

# LEGAL AND LETHAL: 9 PRODUCTS THAT COULD BE THE NEXT BUMP STOCK

How the gun industry is putting public safety at risk by manufacturing extremely lethal firearms designed to skirt the federal laws established to keep us safe

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In the wake of the deadliest mass shooting in modern American history, the nation was shocked to learn how the Las Vegas shooter used an accessory to increase the severity of the shooting. That device, known as a “bump stock,” attaches to a semi-automatic rifle, increasing its rate of fire to nearly that of a machine gun—to inflict maximum carnage on the 22,000 concertgoers, killing 58 and injuring hundreds more. **The catastrophic loss of life in the Las Vegas shooting was due in large part to the use of bump stocks, but this device is just one of many types of guns and accessories being marketed by the gun industry that convert firearms into military-style weapons.**



## BUMP STOCKS

Bump stocks, like those used by the Las Vegas shooter, increase the rate of fire of semi-automatic weapons but do not convert them into automatic firearms. Bump stocks allow a person to hold a finger steady while the recoil of the fired rifle simply “bumps” the stock of the gun against the shooter’s shoulder. There, the gun is propelled forward against the shooter’s finger, causing the trigger to be pulled. Although the person pulls the trigger each time the gun is fired, the force of the recoil fires the gun at a faster rate than a person could do alone.

As demonstrated in Las Vegas, these guns and accessories are a growing threat to public safety. If Congress is serious about preventing the next horrific tragedy, it must update federal gun laws to reflect how enhanced firearms technology is allowing gun manufacturers to market devices designed to avoid classification as a registered weapon, yet are similarly dangerous.

While certain categories of firearms—like machine guns—are registered under the National Firearms Act, modern devices—like bump stocks—have been specifically designed to circumvent these requirements. The National Firearms Act (NFA), established in 1934, was intended to regulate particularly lethal weapons. In order to purchase or possess a NFA weapon, an individual is required to undergo a background check, submit a set of fingerprints and a photo ID, pay a \$200 transfer tax, and register the weapon in their name with federal law enforcement. These requirements are very effective at preventing exceptionally dangerous weapons from falling into the hands of dangerous individuals, like felons, domestic abusers, and people who have been deemed mentally ill by a court. These provisions—in conjunction with a ban on armor-piercing ammunition enacted in 1986—are the only protections federal law now provides against unusually dangerous firearms and ammunition.

**Weapons regulated under the National Firearms Act include:**

- **Fully automatic firearms, known as machine guns.** In 1986, the Firearms Owners’ Protection Act (FOPA) also regulates machine guns by banning the possession and transfer of new machine guns by a private citizen. Such weapons are particularly lethal because of their high rate of fire.
- **Short-barreled rifles (SBRs) and sawed-off shotguns.** These guns are particularly lethal because they can fire large-caliber rounds but can also be easily concealed.

**BUMP STOCKS (CONTINUED)**

Bump firing is the act of using the recoil of a semi-automatic firearm to fire shots in rapid succession to simulate a fully automatic rate of fire. According to ATF, even when a bump stock is attached to a semi-automatic rifle, the gun is still not a machine gun since the trigger has to function once for each bullet that leaves the barrel—and thus, bump stocks **do not fall within the NFA** and are not subject to the ban on manufacture of new machine guns.



A bump stock is attached to a semi-automatic rifle at the Gun Vault store and shooting range in South Jordan, Utah. *Image: Rick Bowmer, AP*

- **“Destructive devices,” including most large-caliber firearms.** The provision adding these particularly lethal, large-caliber guns to the NFA was added in the 1960s.
- **Devices that can convert a gun into a machine gun or destructive device,** and any combinations of parts that can be used to build a machine gun or a destructive device.
- **Firearm silencers.** These devices make it difficult to recognize the sound of gunfire and mask muzzle flash. They make it difficult for people who are nearby, including law enforcement, to identify the sound of gunshots and locate an active shooter.

**Included in this report are nine examples of firearms and devices currently sold that avoid classification as regulated weapons, yet are similarly dangerous.** Because these weapons are not subject to the additional regulation and oversight, which includes a mandatory background check, they can easily end up in the hands of criminals and endanger the public.

## 1. BINARY TRIGGERS

The National Firearms Act defines fully automatic weapons to include “any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger.” Because the definition focuses on a single pull of the trigger, binary triggers, like bump stocks, do not technically qualify as fully automatic weapons. However, these weapons are designed to increase the rate of gunfire, narrowing the gap between fully automatic machine guns carefully regulated under the NFA and traditional semi-automatic firearms.

Binary triggers are **after-market triggers** modified to allow a round to be fired when the trigger is pulled and fired again when it is released. This produces a higher rate of fire but does not simulate true fully-automatic fire or qualify as a fully-automatic weapon. As a result, binary triggers are not subject to federal registration requirements when they are transferred or the 1986 ban on manufacture of new machine guns.

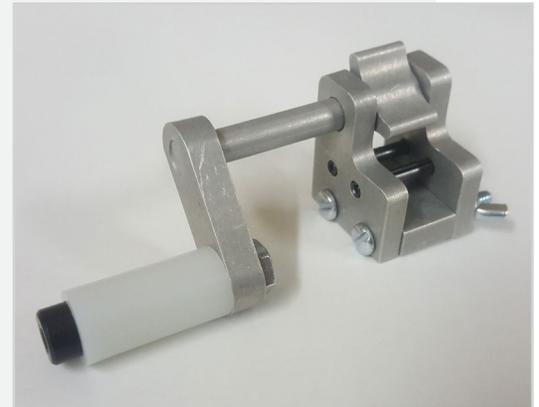


Binary Trigger

## 2. TRIGGER CRANK

The gun industry has exploited the NFA's reference to a "single function of the trigger" through the developments of rotating trigger cranks. These devices can be attached to a gun and increase its rate of fire significantly. Turning the crank activates a gear whose teeth depress the trigger—allowing a user to discharge several shots per revolution.

In 1955, before the creation of the modern ATF, the Internal Revenue Service issued a ruling holding that the "Gatling Gun" was not a machine gun. While the Gatling Gun differed from modern guns in many other respects, it used a crank similar to modern trigger cranks. In 2004, ATF issued a ruling finding that the "Minigun," which uses a crank to operate an electric switch, rather than a traditional trigger, does qualify as a machine gun, because the crank itself operates as the trigger. Nevertheless, because of the 1955 Gatling Gun ruling, many cranks that can be attached to modern firearms with traditional triggers are still considered legal.



Trigger Crank

## 3. HIGH CAPACITY SHOTGUNS

In the 1960s, the NFA was amended to limit the availability of large-caliber firearms that were becoming an increasing threat to law enforcement. These firearms became known as "destructive devices" and were regulated under the NFA's tax and registration provisions. However, because many shotguns that fire large-caliber shells are traditionally used for hunting, ATF is able to exempt certain models of shotguns suitable for "sporting purposes" from regulation under the NFA. The gun lobby exploited this exemption for a long time. For example, during the late 1980s, the firearms industry attempted to penetrate the American market with enhanced semi-automatic shotguns originally used for riot control by foreign law enforcement.



High Capacity Pump Shotgun

### HIGH CAPACITY SHOTGUNS (CONTINUED)

The *Armsel Striker*, popular in South Africa, was marketed in the United States as the *Street Sweeper*. With a folding stock and when folded measuring only 16 and a half inches long—slightly longer than a sawed-off shotgun, the *Street Sweeper* combined concealability with firepower. It also included a revolving cylinder that could hold 12 rounds—significantly more than traditional hunting shotguns. According to ATF, “All 12 rounds can be fired from the shotgun in three seconds or less.”

In response to increased use of the *Street Sweeper* in gang-related crime, in 1994 ATF declared the firearm a “destructive device” under the NFA. Consequently, such firearms must be registered with ATF. Features like the gun’s revolving cylinder, two pistol grips, and weight were cited as indications the *Street Sweeper* was not designed for sporting purposes.

Since then, the firearms industry has designed weapons that are lighter than the *Street Sweeper* and do not share its two pistol grips. These design modifications have enabled the firearms industry to argue that these newer weapons are not “destructive devices,” although ATF has still questioned whether they are suitable for sporting purposes.

These newer high capacity shotguns share the *Street Sweeper*’s firepower and capacity to hold a dozen rounds or more. The firearms industry has marketed these anti-personnel firearms as tactical shotguns. Currently, semi-automatic and pump shotguns capable of holding 15 rounds or more, previously marketed to law enforcement, are now sold to civilians.



Street Sweeper Style Shotgun

## 4. AK AND AR STYLE PISTOLS

Certain newer model pistols—like AK pistols and AR pistols—are designed so that they can fire rifle rounds capable of penetrating body armor, but are concealable like handguns. Their design is a clear attempt to circumvent the NFA’s attempts to closely regulate short-barreled rifles. These devices escape the NFA’s definition of short-barreled rifles because they are not designed to be fired from the shoulder; nevertheless, their short length paired with size of the rounds they fire means they present a similar, if not identical, threat to public safety.



AK Style Pistol



AR Style Pistol

## 5. AR PISTOL ARM BRACE

The AR Pistol Arm Brace is an attachment that allows a shooter to fire a pistol with rifle-like accuracy. The AR Pistol Brace can be quickly attached and detached, meaning that the pistol can be concealed and then swiftly converted to a weapon with the accuracy of a rifle. **In 2015, ATF determined** that AR pistols with arm braces are short-barreled rifles since they can be fired from the shoulder and have a barrel that is less than 16 inches in length. However, **in March 2017**, ATF clarified that a pistol with an arm brace attached is not a short-barreled rifle unless the arm brace is being used with the intent to fire the weapon from the shoulder. This is consistent with the language of the NFA, which defines a rifle as “a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder.” However, ATF’s decision clearly fails to address the significant public safety threat posed by these pistol arm braces.



AR Pistol Arm Brace

## 6. AR PISTOL BLADE STABILIZER

The AR Pistol Blade Stabilizer is similar to the AR Pistol Arm Brace, and allows a shooter to lock the pistol under his or her arm and fire with similar accuracy and control as a rifle. Again, this attachment allows shooters to possess a weapon with the concealability and accuracy of a short-barreled rifle while skirting the regulations of the NFA.



AR Pistol Blade Stabilizer

## 7. .50 CALIBER RIFLE AND .50 CALIBER AMMUNITION

The NFA requires the registration of “destructive devices,” including any firearm of more than .50 caliber, unless it is a shotgun that the ATF determines is particularly suitable for sporting purposes. The semi-automatic .50 caliber rifle is the largest caliber firearm that does not fall within the NFA. The sniper rifle is accurate at distances of a mile or more and considered a national security threat due to its capacity to shoot down a helicopter. Fifty caliber rifles are military firearms that combine long range, accuracy, and massive firepower. Designed for use in military situations and used by military units across the world, these weapons can penetrate structures and destroy or disable light armored vehicles, radar dishes, stationary and taxiing airplanes, and other high-value military targets. In the hands of terrorists or other dangerous individuals, .50 caliber rifles could easily cause a mass casualty incident. Horrifically, the gun industry actively markets these weapons, which are legal in most US states.



.50 Caliber Rifle and Ammunition

## 8. MUZZLELOADERS

Even if silencers were removed from the NFA, the guns they attach to would still be subject to certain basic provisions of federal law. These laws prohibit convicted felons and other dangerous people from possessing guns, require gun retailers to be licensed, and require licensed retailers to conduct background checks on purchasers. There is one blanket exception to these laws, however: the exception for antique firearms, including muzzleloaders. The gun industry is determined to **exploit this exception**.

Muzzleloaders are firearms that must be loaded through the end of the barrel with powder, wadding and a projectile. Muzzleloaders fell out of favor as a firearm of choice almost a century ago, and are generally seen as primitive antiques. That's why federal law generally exempts them from regulation.

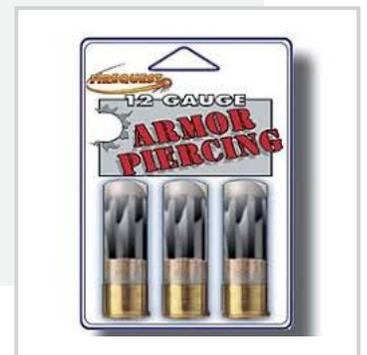
Cue the .50 caliber muzzleloader, which delivers a particularly lethal .50 caliber round. This weapon is designed with a built-in device to suppress its sound. If any other firearm were built with such a device, it would be subject to the NFA as a silencer. But since this device is designed to suppress the sound of something that is exempt from federal firearms laws, it is not considered a silencer and not subject to the NFA. In fact, it is not subject to any laws at all and can be bought online.



.50 Caliber Silenced Muzzleloader

## 9. SPECIALIZED AMMUNITION: INCENDIARY ROUNDS & TRACER ROUNDS

Armor-piercing ammunition, rounds composed of heavy metals that can defeat heavy military equipment such as tanks, has been regulated by ATF since 1986, if it can be fired from a handgun. However, since the 1980s, the gun industry has developed and sold many other kinds of highly dangerous ammunition. Specialized ammunition such as incendiary rounds can spread fire on impact. Tracer rounds allow a shooter to see where rounds are tracking at night. These kinds of ammunition are sometimes regulated by states but not the federal government. Since 1986, ATF no longer requires ammunition sellers to maintain records of sales even though it is a federal crime for prohibited persons to purchase any ammunition.



## CONCLUSION

Our federal gun laws have not kept pace with modern weaponry. For too long, those who design and sell guns have been able to circumvent the requirements of federal law by manufacturing firearms and ammunition that pose extreme risks to public safety. Congress must update federal gun laws to reflect how enhanced firearms technology has allowed gun manufacturers to develop these devices and circumvent the law. Closing loopholes in our laws would make it harder for these lethal devices to fall into the wrong hands and make American communities safer from gun violence.