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Assault Weapons Revisited

Policy Options for Regulating Rifles, Shotguns,
and Other Firearms 20 Years After the Passage
of the Assault Weapons Ban

By Arkadi Gerney and Chelsea Parsons September 2014

Introduction and summary

Today—20 years after President Bill Clinton signed the federal assault weapons ban into law in September 1994 and a decade after Congress allowed that law to lapse—the question of whether and how to regulate particularly lethal firearms is no longer the primary focus of the national gun debate. While the question of what to do about the proliferation of certain military-style rifles—so-called “assault weapons”—remains open, advocates for stronger gun laws have recently focused on the question of *who* may possess guns, rather than *which* type of guns should receive heightened regulation. In the wake of the December 2012 massacre at Sandy Hook Elementary School in Newtown, Connecticut, President Barack Obama, congressional leaders, and gun-violence prevention advocates alike made deterring dangerous people from accessing guns the top legislative priority with a proposal for comprehensive background checks for all gun sales. In April 2013, while the Senate also considered a new assault weapons ban that only mustered 40 votes, the Manchin-Toomey bill to expand background checks garnered 55 votes.¹

This shift in focus to prevent dangerous people from accessing guns is appropriate: A broad set of research suggests that such measures are effective in reducing gun violence.² Additionally, there is overwhelming support in opinion polls for expanding background checks and similar measures aimed at restricting dangerous people from accessing guns.³ But the debate persists about whether and how to best regulate assault rifles and other types of firearms that may pose heightened risks to public safety. For more than 20 years, there has generally been only one policy solution offered in this debate: a ban on assault weapons.

This report considers how gun laws have evolved to address different classes of firearms and looks more broadly at how federal and state laws treat rifles and shotguns differently than handguns and whether all of those distinctions continue to make sense. It also examines data on the changing nature of gun violence and the increasing use of long guns and assault rifles by criminals, with a focus on Pennsylvania as a case study.

Additionally, this report offers a new framework for regulating assault weapons and other special categories of guns that balances the desire of law-abiding gun owners to possess these guns with the need to protect public safety from their misuse in dangerous hands. These policies include:

- Require background checks for all gun sales
- Require dealers to report multiple sales of long guns
- Equalize interstate sales of long guns and handguns
- Require federal firearms licenses for individuals that manufacture guns using 3D printers
- Bar possession and use of machine guns by individuals under the age of 16
- Require a permit for possession of assault weapons

Twenty years after the successful passage of the federal assault weapons ban and 10 years after its expiration, the push for a federal ban on these guns seems stuck in neutral. But much more can be done to strengthen regulation of particularly dangerous guns and to ensure that laws regulating handguns and long guns make sense in today's context.

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