

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3883

To amend title 18, United States Code, to prohibit the interstate transportation of a firearm with the intent to commit a violent crime, and to impose the death penalty for a violation that results in death.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 1994

Mr. LEVY (for himself, Mr. QUINN, Mr. KING, Mr. LAZIO, Mr. SOLOMON, Mr. GILMAN, Ms. MOLINARI, Mr. PAXON, Mr. MCHUGH, Mr. BOEHLERT, Mr. WALSH, Mr. FISH, Mr. HOUGHTON, Mr. MACHTLEY, Mr. BILIRAKIS, Mr. MCCOLLUM, Ms. KAPTUR, Mr. TORKILDSEN, and Mr. DIAZ-BALART) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to prohibit the interstate transportation of a firearm with the intent to commit a violent crime, and to impose the death penalty for a violation that results in death.

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 “Violence With Fire-  
5       arms Prevention Act of 1994”.

1 **SEC. 2. PROHIBITION AGAINST THE INTERSTATE TRANS-**  
2 **PORTATION OF A FIREARM WITH THE INTENT**  
3 **TO COMMIT A VIOLENT CRIME.**

4 Section 922 of title 18, United States Code, is  
5 amended by adding at the end the following:

6 “(v)(1)(A) Whoever transports or receives, or at-  
7 tempts to transport or receive, in interstate or foreign  
8 commerce any firearm with the knowledge or intent that  
9 it will be used unlawfully to kill, injure, or intimidate any  
10 individual shall be imprisoned for not more than 20 years,  
11 fined under this title, or both.

12 “(B) If the personal injury of another results from  
13 a violation of this subsection, the person shall be impris-  
14 oned for not more than 30 years, fined under this title,  
15 or both.

16 “(2)(A) In the case of a 2nd conviction under this  
17 subsection, the person shall be imprisoned for 20 years,  
18 fined under this title, or both.

19 “(B) If the 2nd conviction under this subsection is  
20 for a violation that results in the personal injury of an-  
21 other, then the person shall be imprisoned for 30 years,  
22 fined under this title, or both.

23 “(3) In the case of a 3rd or subsequent conviction  
24 under this subsection, the person shall be imprisoned for  
25 life, fined under this title, or both.

1       “(4) Notwithstanding paragraphs (1) through (3) of  
2 this subsection, if the death of another results from a vio-  
3 lation of this subsection, the person shall be imprisoned  
4 for life, fined under this title, or both, and shall be subject  
5 to the death penalty, and the procedure in respect of the  
6 death penalty for aircraft piracy provided in section 903(c)  
7 of the Federal Aviation Act of 1958 shall apply.

8       “(5) Notwithstanding any other provision of law, the  
9 court shall not impose a probationary sentence upon, or  
10 suspend the sentence of, any person convicted of a viola-  
11 tion of this subsection, nor shall the term of imprisonment  
12 imposed under this subsection run concurrently with any  
13 other term of imprisonment including that imposed for  
14 any offense in which the firearm was used.”.

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