

109TH CONGRESS
1ST SESSION

H. R. 3348

To reinstate the prohibition on the possession or transfer of large capacity ammunition feeding devices, and to strengthen that prohibition.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2005

Mrs. MCCARTHY introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To reinstate the prohibition on the possession or transfer of large capacity ammunition feeding devices, and to strengthen that prohibition.

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 “Anti-Large Capacity
5 Ammunition Feeding Device Act of 2005”.

6 **SEC. 2. REINSTATEMENT OF REPEALED CRIMINAL PROVI-**
7 **SIONS RELATING TO LARGE CAPACITY AM-**
8 **MUNITION FEEDING DEVICES.**

9 (a) REINSTATEMENT OF PROVISIONS WHOLLY RE-
10 PEALED.—Sections 921(a)(31) and 922(w), and the last

1 sentence of section 923(i) of title 18, United States Code,
2 as in effect just before the repeal made by section
3 110105(2) of the Violent Crime Control and Law Enforce-
4 ment Act of 1994, are hereby enacted into law.

5 (b) REINSTATEMENT OF PROVISION PARTIALLY RE-
6 PEALD.—Section 924(a)(1) of title 18, United States
7 Code, is amended by striking subparagraph (B) and in-
8 serting the following:

9 “(B) knowingly violates subsection (a)(4), (f),
10 (k), (r), or (w) of section 922;”.

11 **SEC. 3. STRENGTHENING THE BAN ON THE POSSESSION OR**
12 **TRANSFER OF A LARGE CAPACITY AMMUNI-**
13 **TION FEEDING DEVICE.**

14 (a) BAN ON TRANSFER OF SEMIAUTOMATIC ASSAULT
15 WEAPON WITH LARGE CAPACITY AMMUNITION FEEDING
16 DEVICE.—

17 (1) IN GENERAL.—Section 922 of title 18,
18 United States Code, is amended by inserting after
19 subsection (y) the following:

20 “(z) It shall be unlawful for any person to transfer
21 a semiautomatic assault weapon with a large capacity am-
22 munition feeding device.”.

23 (2) DEFINITION OF SEMIAUTOMATIC ASSAULT
24 WEAPON.—Section 921(a)(30) and Appendix A of
25 section 922 of title 18, United States Code, as in ef-

1 fect just before the repeal made by section
2 110105(2) of the Violent Crime Control and Law
3 Enforcement Act of 1994, are hereby enacted into
4 law.

5 (3) PENALTIES.—Section 924(a) of such title is
6 amended by adding at the end the following:

7 “(8) Whoever knowingly violates section 922(z) shall
8 be fined under this title, imprisoned not more than 10
9 years, or both.”.

10 (b) CERTIFICATION REQUIREMENT.—

11 (1) IN GENERAL.—Section 922(w) of such title,
12 as added by section 2(a) of this Act, is amended—

13 (A) in paragraph (3)—

14 (i) by adding “or” at the end of sub-
15 paragraph (B); and

16 (ii) by striking subparagraph (C) and
17 redesignating subparagraph (D) as sub-
18 paragraph (C); and

19 (B) by striking paragraph (4) and insert-
20 ing the following:

21 “(4) It shall be unlawful for a licensed manufacturer,
22 licensed importer, or licensed dealer who transfers a large
23 capacity ammunition feeding device that was manufac-
24 tured on or before the date of the enactment of this sub-
25 section, to fail to certify to the Attorney General before

1 the end of the 60-day period that begins with the date
2 of the transfer, in accordance with regulations prescribed
3 by the Attorney General, that the device was manufac-
4 tured on or before the date of the enactment of this sub-
5 section.”.

6 (2) PENALTIES.—Section 924(a) of such title,
7 as amended by subsection (a)(3) of this section, is
8 amended by adding at the end the following:

9 “(9) Whoever knowingly violates section 922(w)(4)
10 shall be fined under this title, imprisoned not more than
11 5 years, or both.”.

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