

What You Need to Know About the Protecting Responsible Gun Sellers Act

Sarah Trumble

Former Deputy Director,
Social Policy & Politics

Lanae Erickson

Hatalsky

Vice President for the
Social Policy & Politics
Program

 [@LanaeErickson](https://twitter.com/LanaeErickson)

Takeaways

Expanding criminal background checks will keep guns out of the wrong hands.

- They work: 2.1 million illegal gun buyers have been stopped by background checks;
- They're easy: nearly 200 million Americans have exercised their 2nd Amendment right by undergoing a background check to purchase a gun; and,
- They can't lead to a federal gun registry: it's both impractical and illegal.

Expanded criminal background checks work.

- Since 1994, background checks have stopped 2.1 million people from purchasing guns who were legally prohibited from having them, including felons, domestic abusers, illegal aliens, and those who were dangerously mentally ill.
- But federal law only requires these checks be conducted by licensed firearms dealers—everyone else is free to sell guns to practically anyone without any type of check.
- The unregulated private sale is the avenue that moves guns from the legal market to the illegal market.

- States that have applied the background check requirement to private gun sales have seen a decrease in crime, including 38% fewer women killed with a gun by a domestic abuser and a 48% reduction in gun trafficking.

Expanded criminal background checks are easy.

- Since 1994, nearly 200 million people have gone through a background check. In 2011 alone, that number was 16.5 million. If it's good enough for them, it should be good enough for the rest of us.
- Background checks used to take 7 days—now 92% of are completed within about 7 minutes. The system is manned 17 hours a day, 364 days a year. In the 8% that take longer, it usually indicates the presence of some kind of possibly disqualifying record that requires further investigation before allowing the buyer to purchase the weapon.
- Senator Schumer's (D-NY) *Protecting Responsible Gun Sellers Act* would apply this same fast and simple process to the vast array of gun sales that are currently unregulated, including at gun shows, on internet marketplaces like Armlist.com, and for certain private sales.
- Any licensed gun dealer can perform a check, and there are roughly 59,000 current federal licensees from which to choose—more than 5 times the number of McDonald's and twice the number of U.S. Post Offices. A recent study by Mayors Against Illegal Guns found that more than 98% of Americans live within 10 miles of a licensed dealer.
- The bill excludes transferring guns between family members and borrowing a gun on shooting or hunting grounds from the background check requirement.

Expanded criminal background checks cannot lead to a federal gun registry.

It's impractical. By law, all background check records must be destroyed within 24 hours. There is only one receipt of each of the more than 16 million gun sales that take place each year, and it resides in one of the 59,000 individual gun dealers' files.

It's illegal. Both the U.S. Code and the Code of Federal Regulations expressly forbid the government from creating a computerized database of guns or gun owners, or anything else that even resembles a federal gun registry. Nothing in this bill would change those explicit prohibitions.

That's why 92% of all Americans and 77% of NRA members support expanding criminal background checks to all private sales—and so did the NRA itself, until recently.

For more details and citations, read "[Would Universal Background Checks Make a Difference?](#)"