

116TH CONGRESS  
1ST SESSION

# H. R. 1186

To regulate large capacity ammunition feeding devices.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2019

Mr. DEUTCH (for himself, Mr. NADLER, Ms. DEGETTE, Ms. TITUS, Mr. AGUILAR, Mr. BERA, Ms. BONAMICI, Ms. BROWNLEY of California, Mr. CÁRDENAS, Mr. CASE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. CONNOLLY, Mr. COOPER, Mr. CRIST, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DESAULNIER, Ms. ESHOO, Mr. ESPAILLAT, Ms. FRANKEL, Mr. GRIJALVA, Mr. HASTINGS, Ms. JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Mr. LANGEVIN, Ms. LOFGREN, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCGOVERN, Mr. MORELLE, Mrs. NAPOLITANO, Ms. NORTON, Mr. PALLONE, Mr. PANETTA, Mr. PETERS, Ms. PINGREE, Miss RICE of New York, Mr. ROSE of New York, Ms. ROYBAL-ALLARD, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCOTT of Virginia, Mr. SHERMAN, Mr. SIRES, Mr. SMITH of Washington, Mr. SOTO, Ms. SPEIER, Mr. SUOZZI, Mr. SWALWELL of California, Mr. TAKANO, Ms. VELÁZQUEZ, Mr. VISCLOSKY, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. YARMUTH, Mr. CISNEROS, Mr. NEGUSE, and Mr. GARAMENDI) introduced the following bill; which was referred to the Committee on the Judiciary

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## 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Keep Americans Safe  
3 Act”.

4 **SEC. 2. DEFINITIONS.**

5 Section 921(a) of title 18, United States Code, is  
6 amended by inserting after paragraph (29) the following:

7 “(30) The term ‘large capacity ammunition feeding  
8 device’—

9 “(A) means a magazine, belt, drum, feed strip,  
10 helical feeding device, or similar device, including  
11 any such device joined or coupled with another in  
12 any manner, that has an overall capacity of, or that  
13 can be readily restored, changed, or converted to ac-  
14 cept, more than 10 rounds of ammunition; and

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

18 “(31) The term ‘qualified law enforcement officer’  
19 has the meaning given the term in section 926B.”.

20 **SEC. 3. RESTRICTIONS ON LARGE CAPACITY AMMUNITION**  
21 **FEEDING DEVICES.**

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

25 “(v)(1) It shall be unlawful for a person to import,  
26 sell, manufacture, transfer, or possess, in or affecting

1 interstate or foreign commerce, a large capacity ammuni-  
2 tion feeding device.

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

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

8 “(A) the importation for, manufacture for, sale  
9 to, transfer to, or possession by the United States  
10 or a department or agency of the United States or  
11 a State or a department, agency, or political subdivi-  
12 sion of a State, or a sale or transfer to or possession  
13 by a qualified law enforcement officer employed by  
14 the United States or a department or agency of the  
15 United States or a State or a department, agency,  
16 or political subdivision of a State for purposes of law  
17 enforcement (whether on or off-duty), or a sale or  
18 transfer to or possession by a campus law enforce-  
19 ment officer for purposes of law enforcement (wheth-  
20 er on or off-duty);

21 “(B) the importation for, or sale or transfer to  
22 a licensee under title I of the Atomic Energy Act of  
23 1954 (42 U.S.C. 2011 et seq.) for purposes of estab-  
24 lishing and maintaining an on-site physical protec-  
25 tion system and security organization required by

1 Federal law, or possession by an employee or con-  
2 tractor of such licensee on-site for such purposes or  
3 off-site for purposes of licensee-authorized training  
4 or transportation of nuclear materials;

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

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

12 “(ii) that the individual purchased, or oth-  
13 erwise obtained, for official use before such re-  
14 tirement; or

15 “(D) the importation, sale, manufacture, trans-  
16 fer, or possession of any large capacity ammunition  
17 feeding device by a licensed manufacturer or licensed  
18 importer for the purposes of testing or experimen-  
19 tation authorized by the Attorney General.

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

23 “(A) employed by a private institution of higher  
24 education that is eligible for funding under title IV

1 of the Higher Education Act of 1965 (20 U.S.C.  
2 1070 et seq.);

3 “(B) responsible for the prevention or investiga-  
4 tion of crime involving injury to persons or property,  
5 including apprehension or detention of persons for  
6 such crimes;

7 “(C) authorized by Federal, State, or local law  
8 to carry a firearm, execute search warrants, and  
9 make arrests; and

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

12 (b) IDENTIFICATION MARKINGS FOR LARGE CAPAC-  
13 ITY AMMUNITION FEEDING DEVICES.—Section 923(i) of  
14 title 18, United States Code, is amended by adding at the  
15 end the following: “A large capacity ammunition feeding  
16 device manufactured after the date of enactment of the  
17 Keep Americans Safe Act shall be identified by a serial  
18 number and the date on which the device was manufac-  
19 tured or made, legibly and conspicuously engraved or cast  
20 on the device, and such other identification as the Attor-  
21 ney General shall by regulations prescribe.”.

22 (c) SEIZURE AND FORFEITURE OF LARGE CAPACITY  
23 AMMUNITION FEEDING DEVICES.—Section 924(d) of title  
24 18, United States Code, is amended—

25 (1) in paragraph (1)—

1 (A) in the first sentence—

2 (i) by striking “Any firearm or ammu-  
3 nition involved in” and inserting “Any fire-  
4 arm or ammunition or large capacity am-  
5 munition feeding device involved in”;

6 (ii) by striking “or (k)” and inserting  
7 “(k), or (v)”;

8 (iii) by striking “any firearm or am-  
9 munition intended” and inserting “any  
10 firearm or ammunition or large capacity  
11 ammunition feeding device intended”;

12 (B) in the second and third sentences, by  
13 inserting “or large capacity ammunition feeding  
14 device” after “firearms or ammunition” each  
15 place the term appears;

16 (2) in paragraph (2)—

17 (A) in subparagraph (A), by inserting “or  
18 large capacity ammunition feeding device” after  
19 “firearms or ammunition”;

20 (B) in subparagraph (C), by inserting “or  
21 large capacity ammunition feeding devices”  
22 after “firearms or quantities of ammunition”;  
23 and

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

1 **SEC. 4. PENALTIES.**

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

5 **SEC. 5. USE OF BYRNE GRANTS FOR BUY-BACK PROGRAMS**  
6 **FOR LARGE CAPACITY AMMUNITION FEED-**  
7 **ING DEVICES.**

8 Section 501(a)(1) of title I of the Omnibus Crime  
9 Control and Safe Streets Act of 1968 (34 U.S.C.  
10 10152(a)(1)) is amended by adding at the end the fol-  
11 lowing:

12 “(I) Compensation for surrendered large  
13 capacity ammunition feeding devices, as that  
14 term is defined in section 921 of title 18,  
15 United States Code, under buy-back programs  
16 for large capacity ammunition feeding devices.”.

17 **SEC. 6. SEVERABILITY.**

18 If any provision of this Act, an amendment made by  
19 this Act, or the application of such provision or amend-  
20 ment to any person or circumstance is held to be unconsti-  
21 tutional, the remainder of this Act, the amendments made  
22 by this Act, and the application of such provision or  
23 amendment to any person or circumstance shall not be af-  
24 fected thereby.

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