



Aidan Johnston, Federal Affairs Director | 703-321-8585

## "Assault Weapons" Ban to Outlaw Commonly-Owned Firearms & Register Gun Owners

Gun Owners of America is opposed to H.R. 1808, the *Assault Weapons Ban of 2022*, which is a poorly written successor to the expired "Assault Weapons" ban of 1994. **The previous so-called "assault weapons" ban was a complete failure according to the NIJ** and "failed to reduce the average number of victims per gun murder incident or multiple gunshot wound victims."<sup>1</sup>

This ultimate infringement on the Second Amendment proposed by Rep. Cicilline targets nearly **all semi-automatic weapons, magazines, and even firearm accessories like semiautomatic triggers<sup>2</sup> and suppressors<sup>3</sup>**. The grandfather clause can be described as a backdoor National Firearms Act or NFA with de facto gun registration and regulations regarding even temporary transfers to family that can easily result in federal criminal prosecution and gun confiscation.

### "Assault Weapons" Ban Includes Many Commonly Owned Firearms

**This new ban declares many commonly owned firearms as "semiautomatic assault weapon[s]"** and bans "the importation, possession, sale, or transfer" of such firearms with very limited exceptions.<sup>4</sup>

Banned "semiautomatic rifle[s]" are banned for having a non-fixed magazine and either a pistol grip, a forward grip, a grenade launcher, a barrel shroud, a threaded barrel, or a folding, telescoping, or detachable stock.<sup>5</sup>

Banned "semiautomatic pistol[s]" are banned for having non-fixed magazines and a threaded barrel, secondary pistol grip, barrel shroud, a stabilizing brace, the capacity to accept a detachable magazine outside of the pistol grip, weighing 50 ounces or more, or looking like an automatic firearm.<sup>6</sup>

Banned "semiautomatic shotgun[s]" are banned for having non-fixed magazines and grenade launcher, a pistol grip, a "bird's head" grip, a forward grip, the ability to accept a detachable magazine, a fixed magazine of over five rounds, or a folding, telescoping, or detachable stock.<sup>7</sup> This ban also includes shotguns with revolving cylinders.<sup>8</sup>

### Magazine Ban Affects 15+ Round Magazines, 5+ Round Shotguns, and Some 15 Round Fixed-Magazine Rifles

**The ban on ammunition feeding devices includes both fixed and detachable magazines.** Regardless of the original design of a firearm's standard ammunition capacity, any device that can accept more than fifteen rounds or can be converted to accept more than fifteen rounds is banned as a "large capacity ammunition feeding device."<sup>9</sup> Under the ban, it will be illegal to import, sell, manufacture, transfer, or possess such a "large capacity ammunition feeding device," subject to limited grandfathering exceptions.<sup>10</sup>

Most firearms can accept their magazine capacity limit along with an additional round loaded into the chamber of the firearm. Therefore, semiautomatic rifles and pistols with fixed fifteen-round magazines may still be banned, as they have the capacity to accept more than fifteen rounds, according to the syntax of the legislation.<sup>11</sup> Further, a weapon shall be defined as a banned "semiautomatic shotgun" for having a fixed magazine that can accept more than five rounds.<sup>12</sup>

### Fake "Grandfather Clause" is Backdoor Gun Registration

The bill defines "grandfathered semiautomatic assault weapon" as any otherwise banned firearm that is lawfully possessed on the date of enactment of the *Assault Weapons Ban of 2022*.<sup>13</sup> Grandfathered weapons, however, are subject to universal background checks on all transfers,<sup>14</sup> which register the weapon with a Firearm Transaction Record, or Form 4473, and **which will eventually be included in the ATF's illegal, national, digital, and searchable gun registry in West Virginia.**<sup>15</sup>

The ban also includes extremely limited exceptions to the transfer ban, allowing firearms to only be temporarily transferred into the possession of another person at a "licensed target facility or established range"<sup>16</sup> or checking the firearm "for evaluation by a prospective transferee."<sup>17</sup> All transfers, even among family members, would require a background check for private target practice, hunting, self-defense, or, tragically, suicidal crisis intervention.

## Sources

1. Travis. Impacts of the 1994 Assault Weapons Ban: 1994–96. National Institute of Justice. 1999.
2. Cicilline. H.R. 1808 – Assault Weapons Ban of 2021. 117th Congress. Sec. 2(a)(1) Proposed (36)(C).
3. Ibid. Sec 2(a)(1) Proposed (36)(A)(ii)(VI) and (D)(ii)(I); Sec.2(b) Proposed (46).
4. Ibid. Proposed (36).
5. Ibid. Proposed (36)(A).
6. Ibid. Proposed (36)(D).
7. Ibid. Proposed (36)(F).
8. Ibid. Proposed (36)(G).
9. Ibid. Proposed (37).
10. Ibid. Sec. 3(a)(1) Proposed (v)(2)-(6).
11. Ibid. Sec. 2(a)(1) Proposed (36)(B) and (E).
12. Ibid. Proposed (36)(F).
13. Ibid. Sec. 2(b) Proposed (48).
14. Ibid. Sec. 5.
15. Johnston. ATF's Illegal Gun Owner Registry. 2022.
16. Ibid. Sec. 5(a)(4) Proposed (t)(2).
17. Ibid. Sec. 5(a)(4) Proposed (t)(3)(B).

