

Stricter Federal Firearm Policy

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Key Takeaways

- + Firearms accounted for about 80% of U.S. homicides in 2020 and 2021, and the decline in homicides since then has been almost entirely due to a decline in firearm homicides.
- + Between 2021 and 2022, federal gun policy changed more than it had in the preceding 15 years. Several changes coincided with the homicide downturn or were phased in during the steepest declines. Timing alone is weak evidence, however, and no study has yet attributed a substantial share of the decline to any federal gun policy.
- + Many federal gun policies—including the ATF zero-tolerance policy and several provisions within the Bipartisan Safer Communities Act—directly affected a relatively small population of gun owners, a minor segment of the firearm homicide problem, or a small number of gun dealers. However, to the extent that these policies were a credible signal of greater federal enforcement, deterrence effects could have spread to more gun owners or dealers.
- + The 2022 “ghost gun” rule, which increased regulations on privately manufactured firearms, likely stopped an emerging problem from getting worse rather than driving the decline in homicides.

Theoretical Mechanisms

Firearm homicides, which accounted for 80% of U.S. homicides in 2020-2021,¹ are caused by a small number of high-risk individuals.² Most federal gun policies aim to prevent these high-risk individuals from accessing or using firearms, while preserving legitimate access. Enforcement is primarily the purview of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). Net effects of federal policies depend on the extent to which they differentially constrain offensive versus defensive firearm use. The policy challenge is to design and enforce firearm restrictions that constrain those most likely to use guns in crimes, while minimizing burdens on lawful defensive, recreational, and sporting uses.

Existing Evidence

Federal gun policies predominantly prohibit possession by high-risk populations (e.g., people convicted of felonies, juveniles) or impose requirements on gun dealers to prevent diversion of firearms to high-risk groups. Other policies prohibit the sale of classes of firearms or ammunition considered particularly dangerous. Most federal regulations govern commerce in the *formal market*, comprised of over 70,000 licensed dealers (including major chains, pawn shops, and independent retailers) who are required to conduct background checks and maintain records.³ The *informal market*, transfers between friends or by private sellers, accounts for about 40% of all firearms transactions and is subject to little federal regulation.⁴

There are few rigorous evaluations of federal gun policies, in large part because, when a federal policy applies simultaneously across all jurisdictions, there is rarely a plausible counterfactual for what would have happened absent the policy change. The few quasi-experimental evaluations that do exist (e.g., examining dealer background check requirements⁵ and the assault weapons ban⁶) did not detect significant effects on homicide, but this does not mean federal laws are ineffective. Evaluated policies had significant structural elements that likely limited their impact. These include the grandfathering of existing assault weapons and leaving private firearm sales unregulated.

Extrapolating from the more numerous quasi-experimental studies of state laws suggests that some federal restrictions—e.g., minimum age and background check requirements—could decrease homicides.⁷ Descriptive findings are also consistent with federal regulations restricting criminal access to guns: Only a small share of offenders acquire guns directly from licensed dealers.⁴

Recent Changes and Relevance to Current Trends

The recent decline in homicides is almost entirely a decline in *firearm* homicides.⁸ For federal gun policy to have contributed, we would expect: a contemporaneous change in federal policy, or a change in how existing policies affected homicide. We see no reason to suspect the latter, so we focus on four major changes in 2021 and 2022 (Table 1), which marked the first substantial changes to federal gun policies in more than 15 years.

Table 1. Key Changes to Federal Gun Policies and their Timing between 2021 and 2022

Relevant Policy	Key Gun Policy Provisions	Timing
ATF Zero-Tolerance Policy	Directed investigators to seek license revocation for gun dealers with “willful violations”	• Announced June 2021 • Implemented by October 2021
ATF privately manufactured firearm (“ghost gun”) rule	Prohibited sale of un-serialized “ghost gun” kits	• Announced May 2021 • Effective April 2022
Bipartisan Safer Communities Act (BSCA)	Expanded domestic violence prohibitions by defining domesticity to include “established dating relationships”	• Effective June 2022
	Enhanced background check procedures for purchasers under age 21	• Phased implementation starting October 2022
	Directed supplemental funding to improve the accuracy and usability of records for background checks	• First awards in spring/summer 2023 • Additional funding authorized through FY2026 • \$75 million provided by June 2024
	Established new trafficking and straw purchase statutes	• Effective June 2022
	Clarified which private sellers require federal licenses	• Announced June 2022 • Final rule effective May 2024
	Funded grants for community-based violence intervention and prevention initiatives*	• First awards in September 2022 • Staggered rollout over five-year authorization window, with \$250 million in total funding authorized

	Funded extreme-risk protection order law implementation	• First awards in February 2023 • Additional funding over five-year authorization window, with \$750 million in total funding authorized
New York State Rifle & Pistol Association, Inc. v. Bruen (<i>Bruen</i>)	Ruled restrictive concealed carry laws in six states as unconstitutional	• Effective June 2022
	Revised Second Amendment standards	• Effective June 2022; litigation and policy change ongoing

NOTES:

ATF: Bureau of Alcohol, Tobacco, Firearms, and Explosives.

* Community-based violence intervention and prevention is covered in Andrew Papachristos' brief in this series

Preventing Diversion

Federal prohibitions only work if the formal market cannot be easily circumvented. Four policies targeted important links in the illegal supply chain that have historically faced weak enforcement^{4,9}: the ATF's zero-tolerance policy, which directed investigators to seek license revocation for dealers who willfully violate federal rules; two new criminal statutes, for trafficking and straw purchasing (i.e., buying a gun on behalf of someone barred from owning one); and a policy clarifying which private sellers must obtain a dealer's license.

Under the new policies, enforcement increased, but from a low base and to a level that remains modest. From FY2022 to FY2024, ATF revoked 460 dealer licenses¹⁰—up from about 110 over the preceding three years—and prosecutors brought 280 cases under the new trafficking/straw-purchase provisions.¹¹ Investigative reporting found little change in how unlicensed private sellers were being charged.¹²

One study found that, under the zero-tolerance policy, ATF field offices that sent more warning letters to licensed dealers saw larger subsequent decreases in local homicides, but given the modest scale of enforcement, even large impacts would likely translate to only a small fraction of the national decline.¹³ However, the pattern of findings—significant effects for warning letters but not revocations—suggests that effects operate through regulatory signaling rather than punishment. If perceived enforcement risk deterred illegal supply chain activities, effects may have exceeded what revocation or prosecution rates imply.

The ATF “ghost gun” rule closed off a newer supply source. Buy-and-build “ghost gun” kits, which carry no serial numbers and until 2022 could be bought without a background check, had surged in popularity during the pandemic. ATF reported a 15-fold increase in the number of ghost guns recovered from crimes between 2017 and 2022 (from 1,629 to 27,232).¹⁴

Such recoveries plateaued in 2023, the first full year the rule was in effect, suggesting reduced criminal access. However, even at their peak, ghost guns accounted for only 4% of traced crime guns and 1% of those linked to homicides,¹⁵ limiting this policy’s potential contribution to the homicide decline. Instead, the rule likely prevented a growing problem from getting worse.

Expanding or Enforcing Prohibitions

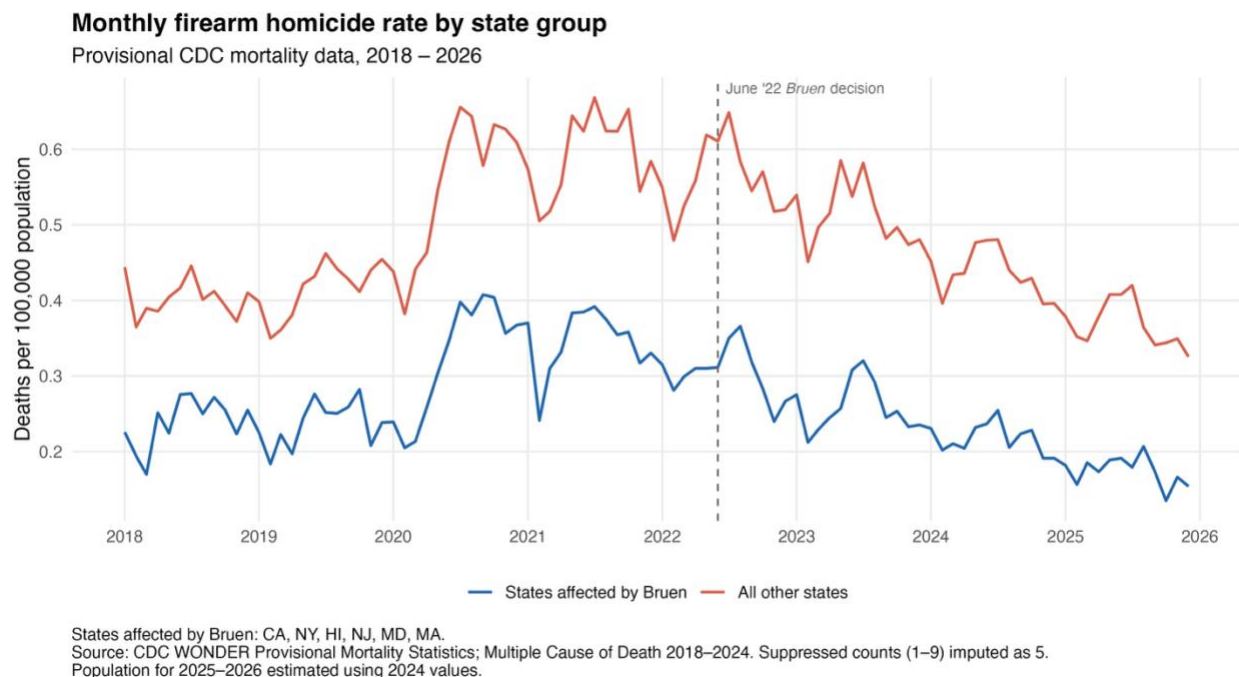
Several policy provisions expanded prohibitions against those at higher risk of violence. These provisions have not received formal evaluation, but causal analysis of some should be possible because their effects would differ across subgroups or phase in at different times and places. For example, age-specific enhancements should have reduced homicide perpetration more for those under age 21 and less in states with preexisting minimum age requirements of 21. The “boyfriend loophole” closure should have larger effects on intimate partner violence and in states that had not already adopted an equivalent policy. Investments in background check record improvements and extreme-risk protection order implementation supported activities at different times and places, meaning individual program effects might be identifiable from staggered adoption.

Relaxing Concealed-Carry Restrictions

The Supreme Court’s June 2022 *Bruen* decision ruled that states could not use discretionary criteria in issuing concealed-carry permits, thereby expanding the class of gunowners allowed to carry publicly in six states. *Bruen* also revised the standards for evaluating Second Amendment law. This unleashed a wave of litigation against existing gun laws, the results of which are not yet known.

Although the timing of *Bruen* coincides with the inflection in homicide rates, it is an unlikely explanation. First, *Bruen* only affected concealed carry in six states, all of which had below-average firearm homicide rates before the 2020–2021 surge and at its peak (Figure 1). States also quickly enacted new permit conditions and location-based restrictions that likely blunted *Bruen*’s effects. Finally, evidence supports that permissive concealed-carry laws increase firearm homicides,⁷ and projections from prior research suggest *Bruen* may have increased firearm homicides by about 150 deaths per year nationally.¹⁵

Figure 1. Monthly firearm homicide rate by states with concealed carry regimes affected and not affected by the Supreme Court Bruen decision



Emerging Questions and Future Directions

While it is unlikely these policies fully explain the homicide decline, it is plausible that several played some role. Future research will face many of the same limitations as previous evaluations of federal gun policy changes, but there are some testable hypotheses. One could test differential effects of federal provisions based on the following: pre-existing state laws (e.g., domestic violence prohibitions), pre-existing crime gun context (e.g., “ghost gun” prevalence in crimes), or differential receipt or timing of interventions. Improved data on ATF enforcement activities, as well as on the supply chain of firearms linked to homicides, would aid causal analyses. Any analysis will need to grapple with the wide variability in state gun laws, which also evolved over the same period,¹⁶ as well as with the billions of dollars the 2021 American Rescue Plan Act sent to states and localities for violence prevention and pandemic recovery, which may have restored the civic institutions and community structures that curb firearm violence.¹⁷

Prepared for CCJ Homicide Decline Research Summit

The United States has experienced a sharp decline in homicide since the middle of 2022. This dramatic and largely unexpected shift has sparked a high-stakes debate about what is driving it. To examine the plausibility of dozens of potential factors, CCJ convened a two-day summit in September 2026 with about 50 researchers from criminology, economics, public health, psychology, sociology, and related disciplines. This brief was prepared to inform discussions during the convening.

Endnotes

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¹¹ Office of Public Affairs, U.S. Department of Justice. *Fact Sheet: Two Years of the Bipartisan Safer Communities Act*. Washington, D.C.: U.S. Department of Justice (June 25, 2024). As of July 17, 2026: <https://www.justice.gov/archives/opa/pr/fact-sheet-two-years-bipartisan-safer-communities-act>

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¹³ Jiru, Gurmessia B., and John L. Worrall. “Disaggregating enforcement: Evidence on certainty, severity, and firearm homicide under the ATF zero tolerance policy.” *Journal of Criminal Justice* 104 (2026): 102643.

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