

UNIVERSAL BACKGROUND CHECKS

By far the most dangerous gap in federal firearms laws today is the background check loophole. Although federal law requires licensed firearms dealers to perform background checks on prospective purchasers, it does not require unlicensed sellers to do so. This gap in our laws makes it far too easy for people convicted of felonies, domestic violence abusers, and other dangerous people to obtain guns. Despite significant progress on this issue at the state level, about 22% of U.S. gun owners acquired their most recent firearm without a background check, according to a [2017 study](#).

A universal background check requirement for all gun transfers, with reasonable exceptions for hunting, self-defense, and family, is the strongest policy solution. This requirement would prevent a dangerous person from getting a gun through an online marketplace, at a gun show, or in any of the following situations:

- **Sales between strangers advertised through word of mouth.** A convicted felon or other prohibited person could easily obtain a gun this way. Guns may be sold out of the trunks of cars or out of residences with no formal advertisement online or in print. In the age of [email and text messages](#), word can travel fast.
- **Sales between co-workers, neighbors, or other associates who are not familiar with each other's background or current situation.** A person whose former spouse has obtained a restraining order against him or her or who was previously committed to a mental institution is not likely to tell co-workers or other associates these facts. If he or she offers to buy

a gun from a co-worker, neighbor, or other associate, a background check requirement may be the only way to prevent the transfer.

- **Sales and transfers between people who have connected online.** These days people often make [new connections](#) through the Internet. A person who enters a chatroom or begins messaging with a new online contact and offers to purchase a firearm should be required to undergo a background check, even if the two parties did not initially connect through a listing for sale of a firearm on a website.
- **Sales and transfers among people who met at [gun shows](#) or other events related to guns, even if those sales or transfer do not occur at gun shows.** These events often result in new connections among people with similar interests.

Even before the growth of the Internet, it was still far too easy for criminals to find guns through unlicensed sellers. While unlicensed sales were most visible at gun shows, the vast majority were less visible. [A 2004](#) survey of prison inmates found that 34% of those inmates who had been convicted of gun offenses had obtained their most recent gun from a friend or family member, and 30% had obtained the gun on the street, or through drug dealers or similar sources. Only 13% had obtained the gun from a gun store or pawnshop, where background checks are required, and 0.4% obtained their gun from a gun show.

Twenty states and D.C. now require a background check for transfers of at least some firearms. [All of these state laws](#) cover the scenarios listed above. [Over 90 percent](#) of all FBI background checks are completed instantaneously, and since the original federal law requiring background checks in 1994, [over three million gun transfers and permits](#) have been denied through this system. Still, these prohibited individuals could easily purchase a firearm elsewhere with no questions asked—which is why Congress must close the background check loophole by applying background checks to all firearms sales.