

Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46;

(2) the term “Federal crime of terrorism” has the meaning given that term in section 2332b(g)(5); and

(3) the term “felony” means any offense under Federal or State law punishable by imprisonment for a term exceeding 1 year.

(b) VIOLATION.—It shall be unlawful for any person to knowingly purchase, or conspire to purchase, any firearm in or otherwise affecting interstate or foreign commerce for, on behalf of, or at the request or demand of any other person, knowing or having reasonable cause to believe that such other person—

(1) meets the criteria of 1 or more paragraphs of section 922(d);

(2) intends to use, carry, possess, or sell or otherwise dispose of the firearm in furtherance of a felony, a Federal crime of terrorism, or a drug trafficking crime; or

(3) intends to sell or otherwise dispose of the firearm to a person described in paragraph (1) or (2).

(c) PENALTY.—

(1) IN GENERAL.—Except as provided in paragraph (2), any person who violates subsection (b) shall be fined under this title, imprisoned for not more than 15 years, or both.

(2) USE IN FELONIES, CRIMES OF TERRORISM, OR DRUG TRAFFICKING CRIMES.—If a violation of subsection (b) is committed knowing or with reasonable cause to believe that any firearm involved will be used to commit a felony, a Federal crime of terrorism, or a drug trafficking crime, the person shall be sentenced to a term of imprisonment of not more than 25 years.

(Added Pub. L. 117–159, div. A, title II, § 12004(a)(1), June 25, 2022, 136 Stat. 1326.)

Editorial Notes

REFERENCES IN TEXT

The Controlled Substances Act, referred to in subsec. (a)(1)(B), is title II of Pub. L. 91–513, Oct. 27, 1970, 84 Stat. 1242, which is classified principally to subchapter I (§801 et seq.) of chapter 13 of Title 21, Food and Drugs. For complete classification of this Act to the Code, see Short Title note set out under section 801 of Title 21 and Tables.

The Controlled Substances Import and Export Act, referred to in subsec. (a)(1)(B), is title III of Pub. L. 91–513, Oct. 27, 1970, 84 Stat. 1285, which is classified principally to subchapter II (§951 et seq.) of chapter 13 of Title 21, Food and Drugs. For complete classification of the Act to the Code, see Short Title note set out under section 951 of Title 21 and Tables.

Statutory Notes and Related Subsidiaries

RULE OF CONSTRUCTION

Nothing in section 12004(a)(1) of Pub. L. 117–159, which enacted this section, to be construed to allow the establishment of a Federal system of registration of firearms, firearms owners, or firearms transactions or dispositions, see section 12004(k) of Pub. L. 117–159, set out as a note under section 922 of this title.

§ 933. Trafficking in firearms

(a) IN GENERAL.—It shall be unlawful for any person to—

(1) ship, transport, transfer, cause to be transported, or otherwise dispose of any firearm to another person in or otherwise affecting interstate or foreign commerce, if such person knows or has reasonable cause to believe that the use, carrying, or possession of a firearm by the recipient would constitute a felony (as defined in section 932(a));

(2) receive from another person any firearm in or otherwise affecting interstate or foreign commerce, if the recipient knows or has reasonable cause to believe that such receipt would constitute a felony; or

(3) attempt or conspire to commit the conduct described in paragraph (1) or (2).

(b) PENALTY.—Any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 15 years, or both.

(Added Pub. L. 117–159, div. A, title II, § 12004(a)(1), June 25, 2022, 136 Stat. 1327.)

Statutory Notes and Related Subsidiaries

RULE OF CONSTRUCTION

Nothing in section 12004(a)(1) of Pub. L. 117–159, which enacted this section, to be construed to allow the establishment of a Federal system of registration of firearms, firearms owners, or firearms transactions or dispositions, see section 12004(k) of Pub. L. 117–159, set out as a note under section 922 of this title.

§ 934. Forfeiture and fines

(a) FORFEITURE.—

(1) IN GENERAL.—Any person convicted of a violation of section 932 or 933 shall forfeit to the United States, irrespective of any provision of State law—

(A) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation; and

(B) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation, except that for any forfeiture of any firearm or ammunition pursuant to this section, section 924(d) shall apply.

(2) IMPOSITION.—The court, in imposing sentence on a person convicted of a violation of section 932 or 933, shall order, in addition to any other sentence imposed pursuant to section 932 or 933, that the person forfeit to the United States all property described in paragraph (1).

(b) FINES.—A defendant who derives profits or other proceeds from an offense under section 932 or 933 may be fined not more than the greater of—

(1) the fine otherwise authorized by this part; or

(2) the amount equal to twice the gross profits or other proceeds of the offense under section 932 or 933.

(Added Pub. L. 117–159, div. A, title II, § 12004(a)(1), June 25, 2022, 136 Stat. 1327.)

Statutory Notes and Related Subsidiaries

RULE OF CONSTRUCTION

Nothing in section 12004(a)(1) of Pub. L. 117–159, which enacted this section, to be construed to allow the es-