



Public Data Briefing

Proposed Amendment on Firearms

Part A: Machinegun Conversion Devices

January 2025

Part A: Two Options to Amend §2K2.1

Option 1

Expand the Definition of “Firearm” at §2K2.1 to Include National Firearms Act (NFA) Firearms

Option 2

Extend Particular §2K2.1 Subsections to Apply Based on NFA Firearms

Part A, Option Two: Affected Subsections

§2K2.1(b)(1)	<i>Number of Firearms</i>
§2K2.1(b)(4)	<i>Stolen Firearm, Modified Serial Number, or Unserialized Firearm</i>
§2K2.1(b)(5)	<i>Trafficking in Firearms</i>
§2K2.1(b)(6)(A)	<i>Transportation Outside of the United States</i>
§2K2.1(b)(6)(B)	<i>Possession/Use in Connection With Another Felony Offense</i>
§2K2.1(b)(7)	<i>Recordkeeping Offenses</i>
§2K2.1(c)	<i>Cross Reference</i>

Part A: Two Options to Amend §2K2.1

Option 1

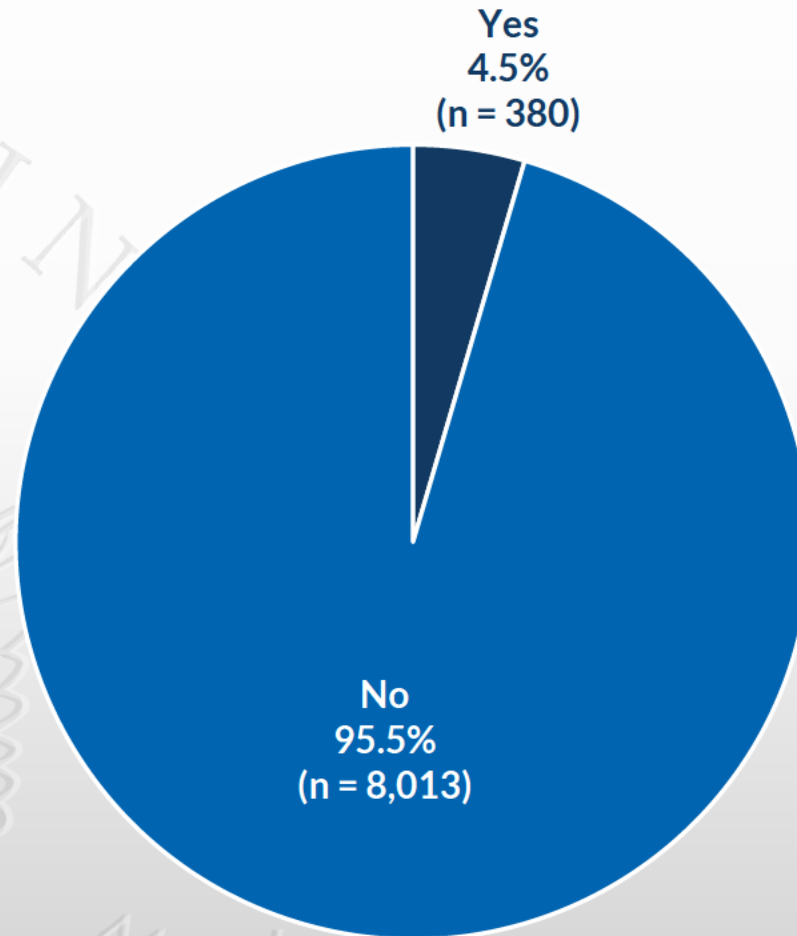
Expand the Definition of “Firearm” at §2K2.1 to Include National Firearms Act (NFA) Firearms

Option 2

Extend Particular §2K2.1 Subsections to Apply Based on NFA Firearms

§2K2.1 Cases with Offenses Involving MCDs

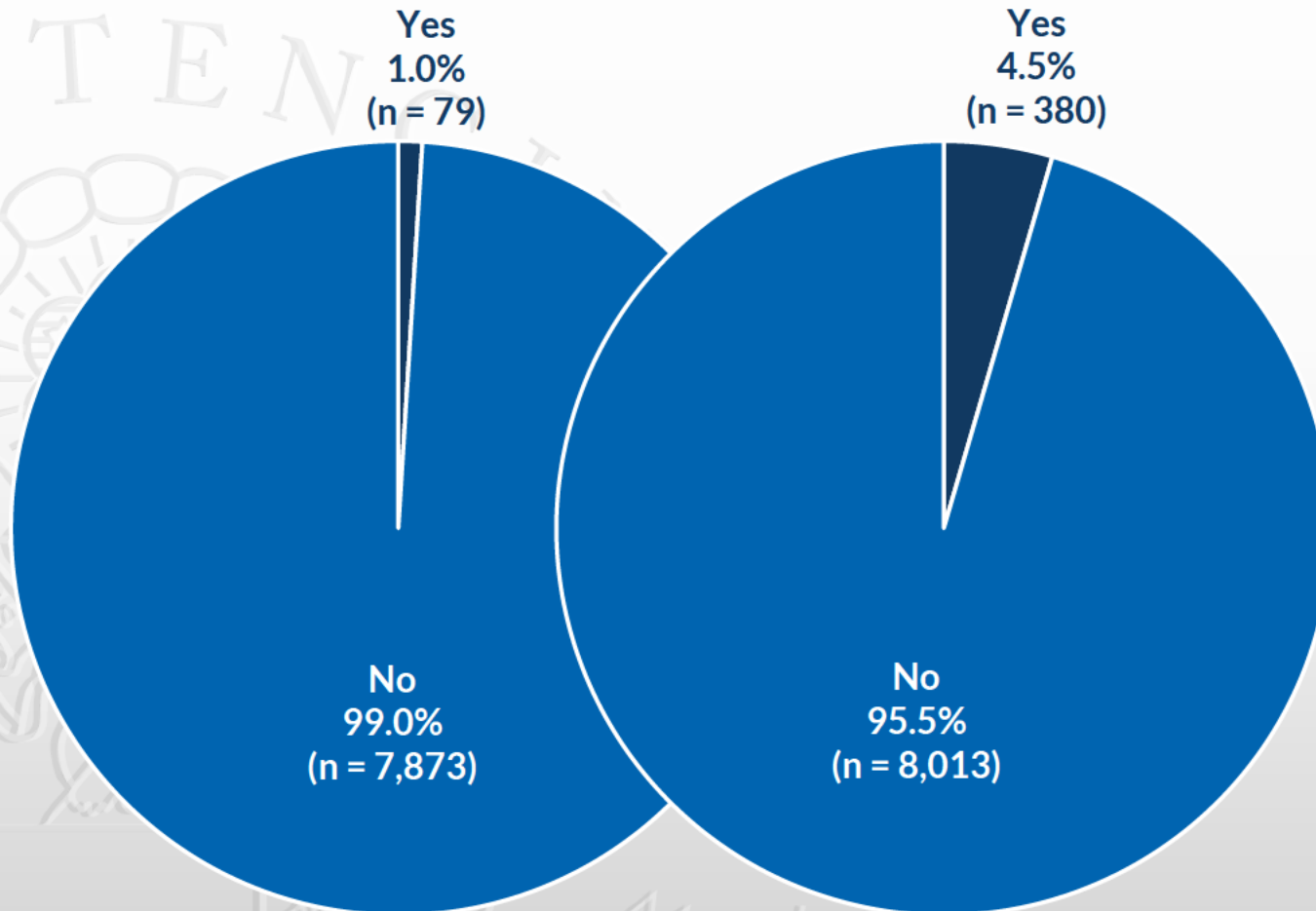
Fiscal Year 2023



§2K2.1 Cases with Offenses Involving MCDs

Fiscal Year 2019

Fiscal Year 2023



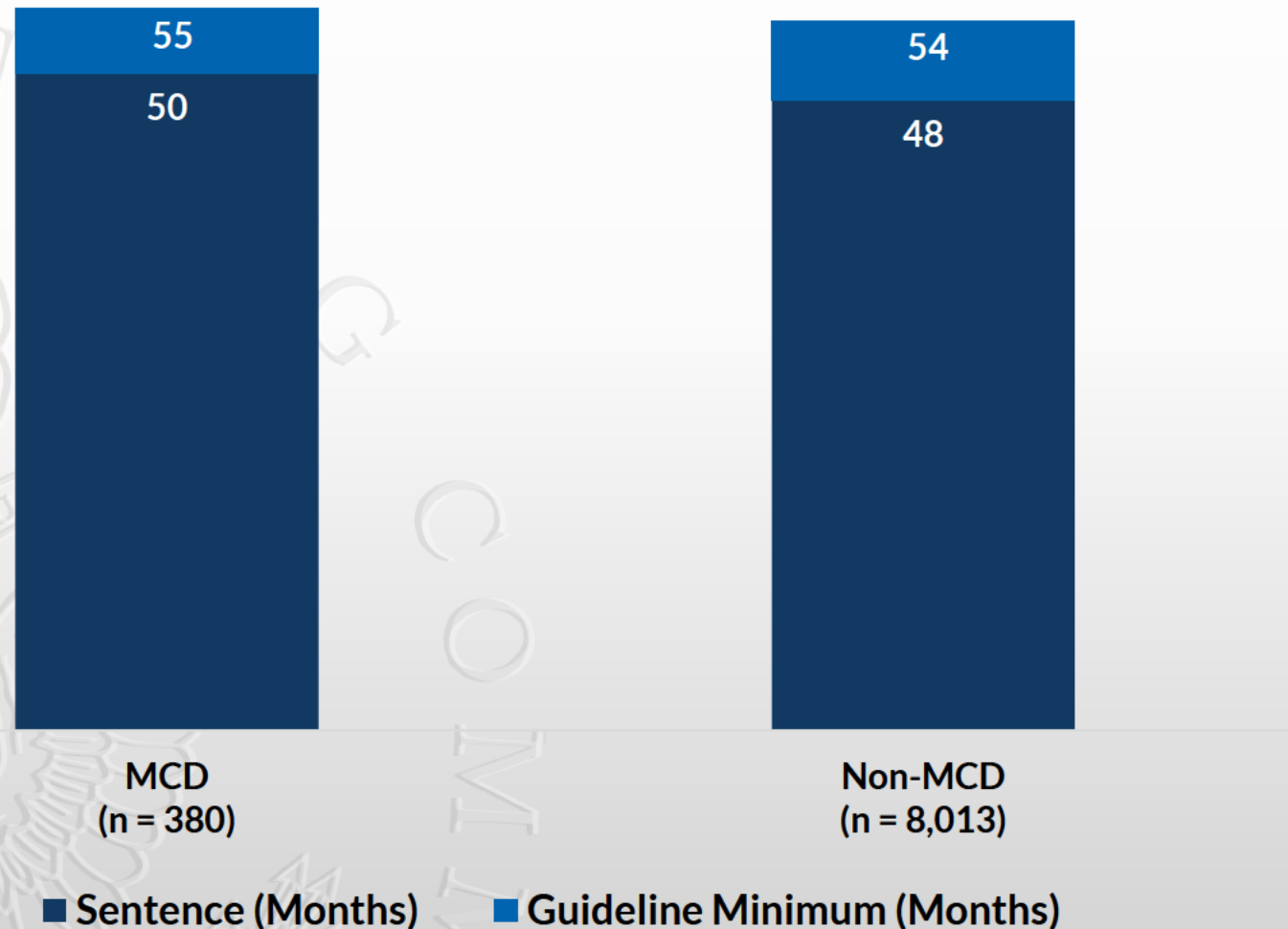
Demographic Characteristics of Sentenced Individuals With MCDs

Fiscal Year 2023

Demographic Characteristics	Individuals Sentenced Under §2K2.1 With MCD (n = 380)	Individuals Sentenced Under §2K2.1 Without MCD (n = 8,013)
Race		
White	15.6%	21.9%
Black	59.6%	57.4%
Hispanic	21.9%	17.5%
Other	2.9%	3.2%
Gender		
Male	97.9%	95.6%
Female	2.1%	4.4%
Citizenship		
U.S. Citizen	97.1%	96.4%
Non-U.S. Citizen	2.9%	3.6%
Average Age	28 Years	35 Years

Average Sentence and Guideline Minimum for Individuals Sentenced with MCDs

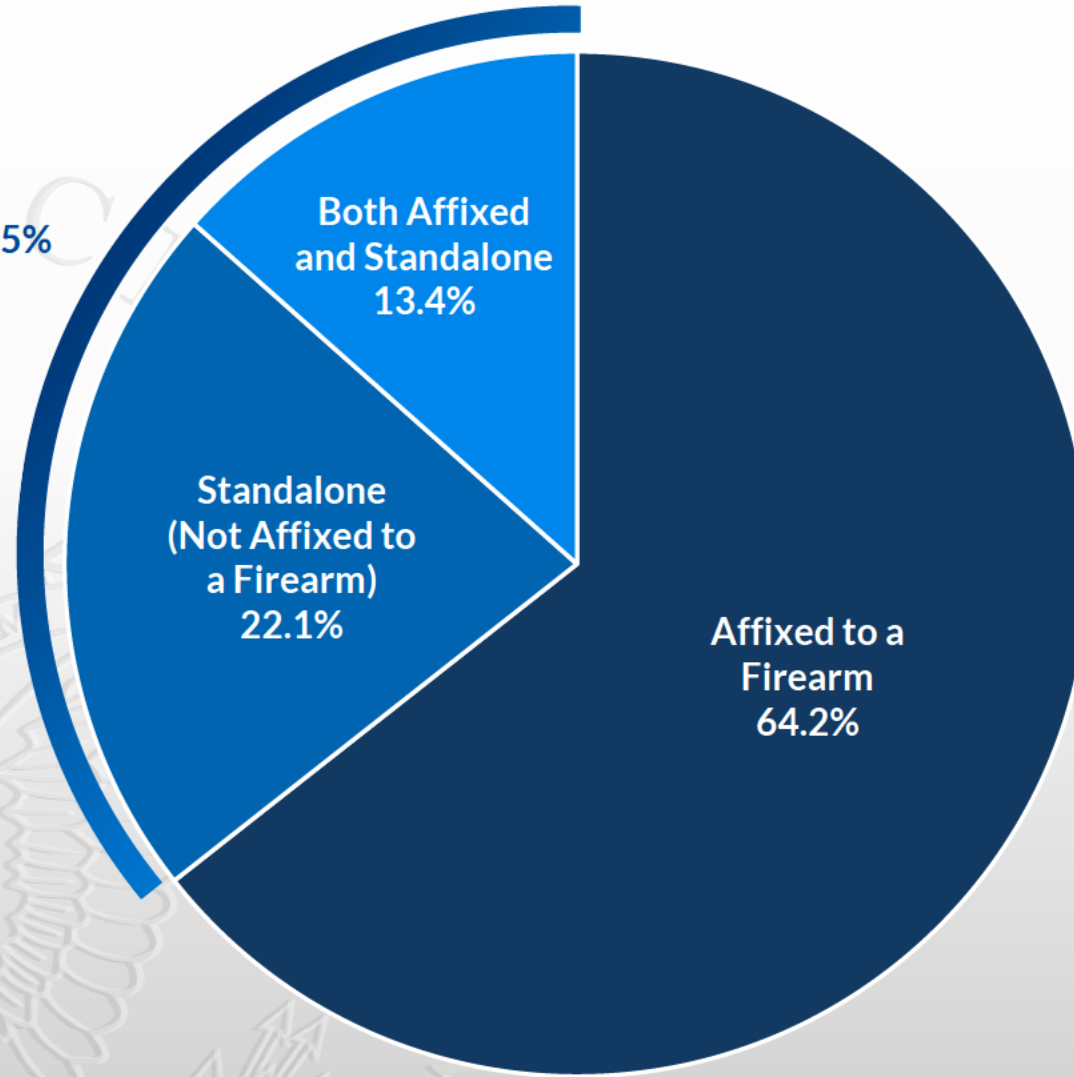
Fiscal Year 2023



Affixed and Standalone MCDs

Fiscal Year 2023

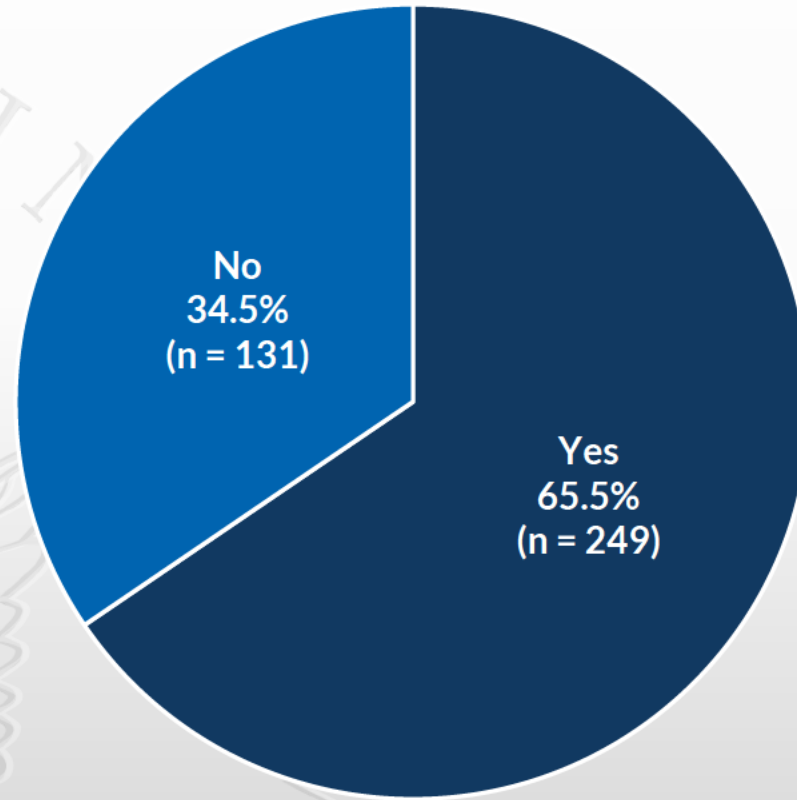
(N = 380)



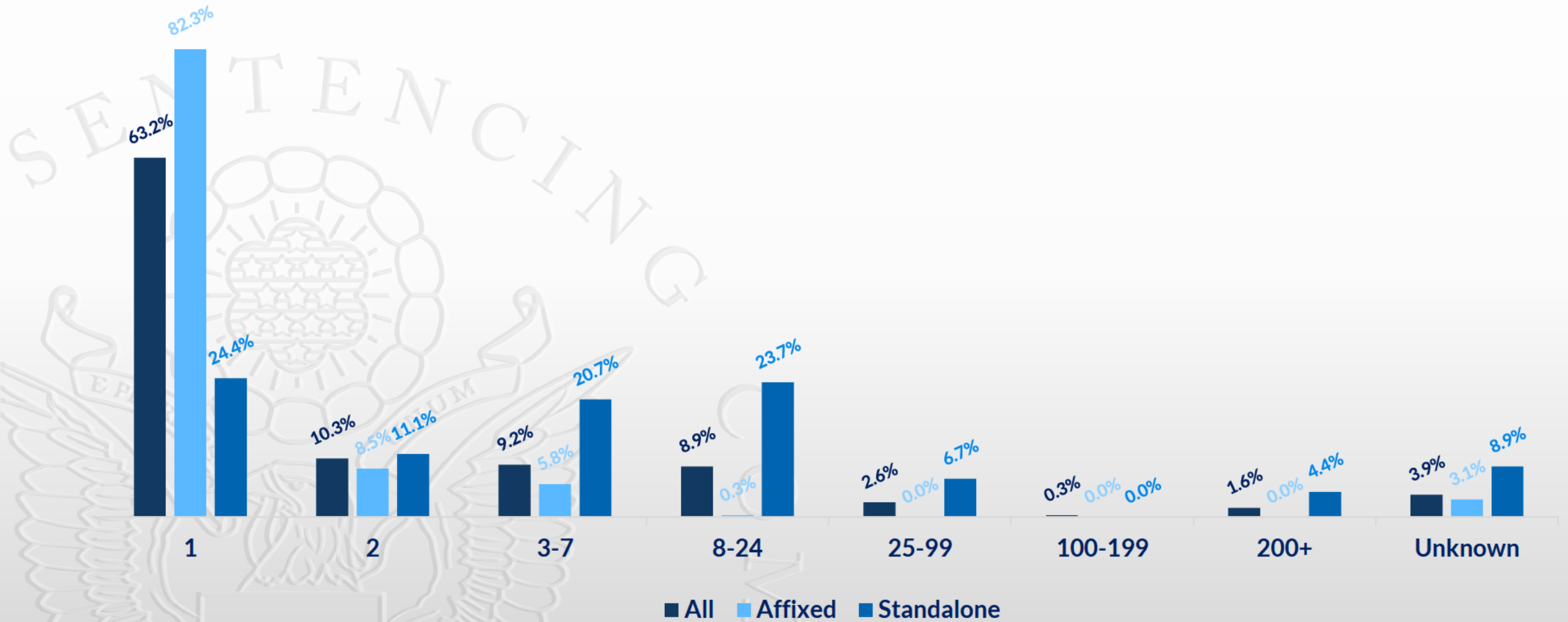
Offense Involved a Large Capacity Magazine

Fiscal Year 2023

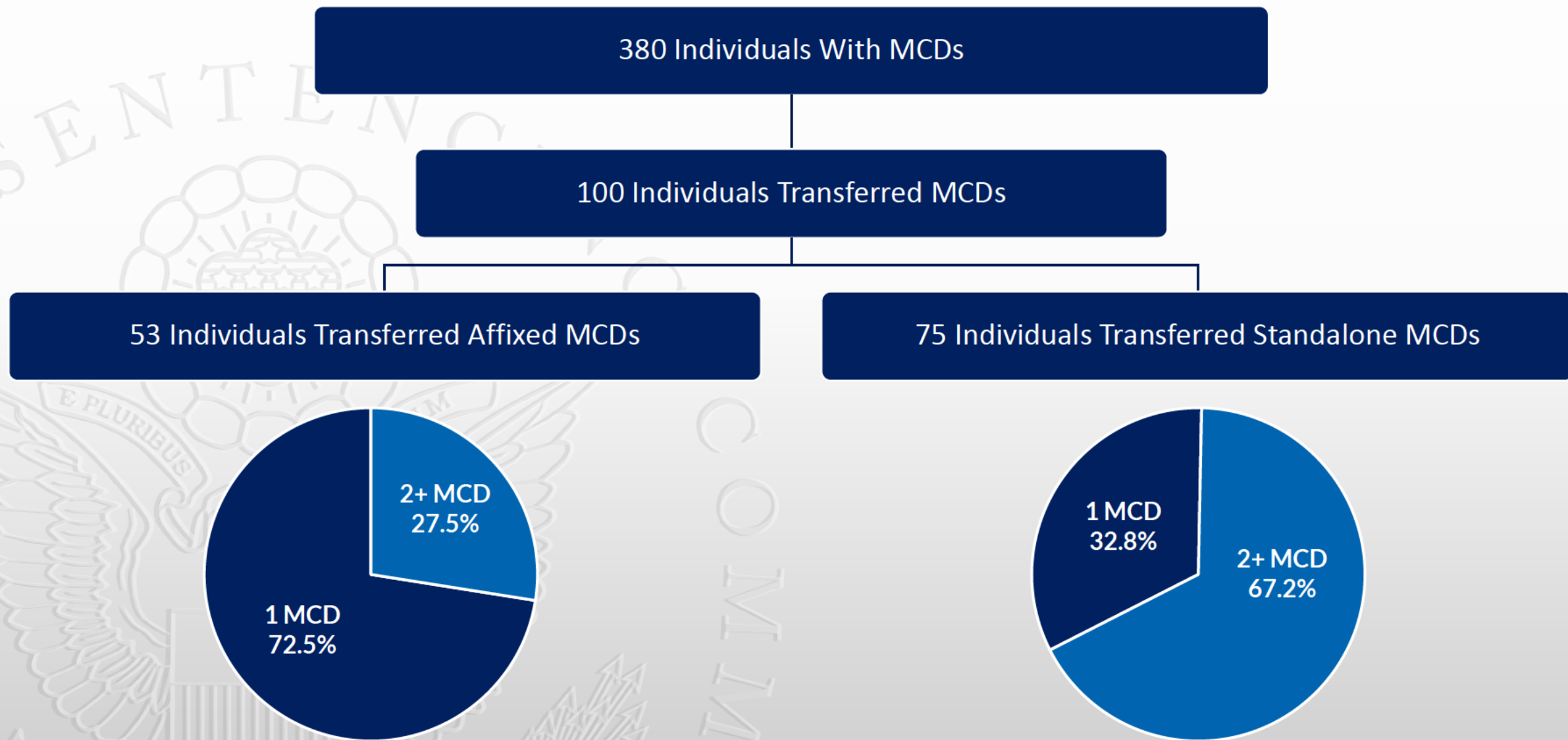
(N = 380)



Number of MCDs Fiscal Year 2023 (N = 380)



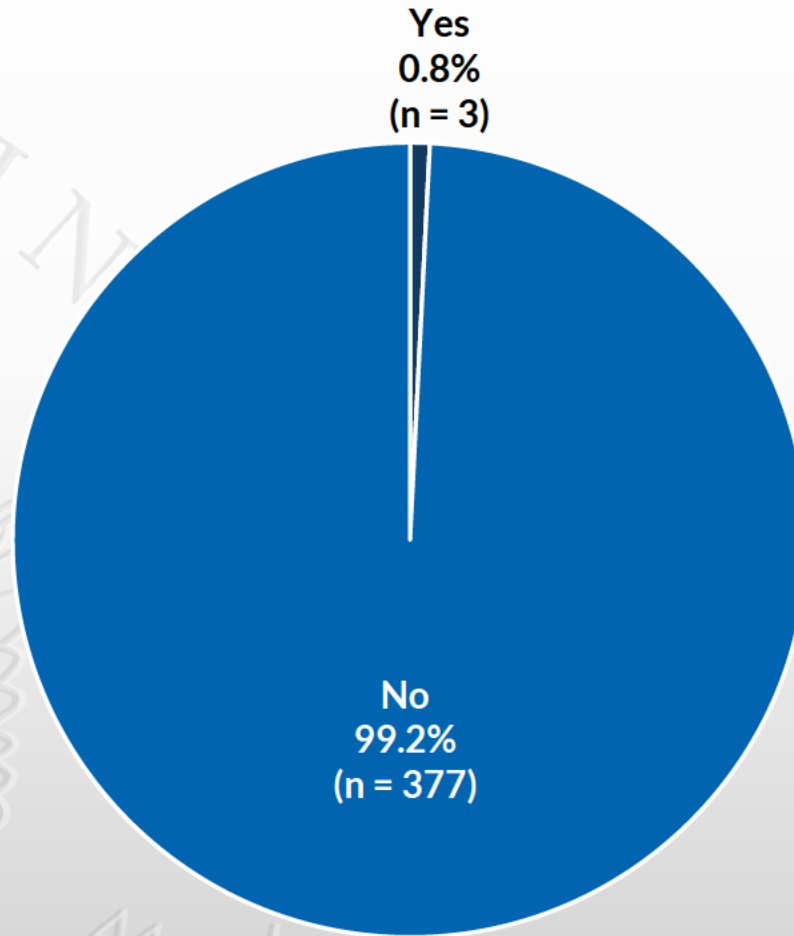
Sentenced Individual Transferred MCDs Fiscal Year 2023



Sentenced Individual Possessed MCD While Leaving or Attempting to Leave the United States

Fiscal Year 2023

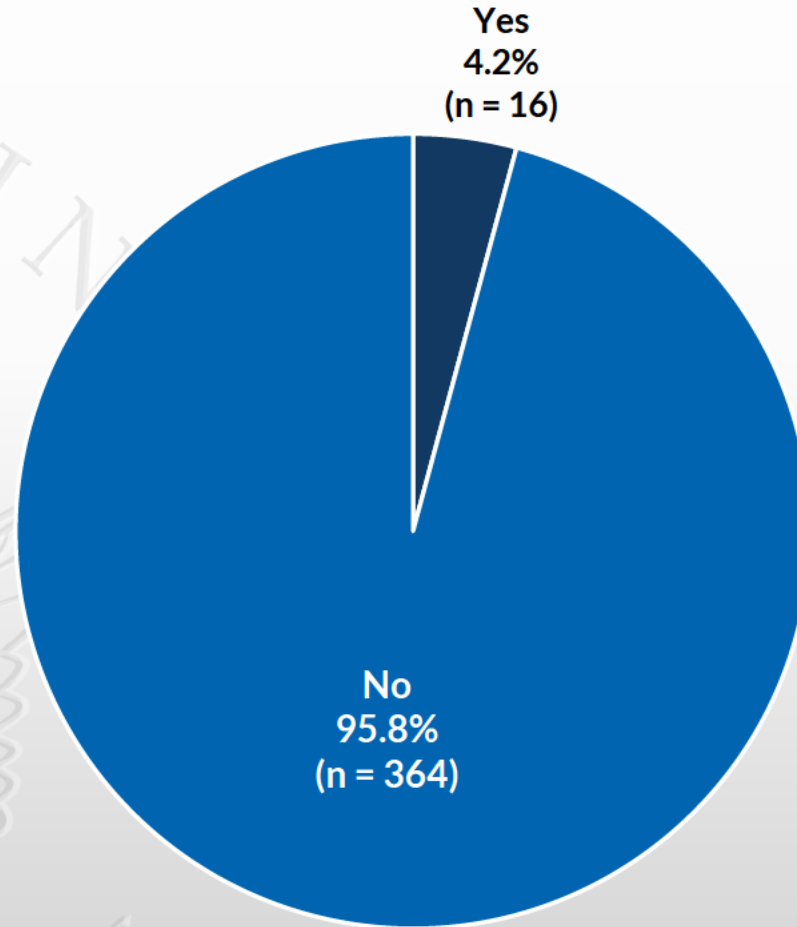
(N = 380)



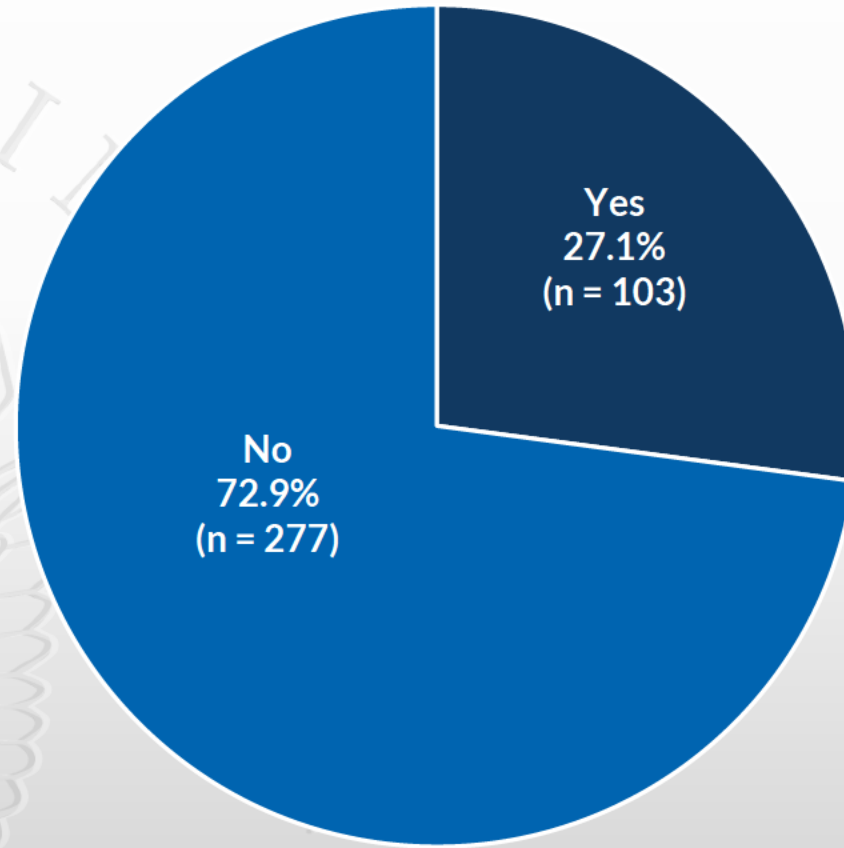
Sentenced Individual Contributed to Transporting MCDs into the United States

Fiscal Year 2023

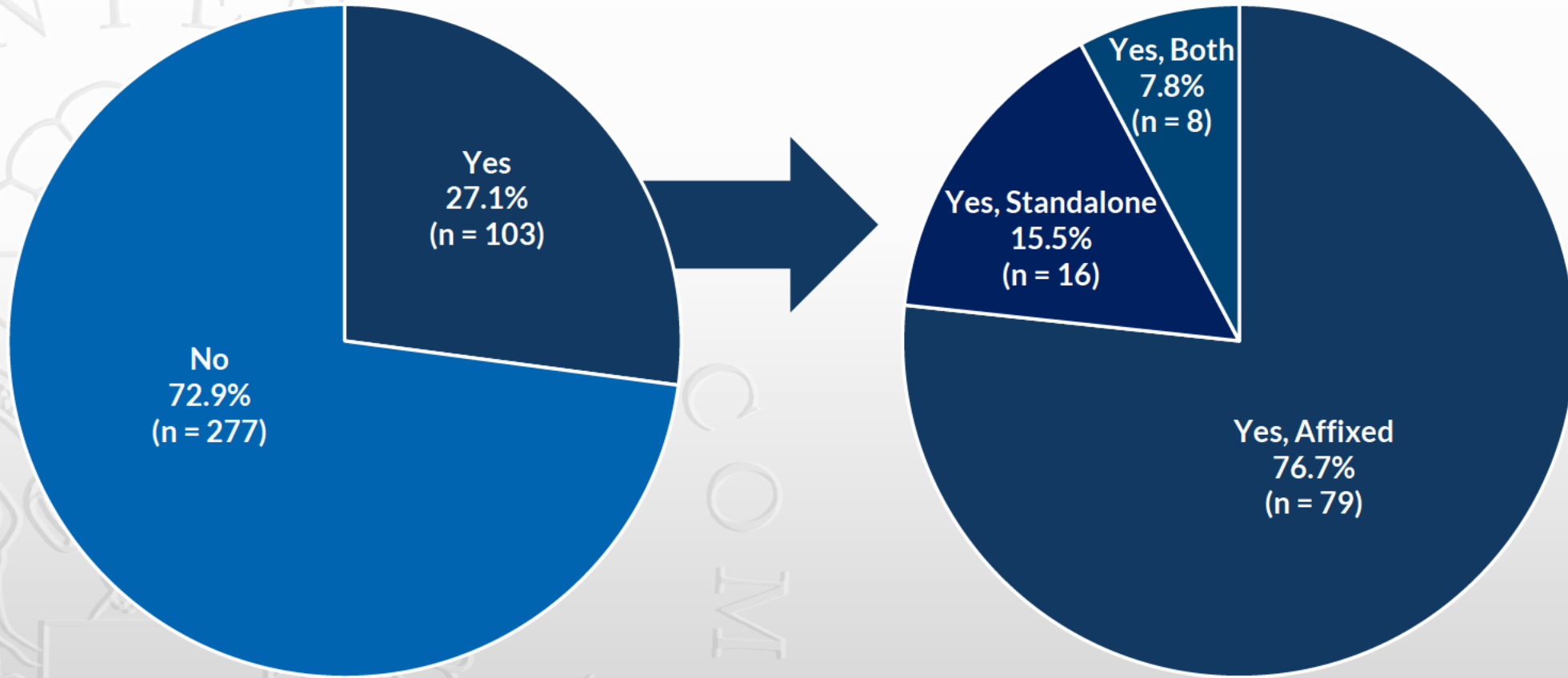
(N = 380)



MCD Possessed/Used/Transferred In Preparation/During/Fleeing a Crime Fiscal Year 2023 (N = 380)

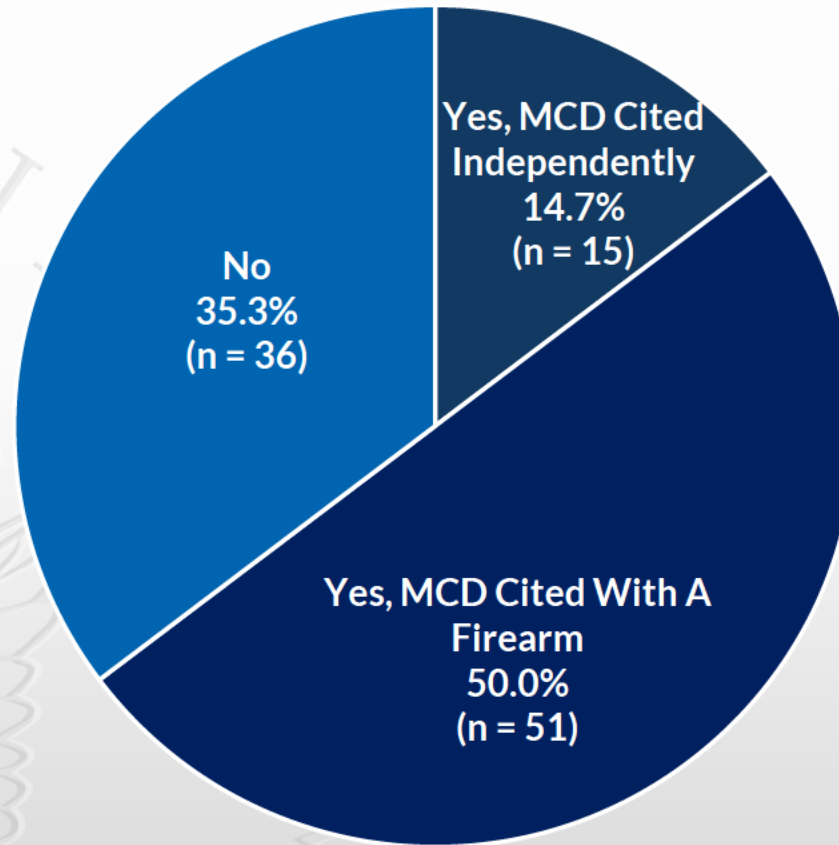


MCD Possessed/Used/Transferred In Preparation/During/Fleeing a Crime Fiscal Year 2023 (N = 380)

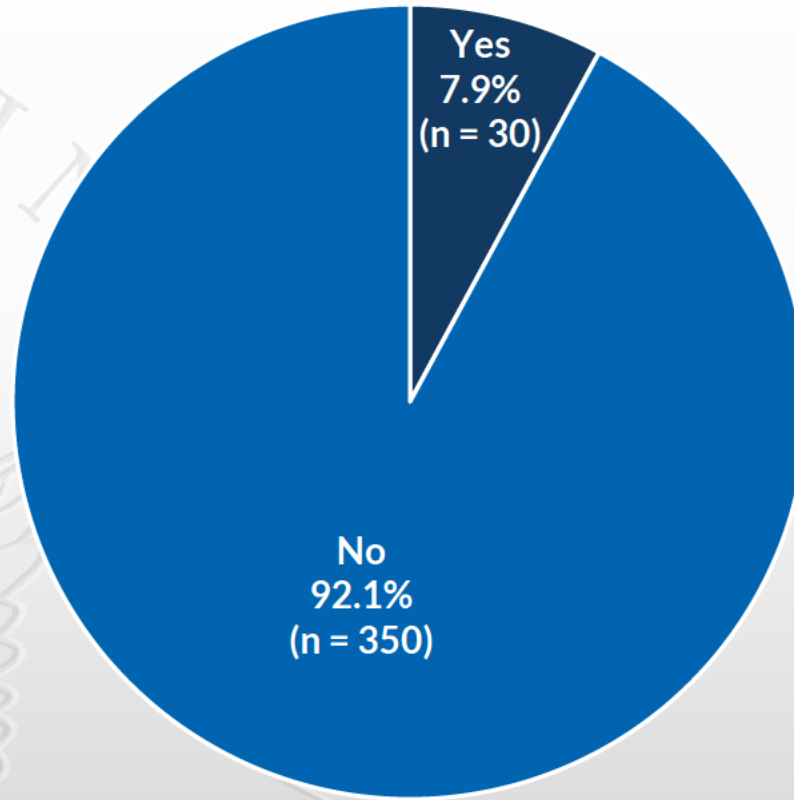


Indictment/Information Cited MCD In Other Crime Cases Fiscal Year 2023

(N = 102)



Sentenced Individual Manufactured MCDs Fiscal Year 2023 (N = 380)





The Commission is accepting original public comment on this proposal through February 3, 2025, with a reply comment period closing February 18, 2025.

comment.ussc.gov

United States Sentencing Commission
Attention: Public Affairs
One Columbus Circle, NE
Suite 2-500, South Lobby
Washington, DC 2002-8002