amendment had been
11 included in section 2204 of the Crime Control Act of 1990
12 at the time such section 2204 became law.

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