

Framework for Addressing the Loopholes that Led to the Las Vegas Shooting

October 5, 2017

We would support a proposal that would comprehensively address the loopholes that led to the Las Vegas shooting. More specifically, this proposal would include the following components:

1. **Register existing bump stocks and other trigger activators under the [National Firearms Act](#) (NFA) and prohibit the manufacture, sale and transfer of such devices.** Bump-fire devices are just one type of a variety of attachments sold in the United States to increase the rate of fire of semiautomatic firearms to mimic the firepower of a fully automatic machine gun. Such devices do not belong in civilian hands, and the future manufacture, sale and transfer of such devices should be prohibited. However, an unknown number of such weapons have already been manufactured and sold to civilians. In order to address these existing devices, we suggest requiring them to be registered to the current owners under the NFA. The NFA, enacted in 1934, prohibits possession of an NFA weapon -- which currently include machine guns, silencers, destructive devices, and certain other highly dangerous firearms-- unless it is registered in the person's name with ATF. As a result, [millions](#) of NFA weapons currently exist in civilian hands, yet are [rarely used](#) in crime. The Las Vegas shooting is evidence of this fact: no registered machine guns were used in the attack. Yet, the shooter was able to fire very rapidly to kill or injure hundreds in just minutes, due to his use of bump stocks.
2. **Provide for a transition period:** The bill should provide people currently in possession of these devices a reasonable amount of time to register them with ATF under the NFA. During this period of time, a person would have the opportunity to surrender these devices to law enforcement, and individuals who intend to maintain their ownership over such a device would be required to register the device with ATF at some point during the transition period.
3. **Provide ATF with a surge in funding so that it can begin to enforce the NFA** with respect to these and other NFA weapons, including resources necessary to modernize and upgrade its equipment. There is already a [long delay](#) in ATF's processing of NFA weapons, such as silencers. If existing bump stocks and other trigger activators must be registered under the NFA, ATF will need even more resources to process those registrations. While the NFA imposes a \$200 tax on the registration of each NFA weapon, that money currently goes to the U.S. Department of the Treasury's General Fund, and not to ATF. That money should be redirected to ATF to provide these resources.
4. **Require gun stores to report multiple sales of all firearms, not just handguns, to ATF.** Under [current law](#), federally licensed firearms dealers must provide a report to ATF any time a person buys more than one pistol within five consecutive business days. This provision should be expanded to all firearms. The [Las Vegas shooter](#) purchased 33 firearms, mostly rifles, over the course of an 11-month period, according to a spokesperson for ATF. This should have been a "red flag" providing law enforcement with the opportunity to investigate him.
5. **Provide ATF with the resources needed to meet its goal of inspecting gun dealers on a regular basis** in order to ensure compliance with the multiple sales reporting and other key requirements. A [2013 report by the Office of the Inspector General](#) found that only 62% of licensees it inspected were compliant with federal firearms laws and 58% of dealers had not been inspected within the past five years due, in part, to a lack of resources. ATF should be provided with the resources necessary to fulfill its goal of inspecting dealers every three to five years.

We estimate the necessary resources for ATF to implement these provisions to be approximately \$50 million in addition to the redirection of the transfer tax to ATF.