

117TH CONGRESS
2D SESSION

H. R. 9207

To regulate large capacity ammunition feeding devices.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 21, 2022

Ms. DEGETTE (for herself, Ms. TITUS, Mr. SCHNEIDER, Ms. NORTON, Mr. KHANNA, Mr. MALINOWSKI, Ms. MCCOLLUM, Mr. PETERS, Ms. DELBENE, Mr. CARSON, Mr. SMITH of Washington, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ESPAILLAT, Mrs. TRAHAN, Mr. DAVID SCOTT of Georgia, Mr. QUIGLEY, Mr. EVANS, Ms. SEWELL, Ms. PIN-GREE, Mr. SARBANES, Mr. SUOZZI, Mr. RUSH, Ms. PRESSLEY, Mr. SWALWELL, Mr. GRIJALVA, Mr. CASE, Mr. BEYER, Mr. AUCHINCLOSS, Mr. JOHNSON of Georgia, Mr. MOULTON, Ms. CASTOR of Florida, Ms. JACKSON LEE, Mr. NEGUSE, Mr. LANGEVIN, Mr. KILMER, Mr. CARBAJAL, Mr. BROWN of Maryland, Mr. RASKIN, Ms. LEE of California, Mr. DANNY K. DAVIS of Illinois, Mr. RUPPERSBERGER, Mr. TAKANO, Mr. LYNCH, Mr. CORREA, Ms. SCHAKOWSKY, Mr. CÁRDENAS, Ms. SCAN-LON, Mr. PERLMUTTER, Mr. CICILLINE, Mr. GARAMENDI, Ms. ROYBAL-ALLARD, Mr. SCHIFF, Mr. CASTEN, Ms. KELLY of Illinois, Ms. ADAMS, Mr. PANETTA, Mr. KRISHNAMOORTHY, Mrs. LAWRENCE, Ms. WASSERMAN SCHULTZ, Mr. PALLONE, Mr. SCOTT of Virginia, Ms. JAYAPAL, Ms. BONAMICI, Mr. LARSON of Connecticut, Mrs. CAROLYN B. MALONEY of New York, Mr. DESAULNIER, Mr. NADLER, Mr. LARSEN of Washington, Ms. LOFGREN, Mr. SHERMAN, Mr. CLEAVER, Ms. GARCIA of Texas, Mr. BLUMENAUER, Ms. WILSON of Florida, Mrs. DEMINGS, Mr. CARTER of Louisiana, Ms. PORTER, Mr. HIGGINS of New York, Mr. LOWENTHAL, Ms. STEVENS, Ms. BROWNLEY, Ms. DELAURO, Mrs. WATSON COLEMAN, Mr. HORSFORD, Ms. JACOBS of California, Mr. CROW, Mr. JONES, Mr. VARGAS, Ms. BOURDEAUX, Mrs. DINGELL, Ms. CHU, Mr. PRICE of North Carolina, Ms. DEAN, Mr. POCAN, Mr. BERA, Ms. BARRAGÁN, Ms. MATSUI, Ms. BLUNT ROCHESTER, Ms. SÁNCHEZ, Mr. PAYNE, Mr. RUIZ, Mr. GREEN of Texas, Mr. MCEACHIN, and Mr. BOW-MAN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To regulate large capacity ammunition feeding devices.

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 “Keep Americans Safe
5 Act”.

6 **SEC. 2. DEFINITIONS.**

7 Section 921(a) of title 18, United States Code, is
8 amended by adding at the end the following:

9 “(38) The term ‘large capacity ammunition feeding
10 device’—

11 “(A) means a magazine, belt, drum, feed strip,
12 helical feeding device, or similar device, including
13 any such device joined or coupled with another in
14 any manner, that has an overall capacity of, or that
15 can be readily restored, changed, or converted to ac-
16 cept, more than 15 rounds of ammunition; and

17 “(B) does not include an attached tubular de-
18 vice designed to accept, and capable of operating
19 only with, .22 caliber rimfire ammunition.

20 “(39) The term ‘qualified law enforcement officer’
21 has the meaning given the term in section 926B.”.

1 **SEC. 3. RESTRICTIONS ON LARGE CAPACITY AMMUNITION**
2 **FEEDING DEVICES.**

3 (a) IN GENERAL.—Section 922 of title 18, United
4 States Code, is amended by inserting after subsection (u)
5 the following:

6 “(v)(1) It shall be unlawful for a person to import,
7 sell, manufacture, transfer, or possess, in or affecting
8 interstate or foreign commerce, a large capacity ammuni-
9 tion feeding device.

10 “(2) Paragraph (1) shall not apply to the possession
11 of any large capacity ammunition feeding device otherwise
12 lawfully possessed on or before the date of enactment of
13 the Keep Americans Safe Act.

14 “(3) Paragraph (1) shall not apply to—

15 “(A) the importation for, manufacture for, sale
16 to, transfer to, or possession by the United States
17 or a department or agency of the United States or
18 a State or a department, agency, or political subdivi-
19 sion of a State, or a sale or transfer to or possession
20 by a qualified law enforcement officer employed by
21 the United States or a department or agency of the
22 United States or a State or a department, agency,
23 or political subdivision of a State for purposes of law
24 enforcement (whether on or off-duty), or a sale or
25 transfer to or possession by a campus law enforce-

1 ment officer for purposes of law enforcement (wheth-
2 er on or off-duty);

3 “(B) the importation for, or sale or transfer to
4 a licensee under title I of the Atomic Energy Act of
5 1954 (42 U.S.C. 2011 et seq.) for purposes of estab-
6 lishing and maintaining an on-site physical protec-
7 tion system and security organization required by
8 Federal law, or possession by an employee or con-
9 tractor of such licensee on-site for such purposes or
10 off-site for purposes of licensee-authorized training
11 or transportation of nuclear materials;

12 “(C) the possession, by an individual who is re-
13 tired in good standing from service with a law en-
14 forcement agency and is not otherwise prohibited
15 from receiving ammunition, of a large capacity am-
16 munition feeding device—

17 “(i) sold or transferred to the individual by
18 the agency upon such retirement; or

19 “(ii) that the individual purchased, or oth-
20 erwise obtained, for official use before such re-
21 tirement; or

22 “(D) the importation, sale, manufacture, trans-
23 fer, or possession of any large capacity ammunition
24 feeding device by a licensed manufacturer or licensed

1 importer for the purposes of testing or experimen-
2 tation authorized by the Attorney General.

3 “(4) For purposes of paragraph (3)(A), the term
4 ‘campus law enforcement officer’ means an individual who
5 is—

6 “(A) employed by a private institution of higher
7 education that is eligible for funding under title IV
8 of the Higher Education Act of 1965 (20 U.S.C.
9 1070 et seq.);

10 “(B) responsible for the prevention or investiga-
11 tion of crime involving injury to persons or property,
12 including apprehension or detention of persons for
13 such crimes;

14 “(C) authorized by Federal, State, or local law
15 to carry a firearm, execute search warrants, and
16 make arrests; and

17 “(D) recognized, commissioned, or certified by
18 a government entity as a law enforcement officer.”.

19 (b) IDENTIFICATION MARKINGS FOR LARGE CAPAC-
20 ITY AMMUNITION FEEDING DEVICES.—Section 923(i) of
21 title 18, United States Code, is amended by adding at the
22 end the following: “A large capacity ammunition feeding
23 device manufactured after the date of enactment of the
24 Keep Americans Safe Act shall be identified by a serial
25 number and the date on which the device was manufac-

1 tured or made, legibly and conspicuously engraved or cast
2 on the device, and such other identification as the Attor-
3 ney General shall by regulations prescribe.”.

4 (c) SEIZURE AND FORFEITURE OF LARGE CAPACITY
5 AMMUNITION FEEDING DEVICES.—Section 924(d) of title
6 18, United States Code, is amended—

7 (1) in paragraph (1)—

8 (A) in the first sentence—

9 (i) by striking “Any firearm or ammu-
10 nition involved in” and inserting “Any fire-
11 arm or ammunition or large capacity am-
12 munition feeding device involved in”;

13 (ii) by striking “or (k)” and inserting
14 “(k), or (v)”;

15 (iii) by striking “any firearm or am-
16 munition intended” and inserting “any
17 firearm or ammunition or large capacity
18 ammunition feeding device intended”;

19 (B) in the second and third sentences, by
20 inserting “or large capacity ammunition feeding
21 device” after “firearms or ammunition” each
22 place the term appears;

23 (2) in paragraph (2)—

1 (A) in subparagraph (A), by inserting “or
2 large capacity ammunition feeding device” after
3 “firearms or ammunition”; and

4 (B) in subparagraph (C), by inserting “or
5 large capacity ammunition feeding devices”
6 after “firearms or quantities of ammunition”;
7 and

8 (3) in paragraph (3)(E), by inserting “922(v),”
9 after “922(n),”.

10 **SEC. 4. PENALTIES.**

11 Section 924(a)(1)(B) of title 18, United States Code,
12 is amended by striking “or (q)” and inserting “(q), or
13 (v)”.

14 **SEC. 5. USE OF BYRNE GRANTS FOR BUY-BACK PROGRAMS**

15 **FOR LARGE CAPACITY AMMUNITION FEED-**
16 **ING DEVICES.**

17 Section 501(a)(1) of title I of the Omnibus Crime
18 Control and Safe Streets Act of 1968 (34 U.S.C.
19 10152(a)(1)) is amended by adding at the end the fol-
20 lowing:

21 “(I) Compensation for surrendered large
22 capacity ammunition feeding devices, as that
23 term is defined in section 921 of title 18,
24 United States Code, under buy-back programs
25 for large capacity ammunition feeding devices.”.

1 **SEC. 6. SEVERABILITY.**

2 If any provision of this Act, an amendment made by
3 this Act, or the application of such provision or amend-
4 ment to any person or circumstance is held to be unconsti-
5 tutional, the remainder of this Act, the amendments made
6 by this Act, and the application of such provision or
7 amendment to any person or circumstance shall not be af-
8 fected thereby.

○