



FACT SHEET:

Bullet Control

How Lax Regulations on Ammunition Contribute to America's Gun Violence Epidemic

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The physical damage inflicted by any particular gunshot is the result of a combination of the firearm used and the ammunition fired. Sometimes, bullets travel through a body like a knife, propelled on a linear path, slicing through tissue and organs. In other cases, the bullet's path is less predictable. It fragments in the body, ripping apart tissue and blood vessels, smashing bone, and shredding organs along its path.¹

The current national debate about gun violence is largely focused on firearms: Who should have them? What types of firearms should people be allowed to have? Where and how can they be carried? How should they be sold? Certainly, these are all crucial questions that demand a sustained and serious analysis by policymakers at all levels of government. But often missing from the conversation about firearms are questions related to ammunition—namely, the role of easy access to ammunition and ammunition accessories in the epidemic of gun violence in the United States.

In addition to the myriad gaps in current U.S. gun laws that contribute to the unparalleled levels of gun violence in the United States compared with other high-income nations, laws and regulations related to commerce in ammunition are similarly flawed. In the end, the current lax regulations on ammunition leave all American communities vulnerable to gun violence.

A crucial component of a comprehensive vision for reducing gun violence in the United States is robust regulation of ammunition. The following policy recommendations would help to address the U.S. gun violence crisis.

- **Require background checks for ammunition sales:** Under current federal law, sellers of ammunition—whether licensed gun dealers or private sellers—are not required to conduct a background check to determine whether an individual is legally eligible to buy or possess ammunition.² This means that individuals who are prohibited from buying or possessing ammunition can easily evade that law since there is no system in place that requires a seller to confirm their eligibility to buy ammunition.

- **Require sellers of ammunition to obtain a federal firearms license:** Vendors who sell ammunition but not guns are currently not required to obtain a federal firearms license from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and are therefore neither subject to any regulatory inspections nor required to maintain records of ammunition sales.³
- **Increase the minimum age to buy long gun ammunition:** Current age restrictions on the ability to buy ammunition for long guns—including assault rifles—are extremely lax, allowing individuals of any age to buy this ammunition from a private seller and allowing anyone 18 years of age or older to buy it from a licensed dealer.⁴ The minimum age to buy long gun ammunition from any type of seller should be raised to 21, mimicking the age requirements to buy handgun ammunition.
- **Increase regulation of online and interstate ammunition sales:** There are no federal restrictions barring individuals from buying ammunition online or from out-of-state vendors. This means that individuals can amass stockpiles of ammunition without leaving their home. The law should be strengthened to require individuals who purchase ammunition from an online or out-of-state vendor to have that ammunition shipped to a licensed gun dealer in their state of residence before they can complete the transaction in person at that dealer.
- **Require reporting of bulk sales of ammunition:** Sellers of ammunition, whether licensed gun dealers or private sellers, currently have no obligation to notify ATF or any law enforcement agency when an individual makes repeated or bulk purchases of ammunition. This gap in the law has been exploited in the past, with the perpetrators of the mass shootings committed in Las Vegas, Nevada; Aurora, Colorado; and Newtown, Connecticut, amassing thousands of rounds of ammunition without drawing any concerns from vendors or law enforcement until after perpetrating heinous crimes.⁵
- **Improve implementation of the federal ban on armor-piercing ammunition:** While current federal law bans the sale of armor-piercing ammunition, ATF has failed to keep pace with deadly innovation in the gun industry that has led to a category of semi-automatic handguns capable of firing rifle ammunition that can pierce body armor.⁶ The failure to appropriately implement this crucial ban undermines its intended purpose of protecting law enforcement officers from lethal attacks.
- **Ban high-capacity ammunition magazines:** Current federal law places no limitations on the size of ammunition magazines that are available in the civilian consumer market, meaning that individuals may purchase the 20-, 50-, or even 100-round magazines that are often used in mass shootings. These accessories increase the lethality of shootings, resulting in more people shot and killed when they are used to commit acts of mass violence.⁷

- **Ban .50-caliber ammunition:** There are currently no restrictions on the ability of individuals who are legally eligible to possess firearms to buy .50-caliber rifle ammunition, which was designed for military use and has the ability to destroy lightly armored cars, military aircrafts, and ammunition storage dumps.⁸
- **Increase taxation on ammunition to fund gun violence prevention programs:** Excise taxes on ammunition have remained static since 1941, and the revenue generated from such taxes is statutorily mandated to fund wildlife restoration projects as well as hunter safety and education efforts.⁹ Congress should increase this tax and direct the new revenue toward violence prevention programs.
- **Restrict the use of lead bullets on federal conservation lands:** In light of the risks to wildlife, people, and public lands posed by toxic lead, the use of lead ammunition on public lands that are managed for conservation purposes should be prohibited.
- **Conduct a thorough review of the ammunition industry:** There is currently very little information available about the scope and nature of the consumer ammunition industry. With this vast knowledge gap, it is difficult for policymakers to assess emerging trends in ammunition that pose potential risks to public safety. ATF should conduct a review of the current ammunition market to understand the emerging trends in innovation and design; assess the potential risk to public safety and the use of different types of ammunition in the commission of violent crime; and identify gaps in the current regulatory framework that make it difficult to address emerging risks.

Endnotes

- 1 Leana Wen, "What Bullets Do to Bodies," *The New York Times*, June 15, 2017, available at <https://www.nytimes.com/2017/06/15/opinion/virginia-baseball-shooting-gun-shot-wounds.html>; Jenny Marder and Laura Santhanam, "What a bullet does to a human body," PBS NewsHour, February 17, 2018, available at <https://www.pbs.org/newshour/nation/what-a-bullet-does-to-a-human-body>.
- 2 Legal Information Institute, "18 U.S. Code § 922. Unlawful acts (t)," available at <https://www.law.cornell.edu/uscode/text/18/922> (last accessed September 2019).
- 3 Legal Information Institute, "18 U.S. Code § 922. Unlawful acts (t)," available at <https://www.law.cornell.edu/uscode/text/18/922> (last accessed September 2019).
- 4 Legal Information Institute, "18 U.S. Code § 922. Unlawful acts (x)," available at <https://www.law.cornell.edu/uscode/text/18/922> (last accessed September 2019); Bureau of Alcohol, Tobacco, Firearms and Explosives, "Minimum Age for Gun Sales and Transfers," available at <https://www.atf.gov/resource-center/minimum-age-gun-sales-and-transfers> (last accessed July 2019).
- 5 Las Vegas Metropolitan Police Department, "LVMPD Criminal Investigative Report of the 1 October Mass Casualty Shooting" (Las Vegas: 2018), available at https://www.lvmpd.com/en-us/Documents/1-October-FIT-Criminal-Investigative-Report-FINAL_080318.pdf; Jack Healy, "Suspect Bought Large Stockpile of Rounds Online," *The New York Times*, July 22, 2012, available at <https://www.nytimes.com/2012/07/23/us/online-ammunition-sales-highlighted-by-aurora-shootings.html>; Michael S. Rosenwald, "Newtown shooter Lanza had more than 1,700 rounds of ammunition in his house," *The Washington Post*, March 28, 2013, available at https://www.washingtonpost.com/local/newtown-shooter-had-thousands-of-rounds-of-ammunition-in-his-house/2013/03/28/48943532-97a4-11e2-814b-063623d80a60_story.html?utm_term=.38775d2c5346.
- 6 Violence Policy Center, "AR-15 and AK-47 Assault Pistols: Rifle Power in a Handgun" (Washington: 2011), available at <http://vpc.org/studies/armor.pdf>.
- 7 Everytown for Gun Safety, "Analysis of Recent Mass Shootings" (New York: 2015), available at <https://everytownresearch.org/documents/2015/04/analysis-of-recent-mass-shootings.pdf>.
- 8 PBS Frontline, "Ambush in Mogadishu: Weapons," available at <https://www.pbs.org/wgbh/pages/frontline/shows/ambush/weapons/50cal.html> (last accessed September 2019); Logan Nye, "The M2 .50-caliber Browning is a legendary machine gun — here's what it does on impact," *Business Insider*, October 19, 2018, available at <https://www.businessinsider.com/m2-50-caliber-browning-legendary-machine-gun-2018-10>; Tom Diaz, "Clear and Present Danger" (Washington: Violence Policy Center, 2005), available at <http://vpc.org/studies/50danger.pdf>.
- 9 R. Eliot Crafton, Jane G. Gravelle, and William J. Krouse, "Guns, Excise Taxes, Wildlife Restoration, and the National Firearms Act" (Washington: Congressional Research Service, 2018), available at <https://fas.org/sgp/crs/misc/R45123.pdf>.