

The Assault Weapon Ban

On September 13, 2004, the Semiautomatic Assault Weapon ban expired, 10 years after President Clinton signed it. 2nd Amendment supporters saw it as another attempt in a line of “slippery slope” laws designed to infringe upon their right to “keep and bear arms.” Supporters of the ban championed it as a measure to reduce crime on our nation’s streets. Most of us were unsure of its reach, and unaffected by its provisions.

The “Violent Crime Control and Law Enforcement Act of 1994” banned certain semiautomatic rifles (SAW’s) and “large capacity ammunition feeding devices” (LCAFD’s). The law made it a federal crime for a private individual to possess or transfer a SAW that was manufactured after September 13, 1994, but did not affect the rifles manufactured prior to that date.

The ineffectiveness of the law became apparent upon reading the “requirements” to be considered a banned gun. The semiautomatic rifle had to accept a detachable magazine and have at least two of the following features: a folding or telescoping stock; a pistol grip extending below the action; a bayonet mount; a flash suppressor or threaded barrel; and a grenade launcher. Under the law, certain semiautomatic pistols and semiautomatic shotguns were also banned.

Additionally, all pre-ban guns and large capacity magazines were already “grandfathered” in, meaning these items were still available, but at a higher price due to the limited supply caused by the ban. Gunmakers could also continue making the guns, but had to limit the number of features to comply with the law.

How did this affect you? Probably very little. Since the grenade launcher was previously banned, and AK-47’s were already banned from importation, if you only had a bayonet mount, or only a flash

suppressor mounted on your semiautomatic rifle, you were a law abiding citizen.

Probably equally useless was the ban on LCAFD’s limiting the number of rounds contained in a feeding device to 10. Essentially, if a criminal planned on shooting more than 10 rounds from his pistol, he would need to bring more magazines. This provision did not apply to .22 rim-fire rounds.

Of course, there are other substantial gun regulations still on the books including the National Firearms Act which restricts the registration and transfer of machineguns, short barreled shotguns and other “destructive devices.” Additionally, the “Brady Law” still requires a background check period before you can receive your handgun.

Interestingly enough, Congress did not vote to extend the SAW ban. Many speculate that is a result of pressure from pro-2nd Amendment groups as well as the politicians’ recognition that many of their constituents actually prefer a more “hand’s off” approach to gun regulation. In any event, by not acting to extend the act, Congress allowed the law to “sunset,” thus ending the ban.