

Minor changes were made in phraseology.

Editorial Notes

AMENDMENTS

2001—Pub. L. 107-56 substituted “5 years” for “one year”.

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$500”.

CHAPTER 44—FIREARMS

Sec.	
921.	Definitions.
922.	Unlawful acts.
923.	Licensing.
924.	Penalties.
925.	Exceptions: Relief from disabilities.
925A.	Remedy for erroneous denial of firearm.
925B.	Reporting of background check denials to State authorities.
925C.	Annual report to Congress.
925D.	Special assistant U.S. attorneys and cross-deputized attorneys.
926.	Rules and regulations.
926A.	Interstate transportation of firearms.
926B.	Carrying of concealed firearms by qualified law enforcement officers.
926C.	Carrying of concealed firearms by qualified retired law enforcement officers.
927.	Effect on State law.
928.	Separability.
929.	Use of restricted ammunition.
930.	Possession of firearms and dangerous weapons in Federal facilities.
931.	Prohibition on purchase, ownership, or possession of body armor by violent felons.
932.	Straw purchasing of firearms.
933.	Trafficking in firearms.
934.	Forfeiture and fines.

Editorial Notes

AMENDMENTS

2022—Pub. L. 117-159, div. A, title II, §12004(a)(6), June 25, 2022, 136 Stat. 1329, added items 932 to 934.

Pub. L. 117-103, div. W, title XI, §§1101(d), 1102(b), 1103(b), Mar. 15, 2022, 136 Stat. 920, 921, added items 925B to 925D.

2004—Pub. L. 108-277, §§2(b), 3(b), July 22, 2004, 118 Stat. 866, 867, added items 926B and 926C.

2002—Pub. L. 107-273, div. C, title I, §11009(e)(2)(B), Nov. 2, 2002, 116 Stat. 1821, added item 931.

1993—Pub. L. 103-159, title I, §104(b), Nov. 30, 1993, 107 Stat. 1543, added item 925A.

1990—Pub. L. 101-647, title XXXV, §3523, Nov. 29, 1990, 104 Stat. 4924, struck out “clause” after “Separability” in item 928.

1988—Pub. L. 100-690, title VI, §6215(b), Nov. 18, 1988, 102 Stat. 4362, added item 930.

1986—Pub. L. 99-308, §107(b), May 19, 1986, 100 Stat. 460, added item 926A.

1984—Pub. L. 98-473, title II, §1006(b), Oct. 12, 1984, 98 Stat. 2139, added item 929.

1968—Pub. L. 90-618, title I, §102, Oct. 22, 1968, 82 Stat. 1214, reenacted chapter analysis without change.

Pub. L. 90-351, title IV, §902, June 19, 1968, 82 Stat. 226, added chapter 44 and items 921 to 928.

Executive Documents

TRACING OF FIREARMS IN CONNECTION WITH CRIMINAL INVESTIGATIONS

Memorandum of President of the United States, Jan. 16, 2013, 78 F.R. 4301, which requires Federal law enforcement agencies to ensure that all firearms recovered after Jan. 16, 2013, in the course of criminal investigations and taken into Federal custody are traced through the Bureau of Alcohol, Tobacco, Firearms, and

Explosives at the earliest time practicable, was editorially reclassified and is set out as a note under section 40901 of Title 34, Crime Control and Law Enforcement.

PROMOTING SMART GUN TECHNOLOGY

Memorandum of President of the United States, Jan. 4, 2016, 81 F.R. 719, which requires the Department of Defense, the Department of Justice, and the Department of Homeland Security to conduct or sponsor research into gun safety technology, review such research, and explore potential ways to further its use and development to more broadly improve gun safety, was editorially reclassified and is set out as a note under section 40901 of Title 34, Crime Control and Law Enforcement.

§ 921. Definitions

(a) As used in this chapter—

(1) The term “person” and the term “whoever” include any individual, corporation, company, association, firm, partnership, society, or joint stock company.

(2) The term “interstate or foreign commerce” includes commerce between any place in a State and any place outside of that State, or within any possession of the United States (not including the Canal Zone) or the District of Columbia, but such term does not include commerce between places within the same State but through any place outside of that State. The term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone).

(3) The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

(4) The term “destructive device” means—

(A) any explosive, incendiary, or poison gas—

(i) bomb,

(ii) grenade,

(iii) rocket having a propellant charge of more than four ounces,

(iv) missile having an explosive or incendiary charge of more than one-quarter ounce,

(v) mine, or

(vi) device similar to any of the devices described in the preceding clauses;

(B) any type of weapon (other than a shotgun or a shotgun shell which the Attorney General finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and

(C) any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled.

The term “destructive device” shall not include any device which is neither designed nor rede-

signed for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 7684(2), 7685, or 7686 of title 10; or any other device which the Attorney General finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting, recreational or cultural purposes.

(5) The term “shotgun” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(6) The term “short-barreled shotgun” means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification or otherwise) if such a weapon as modified has an overall length of less than twenty-six inches.

(7) The term “rifle” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger.

(8) The term “short-barreled rifle” means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches.

(9) The term “importer” means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term “licensed importer” means any such person licensed under the provisions of this chapter.

(10) The term “manufacturer” means any person engaged in the business of manufacturing firearms or ammunition for purposes of sale or distribution; and the term “licensed manufacturer” means any such person licensed under the provisions of this chapter.

(11) The term “dealer” means (A) any person engaged in the business of selling firearms at wholesale or retail, (B) any person engaged in the business of repairing firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms, or (C) any person who is a pawnbroker. The term “licensed dealer” means any dealer who is licensed under the provisions of this chapter.

(12) The term “pawnbroker” means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm as security for the payment or repayment of money.

(13) The term “collector” means any person who acquires, holds, or disposes of firearms as curios or relics, as the Attorney General shall by regulation define, and the term “licensed collector” means any such person licensed under the provisions of this chapter.

(14) The term “indictment” includes an indictment or information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

(15) The term “fugitive from justice” means any person who has fled from any State to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding.

(16) The term “antique firearm” means—

(A) any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; or

(B) any replica of any firearm described in subparagraph (A) if such replica—

(i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or

(ii) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade; or

(C) any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition. For purposes of this subparagraph, the term “antique firearm” shall not include any weapon which incorporates a firearm frame or receiver, any firearm which is converted into a muzzle loading weapon, or any muzzle loading weapon which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

(17)(A) The term “ammunition” means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.

(B) The term “armor piercing ammunition” means—

(i) a projectile or projectile core which may be used in a handgun and which is constructed entirely (excluding the presence of traces of other substances) from one or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium; or

(ii) a full jacketed projectile larger than .22 caliber designed and intended for use in a handgun and whose jacket has a weight of more than 25 percent of the total weight of the projectile.

(C) The term “armor piercing ammunition” does not include shotgun shot required by Federal or State environmental or game regulations for hunting purposes, a frangible projectile designed for target shooting, a projectile which the Attorney General finds is primarily intended to be used for sporting purposes, or any other projectile or projectile core which the Attorney General finds is intended to be used for industrial purposes, including a charge used in an oil and gas well perforating device.

(18) The term “Attorney General” means the Attorney General of the United States¹

(19) The term “published ordinance” means a published law of any political subdivision of a State which the Attorney General determines to

¹ So in original. Probably should be followed by a period.

be relevant to the enforcement of this chapter and which is contained on a list compiled by the Attorney General, which list shall be published in the Federal Register, revised annually, and furnished to each licensee under this chapter.

(20) The term “crime punishable by imprisonment for a term exceeding one year” does not include—

(A) any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices, or

(B) any State offense classified by the laws of the State as a misdemeanor and punishable by a term of imprisonment of two years or less.

What constitutes a conviction of such a crime shall be determined in accordance with the law of the jurisdiction in which the proceedings were held. Any conviction which has been expunged, or set aside or for which a person has been pardoned or has had civil rights restored shall not be considered a conviction for purposes of this chapter, unless such pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms.

(21) The term “engaged in the business” means—

(A) as applied to a manufacturer of firearms, a person who devotes time, attention, and labor to manufacturing firearms as a regular course of trade or business with the principal objective of livelihood and profit through the sale or distribution of the firearms manufactured;

(B) as applied to a manufacturer of ammunition, a person who devotes time, attention, and labor to manufacturing ammunition as a regular course of trade or business with the principal objective of livelihood and profit through the sale or distribution of the ammunition manufactured;

(C) as applied to a dealer in firearms, as defined in section 921(a)(11)(A), a person who devotes time, attention, and labor to dealing in firearms as a regular course of trade or business to predominantly earn a profit through the repetitive purchase and resale of firearms, but such term shall not include a person who makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his personal collection of firearms;

(D) as applied to a dealer in firearms, as defined in section 921(a)(11)(B), a person who devotes time, attention, and labor to engaging in such activity as a regular course of trade or business with the principal objective of livelihood and profit, but such term shall not include a person who makes occasional repairs of firearms, or who occasionally fits special barrels, stocks, or trigger mechanisms to firearms;

(E) as applied to an importer of firearms, a person who devotes time, attention, and labor to importing firearms as a regular course of trade or business with the principal objective of livelihood and profit through the sale or distribution of the firearms imported; and

(F) as applied to an importer of ammunition, a person who devotes time, attention, and labor to importing ammunition as a regular course of trade or business with the principal objective of livelihood and profit through the sale or distribution of the ammunition imported.

(22) The term “to predominantly earn a profit” means that the intent underlying the sale or disposition of firearms is predominantly one of obtaining pecuniary gain, as opposed to other intents, such as improving or liquidating a personal firearms collection: *Provided*, That proof of profit shall not be required as to a person who engages in the regular and repetitive purchase and disposition of firearms for criminal purposes or terrorism. For purposes of this paragraph, the term “terrorism” means activity, directed against United States persons, which—

(A) is committed by an individual who is not a national or permanent resident alien of the United States;

(B) involves violent acts or acts dangerous to human life which would be a criminal violation if committed within the jurisdiction of the United States; and

(C) is intended—

(i) to intimidate or coerce a civilian population;

(ii) to influence the policy of a government by intimidation or coercion; or

(iii) to affect the conduct of a government by assassination or kidnapping.

(23) The term “with the principal objective of livelihood and profit” means that the intent underlying the sale or disposition of firearms is predominantly one of obtaining livelihood and pecuniary gain, as opposed to other intents, such as improving or liquidating a personal firearms collection: *Provided*, That proof of profit shall not be required as to a person who engages in the regular and repetitive purchase and disposition of firearms for criminal purposes or terrorism. For purposes of this paragraph, the term “terrorism” means activity, directed against United States persons, which—

(A) is committed by an individual who is not a national or permanent resident alien of the United States;

(B) involves violent acts or acts dangerous to human life which would be a criminal violation if committed within the jurisdiction of the United States; and

(C) is intended—

(i) to intimidate or coerce a civilian population;

(ii) to influence the policy of a government by intimidation or coercion; or

(iii) to affect the conduct of a government by assassination or kidnapping.

(24) The term “machinegun” has the meaning given such term in section 5845(b) of the National Firearms Act (26 U.S.C. 5845(b)).

(25) The terms “firearm silencer” and “firearm muffler” mean any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.

(26) The term “school zone” means—

(A) in, or on the grounds of, a public, parochial or private school; or

(B) within a distance of 1,000 feet from the grounds of a public, parochial or private school.

(27) The term “school” means a school which provides elementary or secondary education, as determined under State law.

(28) The term “motor vehicle” has the meaning given such term in section 13102 of title 49, United States Code.

(29) The term “semiautomatic rifle” means any repeating rifle which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

(30) The term “handgun” means—

(A) a firearm which has a short stock and is designed to be held and fired by the use of a single hand; and

(B) any combination of parts from which a firearm described in subparagraph (A) can be assembled.

[31] Repealed. Pub. L. 103-322, title XI, § 110105(2), Sept. 13, 1994, 108 Stat. 2000.]

(32) The term “intimate partner” means, with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabitates or has cohabited with the person.

(33)(A) Except as provided in subparagraphs (B) and (C), the term “misdemeanor crime of domestic violence” means an offense that—

(i) is a misdemeanor under Federal, State, Tribal, or local law; and

(ii) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, by a person similarly situated to a spouse, parent, or guardian of the victim, or by a person who has a current or recent former dating relationship with the victim.

(B)(i) A person shall not be considered to have been convicted of such an offense for purposes of this chapter, unless—

(I) the person was represented by counsel in the case, or knowingly and intelligently waived the right to counsel in the case; and

(II) in the case of a prosecution for an offense described in this paragraph for which a person was entitled to a jury trial in the jurisdiction in which the case was tried, either

(aa) the case was tried by a jury, or

(bb) the person knowingly and intelligently waived the right to have the case tried by a jury, by guilty plea or otherwise.

(ii) A person shall not be considered to have been convicted of such an offense for purposes of this chapter if the conviction has been expunged or set aside, or is an offense for which the person has been pardoned or has had civil rights re-

stored (if the law of the applicable jurisdiction provides for the loss of civil rights under such an offense) unless the pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms.

(C) A person shall not be considered to have been convicted of a misdemeanor crime of domestic violence against an individual in a dating relationship for purposes of this chapter if the conviction has been expunged or set aside, or is an offense for which the person has been pardoned or has had firearm rights restored unless the expungement, pardon, or restoration of rights expressly provides that the person may not ship, transport, possess, or receive firearms: *Provided*, That, in the case of a person who has not more than 1 conviction of a misdemeanor crime of domestic violence against an individual in a dating relationship, and is not otherwise prohibited under this chapter, the person shall not be disqualified from shipping, transport, possession, receipt, or purchase of a firearm under this chapter if 5 years have elapsed from the later of the judgment of conviction or the completion of the person’s custodial or supervisory sentence, if any, and the person has not subsequently been convicted of another such offense, a misdemeanor under Federal, State, Tribal, or local law which has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, or any other offense that would disqualify the person under section 922(g). The national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901) shall be updated to reflect the status of the person. Restoration under this subparagraph is not available for a current or former spouse, parent, or guardian of the victim, a person with whom the victim shares a child in common, a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or a person similarly situated to a spouse, parent, or guardian of the victim.

(34) The term “secure gun storage or safety device” means—

(A) a device that, when installed on a firearm, is designed to prevent the firearm from being operated without first deactivating the device;

(B) a device incorporated into the design of the firearm that is designed to prevent the operation of the firearm by anyone not having access to the device; or

(C) a safe, gun safe, gun case, lock box, or other device that is designed to be or can be used to store a firearm and that is designed to be unlocked only by means of a key, a combination, or other similar means.

(35) The term “body armor” means any product sold or offered for sale, in interstate or foreign commerce, as personal protective body covering intended to protect against gunfire, regardless of whether the product is to be worn alone or is sold as a complement to another product or garment.

(36) The term “local law enforcement authority” means a bureau, office, department or other authority of a State or local government or

Tribe that has jurisdiction to investigate a violation or potential violation of, or enforce, a State, local, or Tribal law.

(37)(A) The term “dating relationship” means a relationship between individuals who have or have recently had a continuing serious relationship of a romantic or intimate nature.

(B) Whether a relationship constitutes a dating relationship under subparagraph (A) shall be determined based on consideration of—

- (i) the length of the relationship;
- (ii) the nature of the relationship; and
- (iii) the frequency and type of interaction between the individuals involved in the relationship.

(C) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a dating relationship under subparagraph (A).

(38) The term “verified electronic notification”, with respect to a communication to a chief law enforcement officer required under section 922(c)(2), means a digital communication—

(A) sent to the electronic communication address that the chief law enforcement officer voluntarily designates for the purpose of receiving those communications; and

(B) that includes a method for verifying—

- (i) the receipt of the communication; and
- (ii) the electronic communication address to which the communication is sent.

(b) For the purposes of this chapter, a member of the Armed Forces on active duty is a resident of the State in which his permanent duty station is located.

(Added Pub. L. 90-351, title IV, §902, June 19, 1968, 82 Stat. 226; amended Pub. L. 90-618, title I, §102, Oct. 22, 1968, 82 Stat. 1214; Pub. L. 93-639, §102, Jan. 4, 1975, 88 Stat. 2217; Pub. L. 99-308, §101, May 19, 1986, 100 Stat. 449; Pub. L. 99-360, §1(b), July 8, 1986, 100 Stat. 766; Pub. L. 99-408, §1, Aug. 28, 1986, 100 Stat. 920; Pub. L. 101-647, title XVII, §1702(b)(2), title XXII, §2204(a), Nov. 29, 1990, 104 Stat. 4845, 4857; Pub. L. 103-159, title I, §102(a)(2), Nov. 30, 1993, 107 Stat. 1539; Pub. L. 103-322, title XI, §§110102(b), 110103(b), 110105(2), 110401(a), 110519, title XXXIII, §330021(1), Sept. 13, 1994, 108 Stat. 1997, 1999, 2000, 2014, 2020, 2150; Pub. L. 104-88, title III, §303(1), Dec. 29, 1995, 109 Stat. 943; Pub. L. 104-208, div. A, title I, §101(f) [title VI, §658(a)], Sept. 30, 1996, 110 Stat. 3009-314, 3009-371; Pub. L. 105-277, div. A, §101(b) [title I, §119(a)], (h) [title I, §115], Oct. 21, 1998, 112 Stat. 2681-50, 2681-69, 2681-480, 2681-490; Pub. L. 107-273, div. C, title I, §11009(e)(1), Nov. 2, 2002, 116 Stat. 1821; Pub. L. 107-296, title XI, §1112(f)(1)-(3), (6), Nov. 25, 2002, 116 Stat. 2276; Pub. L. 109-162, title IX, §908(a), Jan. 5, 2006, 119 Stat. 3083; Pub. L. 115-232, div. A, title VIII, §809(e)(2), Aug. 13, 2018, 132 Stat. 1842; Pub. L. 117-103, div. W, title XI, §§1101(b), 1104(a), Mar. 15, 2022, 136 Stat. 919, 921; Pub. L. 117-159, div. A, title II, §§12002, 12005(a), (c), June 25, 2022, 136 Stat. 1324, 1332; Pub. L. 118-159, div. E, title LII, §5211(a), Dec. 23, 2024, 138 Stat. 2444.)

Editorial Notes

REFERENCES IN TEXT

For definition of Canal Zone, referred to in subsec. (a)(2), see section 3602(b) of Title 22, Foreign Relations and Intercourse.

AMENDMENTS

2024—Subsec. (a)(38). Pub. L. 118-159 added par. (38).

2022—Subsec. (a)(21)(C). Pub. L. 117-159, §12002(1), substituted “to predominantly earn a profit” for “with the principal objective of livelihood and profit”.

Subsec. (a)(22) to (30). Pub. L. 117-159, §12002(2), (3), added par. (22) and redesignated former pars. (22) to (29) as (23) to (30), respectively.

Subsec. (a)(33)(A). Pub. L. 117-159, §12005(c)(1)(A), substituted “subparagraphs (B) and (C)” for “subparagraph (C)” in introductory provisions.

Subsec. (a)(33)(A)(i). Pub. L. 117-159, §12005(c)(1)(B), which directed substitution of “State,” for “State,,” in cl. (ii) of par. (33)(A), was executed in cl. (i) of par. (33)(A) to reflect the probable intent of Congress.

Pub. L. 117-103, §1104(a), substituted “, Tribal, or local law” for “or Tribal law”.

Subsec. (a)(33)(A)(ii). Pub. L. 117-159, §12005(a)(1), substituted “by a person similarly” for “or by a person similarly” and inserted “, or by a person who has a current or recent former dating relationship with the victim” before period at end.

Subsec. (a)(33)(C). Pub. L. 117-159, §12005(c)(2), added subpar. (C).

Subsec. (a)(36). Pub. L. 117-103, §1101(b), added par. (36).

Subsec. (a)(37). Pub. L. 117-159, §12005(a)(2), added par. (37).

2018—Subsec. (a)(4). Pub. L. 115-232 substituted “section 7684(2), 7685, or 7686 of title 10” for “section 4684(2), 4685, or 4686 of title 10” in concluding provisions.

2006—Subsec. (a)(33)(A)(i). Pub. L. 109-162, which directed the general amendment of “section 921(33)(A)(i) of title 18”, was executed to par. (33)(A)(i) of subsec. (a), to reflect the probable intent of Congress. Prior to amendment, cl. (i) read as follows: “is a misdemeanor under Federal or State law; and”.

2002—Subsec. (a)(4). Pub. L. 107-296, §1112(f)(2), substituted “Attorney General” for “Secretary of the Treasury” in concluding provisions.

Subsec. (a)(4)(B). Pub. L. 107-296, §1112(f)(1), substituted “Attorney General” for “Secretary”.

Subsec. (a)(13), (17)(C). Pub. L. 107-296, §1112(f)(6), substituted “Attorney General” for “Secretary” wherever appearing.

Subsec. (a)(18). Pub. L. 107-296, §1112(f)(3), added par. (18) and struck out former par. (18) which read as follows: “The term ‘Secretary’ or ‘Secretary of the Treasury’ means the Secretary of the Treasury or his delegate.”

Subsec. (a)(19). Pub. L. 107-296, §1112(f)(6), substituted “Attorney General” for “Secretary” in two places.

Subsec. (a)(35). Pub. L. 107-273 added par. (35).

1998—Subsec. (a)(5). Pub. L. 105-277, §101(h) [title I, §115(1)], substituted “an explosive” for “the explosive in a fixed shotgun shell”.

Subsec. (a)(7). Pub. L. 105-277, §101(h) [title I, §115(2)], substituted “an explosive” for “the explosive in a fixed metallic cartridge”.

Subsec. (a)(16). Pub. L. 105-277, §101(h) [title I, §115(3)], added par. (16) and struck out former par. (16) which read as follows: “The term ‘antique firearm’ means—

“(A) any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; and

“(B) any replica of any firearm described in subparagraph (A) if such replica—

“(i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or

“(ii) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in

the United States and which is not readily available in the ordinary channels of commercial trade.”

Subsec. (a)(34). Pub. L. 105-277, §101(b) [title I, §119(a)], added par. (34).

1996—Subsec. (a)(33). Pub. L. 104-208 added par. (33).

1995—Subsec. (a)(27). Pub. L. 104-88 substituted “section 13102” for “section 10102”.

1994—Subsec. (a)(17)(B). Pub. L. 103-322, §110519, amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: “The term ‘armor piercing ammunition’ means a projectile or projectile core which may be used in a handgun and which is constructed entirely (excluding the presence of traces of other substances) from one or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium. Such term does not include shotgun shot required by Federal or State environmental or game regulations for hunting purposes, a frangible projectile designed for target shooting, a projectile which the Secretary finds is primarily intended to be used for sporting purposes, or any other projectile or projectile core which the Secretary finds is intended to be used for industrial purposes, including a charge used in an oil and gas well perforating device.”

Subsec. (a)(17)(C). Pub. L. 103-322, §110519, added subpar. (C).

Subsec. (a)(22)(C)(iii). Pub. L. 103-322, §330021(1), substituted “kidnapping” for “kidnaping”.

Subsec. (a)(30). Pub. L. 103-322, §110102(b), which added par. (30) defining “semiautomatic assault weapon”, was repealed by Pub. L. 103-322, §110105(2). See Effective and Termination Dates of 1994 Amendment note below.

Subsec. (a)(31). Pub. L. 103-322, §110103(b), which added par. (31) defining “large capacity ammunition feeding device”, was repealed by Pub. L. 103-322, §110105(2). See Effective and Termination Dates of 1994 Amendment note below.

Subsec. (a)(32). Pub. L. 103-322, §110401(a), added par. (32).

1993—Subsec. (a)(29). Pub. L. 103-159 added par. (29).

1990—Subsec. (a)(25) to (27). Pub. L. 101-647, §1702(b)(2), added pars. (25) to (27).

Subsec. (a)(28). Pub. L. 101-647, §2204(a), added par. (28).

1986—Subsec. (a)(10). Pub. L. 99-308, §101(1), substituted “business of manufacturing” for “manufacture of”.

Subsec. (a)(11)(A). Pub. L. 99-308, §101(2), struck out “or ammunition” after “firearms”.

Subsec. (a)(12). Pub. L. 99-308, §101(3), struck out “or ammunition” after “firearm”.

Subsec. (a)(13). Pub. L. 99-308, §101(4), struck out “or ammunition” after “firearms”.

Subsec. (a)(17). Pub. L. 99-408 designated existing provisions as subpar. (A) and added subpar. (B).

Subsec. (a)(20). Pub. L. 99-308, §101(5), amended par. (20) generally. Prior to amendment, par. (20) read as follows: “The term ‘crime punishable by imprisonment for a term exceeding one year’ shall not include (A) any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices as the Secretary may by regulation designate, or (B) any State offense (other than one involving a firearm or explosive) classified by the laws of the State as a misdemeanor and punishable by a term of imprisonment of two years or less.”

Subsec. (a)(21). Pub. L. 99-308, §101(6), added par. (21).

Subsec. (a)(22). Pub. L. 99-360 inserted provision that proof of profit not be required as to a person who engages in the regular and repetitive purchase and disposition of firearms for criminal purposes or terrorism and defined terrorism.

Pub. L. 99-308, §101(6), added par. (22).

Subsec. (a)(23), (24). Pub. L. 99-308, §101(6), added pars. (23) and (24).

1975—Subsec. (a)(4). Pub. L. 93-639 substituted “to use solely for sporting, recreational or cultural purposes” for “to use solely for sporting purposes”.

1968—Subsec. (a). Pub. L. 90-618 inserted definitions of “collector”, “licensed collector”, and “crime punishable by imprisonment for a term exceeding one year”, amended definitions of “person”, “whoever”, “interstate or foreign commerce”, “State”, “firearm”, “destructive device”, “dealer”, “indictment”, “fugitive from justice”, “antique firearm”, “ammunition”, and “published ordinance”, and reenacted without change definitions of “shotgun”, “short-barreled shotgun”, “rifle”, “short-barreled rifle”, “importer”, “licensed importer”, “manufacturer”, “licensed manufacturer”, “licensed dealer”, “pawnbroker”, and “Secretary” or “Secretary of the Treasury”.

Subsec. (b). Pub. L. 90-618 substituted provisions determining that a member of the armed forces on active duty is a resident of the State in which his permanent duty station is located for provisions defining “firearm”, “destructive device”, and “crime punishable by imprisonment for a term exceeding one year”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Pub. L. 117-159, div. A, title II, §12005(b), June 25, 2022, 136 Stat. 1332, provided that: “The amendments made by subsection (a) [amending this section] shall not apply to any conviction of a misdemeanor crime of domestic violence entered before the date of enactment of this Act [June 25, 2022].”

Amendment by Pub. L. 117-103 not effective until Oct. 1 of the first fiscal year beginning after Mar. 15, 2022, see section 4(a) of div. W of Pub. L. 117-103, set out as an Effective Date note under section 6851 of Title 15, Commerce and Trade.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of Title 10, Armed Forces.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-277, div. A, §101(b) [title I, §119(e)], Oct. 21, 1998, 112 Stat. 2681-50, 2681-70, provided that: “The amendments made by this section [amending this section and section 923 of this title] shall take effect 180 days after the date of enactment of this Act [Oct. 21, 1998].”

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 1301 of Title 49, Transportation.

EFFECTIVE AND TERMINATION DATES OF 1994 AMENDMENT

Pub. L. 103-322, title XI, §110105, Sept. 13, 1994, 108 Stat. 2000, provided that subtitle A (§§110101-110106) of title XI of Pub. L. 103-322 (amending this section and sections 922 to 924 of this title and enacting provisions set out as notes under this section) and the amendments made by that subtitle were effective Sept. 13, 1994, and were repealed effective as of the date that is 10 years after that date.

EFFECTIVE DATE OF 1990 AMENDMENT

Pub. L. 101-647, title XVII, §1702(b)(4), Nov. 29, 1990, 104 Stat. 4845, provided that: “The amendments made by this section [amending this section and sections 922 and 924 of this title] shall apply to conduct engaged in

after the end of the 60-day period beginning on the date of the enactment of this Act [Nov. 29, 1990].”

EFFECTIVE DATE OF 1986 AMENDMENTS; PUBLICATION AND AVAILABILITY OF COMPILATION OF STATE LAWS AND PUBLISHED ORDINANCES

Pub. L. 99-408, §9, Aug. 28, 1986, 100 Stat. 921, provided that: “The amendments made by this Act [amending this section and sections 922, 923, and 929 of this title and enacting provisions set out as notes under this section] shall take effect on the date of enactment of this Act [Aug. 28, 1986], except that sections 3, 4, and 5 [amending section 923 of this title] shall take effect on the first day of the first calendar month which begins more than ninety days after the date of the enactment of this Act.”

Pub. L. 99-360, §2, July 8, 1986, 100 Stat. 767, provided that: “This Act and the amendments made by this Act [enacting section 926A of this title, amending this section and section 923 of this title, and repealing former section 926A of this title], intended to amend the Firearms Owners’ Protection Act [Pub. L. 99-308, see Short Title of 1986 Amendment note below], shall become effective on the date on which the section they are intended to amend in such Firearms Owners’ Protection Act becomes effective [see section 110 of Pub. L. 99-308 set out below] and shall apply to the amendments to title 18, United States Code, made by such Act.”

Pub. L. 99-308, §110, May 19, 1986, 100 Stat. 460, provided that:

“(a) **IN GENERAL.**—The amendments made by this Act [enacting section 926A of this title, amending this section, sections 922 to 926 and 929 of this title, and section 5845 of Title 26, Internal Revenue Code, repealing title VII of Pub. L. 90-351, set out in the Appendix to this title, and enacting provisions set out as notes under this section] shall become effective one hundred and eighty days after the date of the enactment of this Act [May 19, 1986]. Upon their becoming effective, the Secretary shall publish and provide to all licensees a compilation of the State laws and published ordinances of which licensees are presumed to have knowledge pursuant to chapter 44 of title 18, United States Code, as amended by this Act. All amendments to such State laws and published ordinances as contained in the aforementioned compilation shall be published in the Federal Register, revised annually, and furnished to each person licensed under chapter 44 of title 18, United States Code, as amended by this Act.

“(b) **PENDING ACTIONS, PETITIONS, AND APPELLATE PROCEEDINGS.**—The amendments made by sections 103(6)(B), 105, and 107 of this Act [enacting section 926A of this title and amending sections 923 and 925 of this title] shall be applicable to any action, petition, or appellate proceeding pending on the date of the enactment of this Act [May 19, 1986].

“(c) **MACHINEGUN PROHIBITION.**—Section 102(9) [amending section 922 of this title] shall take effect on the date of the enactment of this Act [May 19, 1986].”

EFFECTIVE DATE OF 1968 AMENDMENT

Pub. L. 90-618, title I, §105, Oct. 22, 1968, 82 Stat. 1226, provided that:

“(a) Except as provided in subsection (b), the provisions of chapter 44 of title 18, United States Code, as amended by section 102 of this title [amending this chapter], shall take effect on December 16, 1968.

“(b) The following sections of chapter 44 of title 18, United States Code, as amended by section 102 of this title shall take effect on the date of the enactment of this title [Oct. 22, 1968]: Sections 921, 922(l), 925(a)(1), and 925(d).”

EFFECTIVE DATE

Pub. L. 90-351, title IV, §907, June 19, 1968, 82 Stat. 235, provided that: “The amendments made by this title [enacting this chapter and provisions set out as notes under this section and repealing sections 901 to 910 of Title 15, Commerce and Trade] shall become effective

one hundred and eighty days after the date of its enactment [June 19, 1968]; except that repeal of the Federal Firearms Act [sections 901 to 910 of Title 15] shall not in itself terminate any valid license issued pursuant to that Act and any such license shall be deemed valid until it shall expire according to its terms unless it be sooner revoked or terminated pursuant to applicable provisions of law.”

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109-92, §5(a), Oct. 26, 2005, 119 Stat. 2099, provided that: “This section [amending sections 922 and 924 of this title and enacting provisions set out as notes under section 922 of this title] may be cited as the ‘Child Safety Lock Act of 2005’.”

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-277, §1, July 22, 2004, 118 Stat. 865, provided that: “This Act [enacting sections 926B and 926C of this title] may be cited as the ‘Law Enforcement Officers Safety Act of 2004’.”

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-322, title XI, §110101, Sept. 13, 1994, 108 Stat. 1996, provided that subtitle A (§§110101-110106) of title XI of Pub. L. 103-322 (amending this section and sections 922 to 924 of this title and enacting provisions set out as notes under this section) could be cited as the “Public Safety and Recreational Firearms Use Protection Act”, prior to repeal by Pub. L. 103-322, title XI, §110105(2), Sept. 13, 1994, 108 Stat. 2000, effective 10 years after Sept. 13, 1994.

SHORT TITLE OF 1993 AMENDMENT

Pub. L. 103-159, title I, §101, Nov. 30, 1993, 107 Stat. 1536, provided that: “This title [enacting section 925A of this title, amending this section, sections 922 and 924 of this title, and section 3759 of Title 42, The Public Health and Welfare, and enacting provisions set out as notes under this section and section 922 of this title] may be cited as the ‘Brady Handgun Violence Prevention Act’.”

Pub. L. 103-159, title III, §301, Nov. 30, 1993, 107 Stat. 1545, provided that: “This title [amending sections 922 to 924 of this title] may be cited as the ‘Federal Firearms License Reform Act of 1993’.”

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-647, title XVII, §1702(a), Nov. 29, 1990, 104 Stat. 4844, provided that: “This section [amending this section and sections 922 and 924 of this title and enacting provisions set out as notes under this section and section 922 of this title] may be cited as the ‘Gun-Free School Zones Act of 1990’.”

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-649, §1, Nov. 10, 1988, 102 Stat. 3816, provided that: “This Act [amending sections 922, 924, and 925 of this title and enacting provisions set out as notes under section 922 of this title and section 1356 of former Title 49, Transportation] may be cited as the ‘Undetectable Firearms Act of 1988’.”

SHORT TITLE OF 1986 AMENDMENTS

Pub. L. 99-570, title I, subtitle I, §1401, Oct. 27, 1986, 100 Stat. 3207-39, provided that: “This subtitle [amending section 924 of this title] may be cited as the ‘Career Criminals Amendment Act of 1986’.”

Pub. L. 99-308, §1(a), May 19, 1986, 100 Stat. 449, provided that: “This Act [enacting section 926A of this title, amending this section, sections 922 to 926 and 929 of this title, and section 5845 of Title 26, Internal Revenue Code, repealing title VII of Pub. L. 90-351, set out in the Appendix to this title, and enacting provisions set out as notes under this section] may be cited as the ‘Firearms Owners’ Protection Act’.”

SHORT TITLE

Pub. L. 90-618, §1, Oct. 22, 1968, 82 Stat. 1213, provided: “That this Act [enacting sections 5822, 5871 and 5872 of

Title 26, Internal Revenue Code, amending this section, sections 922 to 928 of this title, and Appendix to this title, and sections 5801, 5802, 5811, 5812, 5821, 5841 to 5849, 5851 to 5854, 5861, 6806, and 7273 of Title 26, repealing sections 5692 and 6107 of Title 26, omitting sections 5803, 5813, 5814, 5831, 5855, and 5862 of Title 26, and enacting material set out as notes under this section and Appendix to this title, and section 5801 of Title 26] may be cited as the 'Gun Control Act of 1968.'

RESTRICTIONS ON AMENDMENT OF REGULATIONS AS TO
CURIOS OR RELICS

Pub. L. 113-6, div. B, title II, Mar. 26, 2013, 127 Stat. 248, provided in part: "That, in the current fiscal year and any fiscal year thereafter, no funds appropriated under this or any other Act shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to section 478.118 of title 27, Code of Federal Regulations, or to change the definition of 'Curios or relics' in section 478.11 of title 27, Code of Federal Regulations, or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994'."

CONSTRUCTION OF PUB. L. 103-159 WITH
SECTION 552a OF TITLE 5

Pub. L. 103-159, title I, §105, Nov. 30, 1993, 107 Stat. 1543, provided that: "This Act [enacting section 925A of this title, amending this section, sections 922 to 924 of this title, and section 3759 of Title 42, The Public Health and Welfare, and enacting provisions set out as notes under this section and section 922 of this title] and the amendments made by this Act shall not be construed to alter or impair any right or remedy under section 552a of title 5, United States Code."

STATUTORY CONSTRUCTION; EVIDENCE

For provisions relating to statutory construction of, and admissibility of evidence regarding compliance or noncompliance with, the amendment by section 101(b) [title I, §119(a)] of Pub. L. 105-277, see section 101(b) [title I, §119(d)] of Pub. L. 105-277, set out as a note under section 923 of this title.

STUDY BY ATTORNEY GENERAL

Pub. L. 103-322, title XI, §110104, Sept. 13, 1994, 108 Stat. 2000, which provided that the Attorney General was to study the effect of subtitle A (§§110101-110106) of title XI of Pub. L. 103-322 and to report the results of the study to Congress not later than 30 months after Sept. 13, 1994, was repealed by Pub. L. 103-322, title XI, §110105(2), Sept. 13, 1994, 108 Stat. 2000, effective 10 years after Sept. 13, 1994.

CONGRESSIONAL FINDINGS AND DECLARATION

Pub. L. 99-308, §1(b), May 19, 1986, 100 Stat. 449, provided that: "The Congress finds that—

"(1) the rights of citizens—

"(A) to keep and bear arms under the second amendment to the United States Constitution;

"(B) to security against illegal and unreasonable searches and seizures under the fourth amendment;

"(C) against uncompensated taking of property, double jeopardy, and assurance of due process of law under the fifth amendment; and

"(D) against unconstitutional exercise of authority under the ninth and tenth amendments; require additional legislation to correct existing firearms statutes and enforcement policies; and

"(2) additional legislation is required to reaffirm the intent of the Congress, as expressed in section 101 of the Gun Control Act of 1968 [section 101 of Pub. L. 90-618, set out below], that 'it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, personal protection, or any other lawful activity, and that this title is not in-

tended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes.'

Pub. L. 90-618, title I, §101, Oct. 22, 1968, 82 Stat. 1213, provided that: "The Congress hereby declares that the purposes of this title [amending this chapter] is to provide support to Federal, State, and local law enforcement officials in their fight against crime and violence, and it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, personal protection, or any other lawful activity, and that this title is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title."

Pub. L. 90-351, title IV, §901, June 19, 1968, 82 Stat. 225, provided that:

"(a) The Congress hereby finds and declares—

"(1) that there is a widespread traffic in firearms moving in or otherwise affecting interstate or foreign commerce, and that the existing Federal controls over such traffic do not adequately enable the States to control this traffic within their own borders through the exercise of their police power;

"(2) that the ease with which any person can acquire firearms other than a rifle or shotgun (including criminals, juveniles without the knowledge or consent of their parents or guardians, narcotics addicts, mental defectives, armed groups who would supplant the functions of duly constituted public authorities, and others whose possession of such weapon is similarly contrary to the public interest) is a significant factor in the prevalence of lawlessness and violent crime in the United States;

"(3) that only through adequate Federal control over interstate and foreign commerce in these weapons, and over all persons engaging in the businesses of importing, manufacturing, or dealing in them, can this grave problem be properly dealt with, and effective State and local regulation of this traffic be made possible;

"(4) that the acquisition on a mail-order basis of firearms other than a rifle or shotgun by nonlicensed individuals, from a place other than their State of residence, has materially tended to thwart the effectiveness of State laws and regulations, and local ordinances;

"(5) that the sale or other disposition of concealable weapons by importers, manufacturers, and dealers holding Federal licenses, to nonresidents of the State in which the licensees' places of business are located, has tended to make ineffective the laws, regulations, and ordinances in the several States and local jurisdictions regarding such firearms;

"(6) that there is a casual relationship between the easy availability of firearms other than a rifle or shotgun and juvenile and youthful criminal behavior, and that such firearms have been widely sold by federally licensed importers and dealers to emotionally immature, or thrill-bent juveniles and minors prone to criminal behavior;

"(7) that the United States has become the dumping ground of the castoff surplus military weapons of other nations, and that such weapons, and the large volume of relatively inexpensive pistols and revolvers (largely worthless for sporting purposes), imported into the United States in recent years, has contributed greatly to lawlessness and to the Nation's law enforcement problems;

"(8) that the lack of adequate Federal control over interstate and foreign commerce in highly destructive weapons (such as bazookas, mortars, antitank guns, and so forth, and destructive devices such as explosive or incendiary grenades, bombs, missiles, and so forth) has allowed such weapons and devices to fall

into the hands of lawless persons, including armed groups who would supplant lawful authority, thus creating a problem of national concern;

“(9) that the existing licensing system under the Federal Firearms Act [former sections 901 to 910 of Title 15, Commerce and Trade] does not provide adequate license fees or proper standards for the granting or denial of licenses, and that this has led to licenses being issued to persons not reasonably entitled thereto, thus distorting the purposes of the licensing system.

“(b) The Congress further hereby declares that the purpose of this title [enacting this chapter and repealing sections 901 to 910 of Title 15, Commerce and Trade] is to cope with the conditions referred to in the foregoing subsection, and that it is not the purpose of this title [enacting this chapter and repealing sections 901 to 910 of Title 15] to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trap shooting, target shooting, personal protection, or any other lawful activity, and that this title [enacting this chapter and repealing sections 901 to 910 of Title 15] is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title [enacting this chapter and repealing sections 901 to 910 of Title 15].”

ADMINISTRATION AND ENFORCEMENT

Pub. L. 90-618, title I, §103, Oct. 22, 1968, 82 Stat. 1226, as amended by Pub. L. 107-296, title XI, §1112(s), Nov. 25, 2002, 116 Stat. 2279, provided that: “The administration and enforcement of the amendment made by this title [amending this chapter] shall be vested in the Attorney General.”

Pub. L. 90-351, title IV, §903, June 19, 1968, 82 Stat. 234, provided that: “The administration and enforcement of the amendment made by this title [enacting this chapter and provisions set out as notes under this section] shall be vested in the Secretary of the Treasury [now Attorney General].”

MODIFICATION OF OTHER LAWS

Pub. L. 90-618, title I, §104, Oct. 22, 1968, 82 Stat. 1226, as amended by Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095, provided that: “Nothing in this title or the amendment made thereby [amending this chapter] shall be construed as modifying or affecting any provision of—

“(a) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1986) [section 5801 et seq. of Title 26, Internal Revenue Code];

“(b) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or

“(c) section 1715 of title 18, United States Code, relating to nonmailable firearms.”

Pub. L. 90-351, title IV, §904, June 19, 1968, 82 Stat. 234, as amended by Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095, provided that: “Nothing in this title or amendment made thereby [enacting this chapter and provisions set out as notes under this section] shall be construed as modifying or affecting any provision of—

“(a) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1986) [section 5801 et seq. of Title 26, Internal Revenue Code]; or

“(b) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or

“(c) section 1715 of title 18, United States Code, relating to nonmailable firearms.”

DEFINITION OF “HANDGUN”

Pub. L. 99-408, §10, Aug. 23, 1986, 100 Stat. 922, provided that: “For purposes of section 921(a)(17)(B) of

title 18, United States Code, as added by the first section of this Act, ‘handgun’ means any firearm including a pistol or revolver designed to be fired by the use of a single hand. The term also includes any combination of parts from which a handgun can be assembled.”

Executive Documents

EX. ORD. NO. 14092. REDUCING GUN VIOLENCE AND MAKING OUR COMMUNITIES SAFER

Ex. Ord. No. 14092, Mar. 14, 2023, 88 F.R. 16527, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby order as follows:

SECTION 1. Policy. Every few days in the United States, we mourn a new mass shooting. Daily acts of gun violence—including community violence, domestic violence, suicide, and accidental shootings—may not always make the evening news, but they too cut lives short and leave survivors and their communities with long-lasting physical and mental wounds. We cannot accept these facts as the enduring reality of life in America. Instead, we must together insist that we have had enough, and that we will no longer allow the interests of the gun manufacturers to win out over the safety of our children and Nation.

It is the policy of my Administration that executive departments and agencies (agencies) will pursue every legally available and appropriate action to reduce gun violence. Through this whole-of-government approach, my Administration has made historic progress to save lives. My Administration has taken action to keep guns out of dangerous hands and especially dangerous weapons off of our streets; hold gun traffickers and rogue gun dealers accountable; fund accountable, effective community policing; and invest in community violence interventions and prevention strategies.

Last year, I signed into law the Bipartisan Safer Communities Act [Pub. L. 117-159, see Tables for classification] (the “Act”), the most significant bipartisan gun safety legislation in nearly 30 years. The Act provides communities with new tools to combat gun violence, including enhanced gun background checks for individuals under age 21, funding for extreme risk protection orders and other crisis interventions, and increased mental health resources to help children impacted by gun violence heal from the resulting grief and trauma.

I continue to call on the Congress to take additional action to reduce gun violence, including by banning assault weapons and high-capacity magazines, requiring background checks for all gun sales, requiring safe storage of firearms, funding my comprehensive Safer America Plan, and expanding community violence intervention and prevention strategies. In the meantime, my Administration will continue to do all that we can, within existing authority, to make our communities safer.

SEC. 2. Implementation of the Bipartisan Safer Communities Act. The Attorney General, the Secretary of Health and Human Services, the Secretary of Education, and the Secretary of Homeland Security shall each submit a report to the President within 60 days of the date of this order [Mar. 14, 2023] describing what actions their respective agencies have taken to implement the Act, data and analysis regarding the use and early effects of the Act, and additional steps their respective agencies will take to maximize the benefits of the Act. These reports shall include a plan for increasing public awareness and use of resources made available by the Act.

SEC. 3. Additional Agency Actions to Reduce Gun Violence. (a) The Attorney General shall develop and implement a plan to:

(i) clarify the definition of who is engaged in the business of dealing in firearms, and thus required to become Federal firearms licensees (FFLs), in order to increase compliance with the Federal background check

requirement for firearm sales, including by considering a rulemaking, as appropriate and consistent with applicable law;

(ii) prevent former FFLs whose licenses have been revoked or surrendered from continuing to engage in the business of dealing in firearms;

(iii) publicly release, to the fullest extent permissible by law, inspection reports of FFL dealers cited for violations of the law; and

(iv) support efforts to modernize and make permanent the Undetectable Firearms Act [of 1988] ([enact- ing] 18 U.S.C. 922(p)).

(b) The Secretary of Defense; the Attorney General; the Secretary of Homeland Security; the Secretary of Health and Human Services, including through the Surgeon General of the United States; the Secretary of Education; and the Secretary of Veterans Affairs shall expand existing Federal campaigns and other efforts to promote safe storage of firearms.

(c) The Secretary of Defense; the Attorney General; the Secretary of Homeland Security; the Secretary of Health and Human Services, including through the Surgeon General of the United States; and the Secretary of Education shall undertake efforts to encourage effective use of extreme risk protection orders (“red flag” laws), partnering with law enforcement, health care providers, educators, and other community leaders.

(d) The Attorney General; the Secretary of Health and Human Services, including through the Surgeon General of the United States; the Secretary of Education; the Secretary of Homeland Security; the Director of the Office of Management and Budget; and the heads of other agencies, as appropriate, shall develop a proposal for the President, and submit it no later than September 15, 2023, on how the Federal Government can better support the recovery, mental health, and other needs of survivors of gun violence, families of victims and survivors of gun violence, first responders to incidents of gun violence, and communities affected by gun violence. The proposal should draw on existing evidence, where available, and take into account how to address needs in both the immediate aftermath of mass shootings and in the years following such events. The proposal should recommend any additional executive branch coordination and additional resources or authorities from the Congress needed to implement the proposal, as well as how agencies will assess the outcomes for the activities implemented.

(e) The Secretary of Defense, in consultation with the Attorney General and the Secretary of Homeland Security, shall develop and implement principles to further firearm and public safety practices through the Department of Defense’s acquisition of firearms, consistent with applicable law.

(f) The heads of Federal law enforcement agencies shall, as soon as practicable, but no later than 180 days from the date of this order, ensure that their respective law enforcement components issue National Integrated Ballistic Information Network (NIBIN) submission and utilization policies with requirements that are equivalent to, or exceed, the requirements of the policy issued by the Department of Justice on December 12, 2022, to ensure the prompt entry of ballistics data recovered in connection with criminal investigations into NIBIN. In consultation with the Department of Justice, the Department of Defense policies may be tailored to address specific operational considerations.

(g) The Secretary of Transportation, in consultation with the Department of Justice, shall work to reduce the loss or theft of firearms during shipment between FFLs and to improve reporting of such losses or thefts, including by engaging with carriers and shippers.

(h) The Federal Trade Commission is encouraged to issue a public report analyzing how gun manufacturers market firearms to minors and how such manufacturers market firearms to civilians, including through the use of military imagery.

SEC. 4. *Definitions.* For purposes of this order, the term “Federal law enforcement agency” means an organizational unit or subunit of the executive branch

that employs officers who are authorized to make arrests and carry firearms, and that is responsible for the prevention, detection, and investigation of crime or the apprehension of alleged offenders. The term “heads of Federal law enforcement agencies” means the heads of those units or subunits.

SEC. 5. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

J.R. BIDEN, JR.

EX. ORD. NO. 14127. COMBATING EMERGING FIREARMS THREATS AND IMPROVING SCHOOL-BASED ACTIVE-SHOOTER DRILLS

Ex. Ord. No. 14127, Sept. 26, 2024, 89 F.R. 80345, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

SECTION 1. *Policy.* During 2020, the last year of the prior administration, homicides in the Nation increased nearly 30 percent over the previous year—the largest 1-year increase in murders ever recorded. After that, the Vice President and I took action to reduce gun crime and other forms of violent crime. By the middle of 2022, we had already taken more executive action to reduce gun violence than any other administration at that point in time. On June 25, 2022, I signed into law the Bipartisan Safer Communities Act (Public Law 117–159)—the most significant new gun violence prevention law in nearly 30 years. Rates of homicide in the United States are falling at one of the fastest rates ever recorded. Year-over-year comparison shows that 2023 had one of the largest declines in the homicide rate in recent history. This life-saving progress has continued in 2024. While we have made great progress, much more work remains to be done to reduce gun violence and save lives.

It is the policy of my Administration to coordinate across executive departments and agencies (agencies) to reduce gun violence and save lives. This order directs enhanced coordination for two key challenges: combating emerging firearms threats and understanding and improving school-based active-shooter drills.

One way to continue the progress on reducing gun violence is to stay ahead of emerging violent crime threats involving firearms. My Administration has always taken these threats seriously. In April 2021, one of my Administration’s first executive actions to reduce gun violence was directed at stopping the proliferation of firearms without serial numbers, often referred to as “ghost guns.” To expand these efforts, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) of the Department of Justice established an Emerging Threats Center, which focuses ATF’s resources on identifying developments in illicit firearm marketplaces, including the use of new technologies to make and unlawfully distribute undetectable firearms and devices that convert semiautomatic firearms into illegal machineguns. The Vice President and I strongly disagreed with the Supreme Court’s decision to strike down an important gun safety regulation on bump stocks—the device used in the shooting at a crowded music festival in Las Vegas—and called on the Congress to clarify that this dangerous accessory is a machinegun.

The Court’s decision addressing bump stocks did not alter the statutory prohibition on machinegun conver-

sion devices, which are prohibited for non-governmental possession even when not installed on a firearm. The threat posed by the continued proliferation of these devices is particularly acute. These devices enable semiautomatic firearms, including easily concealable handguns, to match or exceed the rate of fire of many military machineguns with a single engagement of the trigger—up to 20 bullets in one second and 1,200 rounds in one minute. From 2017 through 2021, ATF recovered 5,454 of these devices—a 570 percent increase over the previous 5-year period. These devices are often illegally imported or illegally made on a 3D printer.

Unserialized, 3D printed firearms—which can be used for illicit purposes such as gun trafficking, possession by people convicted of felonies or subject to domestic violence restraining orders, or unlawful engagement in the business of manufacturing or selling firearms—are another emerging threat. These firearms can be 3D printed from computer code downloaded from the internet and produced without serial numbers, which law enforcement uses to trace firearms recovered in criminal investigations. Some 3D printed firearms can be rendered undetectable by magnetometers used to secure airports, courthouses, and certain events. 3D printing technology is developing quickly, which can cause the safety threat of 3D printed firearms to suddenly increase.

In addition to the threat of domestic crime, these emerging firearms threats pose a significant risk to the national security and foreign policy interests of the United States. Many foreign countries have heavily regulated automatic weapons and 3D printed and undetectable firearms. The wide availability of these emerging firearms threats would undermine other nations' gun laws and the safety and security of our allies. Technical data and software for 3D printed firearms and machinegun conversion devices can be used by international gangs, criminals, and terrorists in a manner contrary to United States national security and foreign policy interests.

Multiple agencies have the authority to help stop the proliferation of these emerging threats, and it is the policy of the United States to work collectively across agencies to identify threats, engage in information sharing, and work together to develop and implement effective strategies to combat these threats. Authorities that can address emerging firearms threats extend beyond the Gun Control Act [of 1968] (Public Law 90-618) and the National Firearms Act (Public Law 73-474) [see 26 U.S.C. 5801 et seq.]. Focused and enhanced coordination is needed to ensure a unified and robust strategy for enforcing existing legal authorities and using every available tool and resource. This interagency effort will build on the life-saving work that has occurred to date to stop the proliferation of machinegun conversion devices, including the ongoing efforts at the Department of Justice and ATF.

My Administration also has invested significant resources in school safety and has taken steps to keep [sic] firearms out of schools. These steps have focused on preventing unauthorized access to firearms for youth and individuals in crisis; supporting schools that are implementing evidence-based safety and gun-violence prevention and intervention solutions; and addressing the mental health needs of students, particularly those impacted by gun violence.

Keeping students and educators, including teachers and other school personnel, safe from gun violence in their schools is a top priority for my Administration, but there is more to do to make our schools safer. Since the mass shooting at Columbine High School in Colorado in 1999, according to one analysis, there have been more than 400 school shootings that exposed more than 375,000 students to gun violence. Exposure to school shootings takes a terrible toll on students and educators. A nationally representative study found that 51 percent of 14- to 17-year-olds in the United States worry about school shootings.

The majority of States require schools to conduct active-shooter drills for students and educators. About 95

percent of K-12 public schools in the United States conduct lockdown drills, which include drills to prepare for an active-shooter situation. These drills vary widely in their approach, and many parents, students, and educators have expressed concerns over the effectiveness and trauma caused by some approaches to these drills.

Despite their ubiquity, there is very limited research on how to design and deploy these drills to maximize their effectiveness and minimize any collateral harms they might cause. While additional research is ongoing, it is difficult to conclusively determine which specific practices are most effective in preparing schools for active-shooter incidents, preventing injuries and fatalities, and minimizing any associated psychological impacts or traumas. The Department of Justice, the Department of Health and Human Services, the Department of Education, and the Department of Homeland Security continue to work together on a range of school safety issues, including the beginnings of research into these important questions. It is time for these agencies to extend their efforts to help schools better design and conduct effective and age- and developmentally appropriate active-shooter drills.

SEC. 2. *Definitions.* For purposes of this order:

(a) The term “machinegun” has the meaning given by 18 U.S.C. 921(a)(24) and 26 U.S.C. 5845(b), and includes a “machinegun conversion device,” which is any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun.

(b) The term “undetectable firearm” means a firearm as proscribed by 18 U.S.C. 922(p).

(c) The term “3D printing” refers to the additive manufacturing process, during which producers transmit digital designs to 3D printers. The computerized design guides the fabrication of products, building them up layer by layer rather than cutting away from a large block of existing material as in most traditional manufacturing. This term includes additive manufacturing technology used to produce a firearm, firearm frame or receiver, or machinegun conversion device.

SEC. 3. *Combating Emerging Firearms Threats.* (a) There is hereby established an interagency Emerging Firearms Threats Task Force (Task Force). The Task Force shall be chaired by the Director of the Office of Gun Violence Prevention. In addition to the Chair, the Task Force shall consist of the following members:

- (i) the Secretary of State;
- (ii) the Attorney General;
- (iii) the Secretary of Commerce;
- (iv) the Secretary of Homeland Security;
- (v) the Director of the Office of Management and Budget;
- (vi) the Director of the Office of Science and Technology Policy;
- (vii) the Assistant to the President and Homeland Security Advisor;
- (viii) the Counsel to the President;
- (ix) the Assistant to the President and Director of the Domestic Policy Council;
- (x) the Deputy Assistant to the President and Domestic Policy Advisor to the Vice President; and
- (xi) the heads of such other agencies and offices as the Chair may from time to time invite to participate.

(b) Within 90 days of the date of this order [Sept. 26, 2024], the Task Force shall submit to the President, through the Director of the Office of Gun Violence Prevention, a report containing a risk assessment and strategy to stop the proliferation of machinegun conversion devices, with a particular emphasis on the devices used to convert a standard, semiautomatic firearm to a machinegun. The risk assessment and strategy shall include:

(i) information regarding the use, recovery, origins, and distribution channels of machinegun conversion devices, including:

(A) the software or technology used for 3D printing machinegun conversion devices; and

(B) the origins of machinegun conversion devices that are seized at ports of entry, illegally imported

into the United States, or otherwise recovered by law enforcement agencies in the United States;

(ii) an assessment of existing applicable legal authorities of the agencies represented on the Task Force and other agencies identified at the direction of the Chair to regulate software or technology used to make machinegun conversion devices, which shall include a review of export and import laws;

(iii) an assessment of the technological and legal feasibility of 3D printing companies designing 3D printers that block the functional capacities of software that can 3D print machinegun conversion devices;

(iv) an assessment of the operational capabilities and legal authorities of agencies to detect, intercept, and seize machinegun conversion devices that are illegally imported or illegally produced domestically, including through 3D printing;

(v) an interagency plan for expanding U.S. Customs and Border Protection initiatives with Federal, State, Tribal, and local law enforcement to stop the flow into the United States of machinegun conversion devices;

(vi) an interagency plan for seizing as criminal instrumentalities 3D printers that are acquired for the purpose of illegally making machinegun conversion devices and recommendations for additional administrative actions necessary to facilitate such seizure;

(vii) an interagency plan for expanding partnerships with State, Tribal, and local law enforcement for Federal training on identifying machinegun conversion devices, tracing the firearms to which they were attached, and submitting seizure data to ATF;

(viii) an interagency plan—with input from 3D data providers, technology companies, and civil society—for voluntary, regulatory, and international mechanisms to limit the availability on the internet of files used for the purpose of unlawfully producing machinegun conversion devices;

(ix) an interagency plan for effective coordination to limit the illegal export and import of software or technology on the internet that can be readily used to 3D print machinegun conversion devices; and

(x) recommendations for any additional authorities or funding agencies need from the Congress to more effectively address the proliferation of machinegun conversion devices.

(c) Within 90 days of the date of this order, the Task Force shall submit to the President, through the Director of the Office of Gun Violence Prevention, a report containing a risk assessment and strategy to address the emerging threat related to 3D printed firearms, including unserialized or undetectable 3D printed firearms. The risk assessment and strategy shall include:

(i) information regarding the usage, recovery, origins, and distribution channels of 3D printed unserialized firearms and 3D printed undetectable firearms, including the software or technology used for 3D printing unserialized firearms or undetectable firearms;

(ii) an assessment of how 3D printing of firearms can facilitate violation of the Undetectable Firearms Act [of 1988, Pub. L. 100-649] (18 U.S.C. 922(p));

(iii) an assessment of existing authorities, including export and import laws, that regulate software or technology used for 3D printing firearms, including undetectable firearms;

(iv) an assessment of the technological feasibility of 3D printers proactively blocking the functional capacities of software used to 3D print undetectable firearms;

(v) an interagency plan for seizing as criminal instrumentalities 3D printers acquired for the purpose of illegally producing or dealing in firearms, including unserialized or undetectable firearms, or for the purpose of producing firearms for criminal purposes, and recommendations for additional administrative actions that may be necessary to facilitate such seizures;

(vi) an interagency plan for effective coordination between the Department of Justice and the Department of Commerce to limit the illegal export or import of software or technology on the internet that can be

readily used to illegally 3D print firearms, including unserialized or undetectable firearms;

(vii) an interagency plan for expanding partnerships with Federal, State, Tribal, and local law enforcement to train them on identifying undetectable or unserialized firearms made with 3D printing software or technology and reporting recoveries of such firearms to ATF; and

(viii) recommendations for any additional authorities or funding the agencies need from the Congress to more effectively address the problem of 3D printed firearms, including unserialized or undetectable firearms.

(d) The Task Force shall be responsible for interagency coordination necessary to facilitate agencies' implementation of the recommendations and strategies in the reports described in subsections (b) and (c) of this section.

(e) At the direction of the Chair, the Task Force may coordinate interagency efforts to address additional emerging firearms threats.

SEC. 4. *Understanding and Improving School-Based Active-Shooter Drills.* (a) Within 110 days of the date of this order, the Secretary of Education and the Secretary of Homeland Security, in coordination with the Attorney General, the Secretary of Health and Human Services, and the Surgeon General, shall develop and publish information about school-based active-shooter drills for schools, including institutions of higher education, and for State, Tribal, and local educational agencies. Such information shall include:

(i) a summary of existing research and recommendations on active-shooter drills, including information on:

(A) how educators can collaborate within schools—as well as with families; communities; State, Tribal, and local law enforcement; and other emergency response officials—to implement drills that effectively prepare a response to school-based active-shooter situations, including by accounting for the particular needs of educators and students with disabilities; sharing evidence-informed age- and developmentally appropriate practices, such as those that prevent or limit trauma and psychological harm to those participating in drills; and facilitating effective and timely communication with students, educators, first responders, family members, and other relevant stakeholders; and

(B) how schools must comply with Federal civil rights laws prohibiting discrimination on the basis of race, color, national origin, sex, and disability when creating, implementing, and evaluating active-shooter drills, including by effectively serving educators and students with disabilities as well as ensuring that communications with educators and students consider their language-related needs (e.g., communicating in a manner and language that educators and students are able to understand); and

(ii) resources on school-based active-shooter drills, including information on:

(A) the types of drills that may be appropriate to prepare students and educators for school-based active-shooter situations; and

(B) how to create, implement, and evaluate evidence-informed, effective, and age- and developmentally appropriate school-based drills, including:

(1) how best to engage with students, family members, educators, law enforcement, and other relevant stakeholders on the process for creating, implementing, and evaluating these drills;

(2) how best to communicate with students, family members, educators, and other relevant stakeholders before, during, and after the drill, including through the use of notification plans for students, educators, parents, and other parties;

(3) how to prevent or limit trauma or psychological distress associated with active-shooter drills and support students and educators who may experience such trauma or psychological distress; and

(4) how best to serve people with disabilities and those with unique language-related needs.

(b) Within 110 days of the date of this order, the Secretary of Education and the Secretary of Homeland Security, in coordination with the Attorney General, the Secretary of Health and Human Services, and the Surgeon General, shall develop and publish information on recommended areas for future research that can help inform policymakers, educators, students, parents, and other relevant stakeholders about different types of school-based active-shooter drills, the appropriate frequency of such drills, and the effects of such drills on students and educators. This information shall include potential funding sources that could help advance research on, and inform improvements to, active-shooter drills.

SEC. 5. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

J.R. BIDEN, JR.

§ 922. Unlawful acts

(a) It shall be unlawful—

(1) for any person—

(A) except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms, or in the course of such business to ship, transport, or receive any firearm in interstate or foreign commerce; or

(B) except a licensed importer or licensed manufacturer, to engage in the business of importing or manufacturing ammunition, or in the course of such business, to ship, transport, or receive any ammunition in interstate or foreign commerce;

(2) for any importer, manufacturer, dealer, or collector licensed under the provisions of this chapter to ship or transport in interstate or foreign commerce any firearm to any person other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, except that—

(A) this paragraph and subsection (b)(3) shall not be held to preclude a licensed importer, licensed manufacturer, licensed dealer, or licensed collector from returning a firearm or replacement firearm of the same kind and type to a person from whom it was received; and this paragraph shall not be held to preclude an individual from mailing a firearm owned in compliance with Federal, State, and local law to a licensed importer, licensed manufacturer, licensed dealer, or licensed collector;

(B) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from depositing a firearm for conveyance in the mails to any officer, employee, agent, or watchman who, pursuant to the provisions of section 1715 of this title, is eligible to receive through the

mails pistols, revolvers, and other firearms capable of being concealed on the person, for use in connection with his official duty; and

(C) nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States;

(3) for any person, other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, the State where it maintains a place of business) any firearm purchased or otherwise obtained by such person outside that State, except that this paragraph (A) shall not preclude any person who lawfully acquires a firearm by bequest or intestate succession in a State other than his State of residence from transporting the firearm into or receiving it in that State, if it is lawful for such person to purchase or possess such firearm in that State, (B) shall not apply to the transportation or receipt of a firearm obtained in conformity with subsection (b)(3) of this section, and (C) shall not apply to the transportation of any firearm acquired in any State prior to the effective date of this chapter;

(4) for any person, other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, to transport in interstate or foreign commerce any destructive device, machinegun (as defined in section 5845 of the Internal Revenue Code of 1986), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Attorney General consistent with public safety and necessity;

(5) for any person (other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector) to transfer, sell, trade, give, transport, or deliver any firearm to any person (other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector) who the transferor knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the transferor resides; except that this paragraph shall not apply to (A) the transfer, transportation, or delivery of a firearm made to carry out a bequest of a firearm to, or an acquisition by intestate succession of a firearm by, a person who is permitted to acquire or possess a firearm under the laws of the State of his residence, and (B) the loan or rental of a firearm to any person for temporary use for lawful sporting purposes;

(6) for any person in connection with the acquisition or attempted acquisition of any firearm or ammunition from a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false, fictitious, or misrepresented identification, intended or likely