



Written by [Bob Adelman](#) on April 9, 2018

ATF Opens Comment Period on Its Bump Stock Ban

The ATF (the Bureau of Alcohol, Tobacco, Firearms, and Explosives) announced its “public comment” period for its proposed “bump stock” ban, and within hours the public was expressing its opinion: No way!

The language hid the fact that on 10 previous occasions the ATF had ruled that it had no authority to ban bump stocks but has now conveniently changed its mind and its definition:



[Now] a semi-automatic firearm to which a bump-stock-type device is attached is able to produce automatic fire with a single pull of the trigger.

In June 2010, John Spencer, then the ATF’s firearms technology chief wrote that since the device that he examined, which had a bump stock attached, had no “functioning mechanical parts or springs” that made it operate like a machine gun, it therefore fell outside the ATF’s purview to ban them.

“Accordingly,” he wrote, “we find that the ‘bump-stock’ is a firearm part and is not regulated as a firearm under [the] Gun Control Act [of 1968] or the National Firearms Act [passed in 1934].”

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In April 2017, the ATF issued a similar ruling:

Since [the device we examined with the bump stock attached] does not initiate an automatic firing cycle by a single function of the trigger, FTISB [the Bureau’s Firearms Technology Industry Services Branch] finds that it is NOT a machinegun under the [National Firearms Act], or the amended [Gun Control Act]. [Emphasis in original.]

In December the ATF reiterated its stance: “Since 2008 ATF has issued a total of 10 private letters in which it classified various bump stock devices to be unregulated parts or accessories, and not machineguns or machinegun conversion devices.”

That was then; this is now. Bump stock devices are now redefined as machineguns and would be banned, with sanctions for violators: “Consequently, current possessors of these devices would be required to surrender them, destroy them, or otherwise render them permanently inoperable upon the effective date of the final rule.”

That effective date is likely to be in October, unless of course the ATF changes its mind once again.

The *Wall Street Journal* suggested at least one good reason why the ATF should reverse its position: “Americans own an estimated 280,000 to 520,000 bump stocks.... The government [ATF] doesn’t know who owns them and their owners aren’t enthusiastic about turning them over, despite the threat of a federal felony.”

Another good reason is that one doesn’t need a bump stock to get most semi-automatic rifles to fire as if they were automatic weapons. A brief online search is all it takes to learn how to mimic a bump stock with a rubber band or to learn techniques to hold a gun so that it fires rapidly. Unless the government is going to ban rubber bands and knowledge, why are they bothering with this? It won’t do any good



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anyway.

Yet another good reason, aside from the negative comments pouring in in response to its proposal, is the lawsuits promised by pro-gun groups such as Gun Owners of America. Said the GOA back in February:

If President Donald Trump's goal is to ban bump stocks, then that is a gross infringement of Second Amendment rights. GOA has long warned that such a ban can easily be applied to triggers, magazines, or semi-automatic firearms....

Gun Owners of America remains committed to fighting any bump stock ban or regulation — including the use of legal action.

A call to the Second Amendment Foundation (SAF) to learn whether it also was planning legal action hadn't been returned by the time this article was completed.

Unfortunately, a list of those opposed to the ATF's expansion and redefinition doesn't include the National Rifle Association (NRA), which stated that it "believes that devices designed to allow semi-automatic rifles to function like fully-automatic rifles should be subject to additional regulations."

Naturally, news that the ATF was proposing such a ban was music to the ears of David Chapman, a retired ATF agent and now a senior policy adviser at the anti-gun Giffords Law Center to Prevent Gun Violence. When questioned about just how the ATF would enforce such a rule if it survives the public comment period and pending lawsuits, Chapman opined that the threat of prosecution "will be enough to motivate bump-stock owners to comply."

Perhaps Chapman should check to see just how well the state of Connecticut is doing with the compliance of its citizens when anti-gun legislators passed similar massive infringements of their precious rights. Following enactment of what *The New American* writer Alex Newman called "the most draconian gun-control regulations in America", compliance was about 10 percent. And this, according to Bob Owens, editor of BearingArms.com, is about par for the course: "Historically speaking, 90 percent or more of those required to comply with gun registration laws in the U.S. refuse to do so."

As the ATF seeks public comment on its latest proposal to infringe further on Americans' precious rights, the most popular response is likely to be: good luck with that.

Photo of bump stock: [WASR](#)

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