

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4909
OFFERED BY MR. FORBES OF VIRGINIA**

At the end of subtitle G of title X, add the following:

1 **SEC. 1098. RECOVERY OF EXCESS RIFLES, AMMUNITION,**
2 **AND PARTS GRANTED TO FOREIGN COUN-**
3 **TRIES AND TRANSFER TO CERTAIN PERSONS.**

4 (a) RECOVERY.—Subchapter II of chapter 407 of
5 title 36, United States Code, is amended by inserting after
6 section 40728A the following new section:

7 **“§ 40728B. Recovery of excess rifles, ammunition, and**
8 **parts granted to foreign countries and**
9 **transfer to certain persons**

10 “(a) AUTHORITY TO RECOVER.—(1) Subject to para-
11 graph (2) and subsection (b), the Secretary of the Army
12 may acquire from any person any rifle, ammunition, repair
13 parts, or other supplies described in section 40731(a) of
14 this title which were—

15 “(A) provided to any country on a grant basis
16 under the conditions imposed by section 505 of the
17 Foreign Assistance Act of 1961 (22 U.S.C. 2314)
18 that became excess to the needs of such country;
19 and

1 “(B) lawfully acquired by such person.

2 “(2) The Secretary of the Army may not acquire any-
3 thing under paragraph (1) except for transfer to a person
4 in the United States under subsection (c).

5 “(3) The Secretary of the Army may accept rifles,
6 ammunition, repair parts, or other supplies under para-
7 graph (1) notwithstanding section 1342 of title 31.

8 “(b) COST OF RECOVERY.—The Secretary of the
9 Army may not acquire anything under subsection (a) if
10 the United States would incur any cost for such acquisi-
11 tion.

12 “(c) AVAILABILITY FOR TRANSFER.—Any rifles, am-
13 munition, repair parts, or supplies acquired under sub-
14 section (a) shall be available for transfer in the United
15 States to the person from whom acquired if such person—

16 “(1) is licensed as a manufacturer, importer, or
17 dealer pursuant to section 923(a) of title 18; and

18 “(2) uses an ammunition depot of the Army
19 that is an eligible facility for receipt of any rifles,
20 ammunition, repair parts, or supplies under this
21 paragraph.

22 “(d) CONTRACTS.—Notwithstanding subsection (k)
23 of section 2304 of title 10, the Secretary may enter into
24 such contracts or cooperative agreements on a sole source

1 basis pursuant to paragraphs (4) and (5) of subsection
2 (c) of such section to carry out this section.

3 “(e) AECA.—Transfers authorized under this section
4 may only be made in accordance with applicable provisions
5 of the Arms Export Control Act (22 U.S.C. 2778).

6 “(f) RIFLE DEFINED.—In this section, the term
7 ‘rifle’ has the meaning given such term in section 921 of
8 title 18.”.

9 (b) SALE.—Section 40732 of such title is amended—
10 (1) by adding at the end the following new sub-
11 section:

12 “(d) SALES BY OTHER PERSONS.—A person who re-
13 ceives a rifle or any ammunition, repair parts, or supplies
14 under section 40728B(c) of this title may sell, at fair mar-
15 ket value, such rifle, ammunition, repair parts, or supplies.
16 With respect to rifles other than caliber .22 rimfire and
17 caliber .30 rifles, the seller shall obtain a license as a deal-
18 er in rifles and abide by all requirements imposed on per-
19 sons licensed under chapter 44 of title 18, including main-
20 taining acquisition and disposition records, and con-
21 ducting background checks.”; and

22 (2) in subsection (c), in the heading, by insert-
23 ing “BY THE CORPORATION” after “LIMITATION ON
24 SALES”.

1 (c) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 407 of such title is amended
3 by inserting after the item relating to section 40728A the
4 following new item:

“40728B. Recovery of excess rifles, ammunition, and parts granted to foreign
countries and transfer to certain persons.”.

