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ONLINE PURCHASE OF AMMUNITION

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You want to know (1) whether state or federal law prohibits online ammunition sales or purchases; (2) what, if any, eligibility criteria companies that sell ammunition online post on their websites for buyers and what checks they have in place to ensure that buyers meet the criteria, and (3) how other states regulate ammunition sales.

This report answers the first two questions. We will provide a response to the third question in a follow-up report.

SUMMARY

Neither state nor federal law prohibits online ammunition sales or purchases. Several companies currently sell ammunition online.

Some companies post eligibility criteria for, and restrictions on, online ammunition purchases; others do not. Typically, those that post this information require purchasers to meet federal criteria for purchasing ammunition, which are the same as for firearm purchases. They require buyers to submit proof of age and “affirm” or “confirm” that they meet the criteria. The websites do not specify any other steps, if any, the companies take to verify that buyers are eligible.

STATE AND FEDERAL PROHIBITION ON ONLINE AMMUNITION SALES

Connecticut does not regulate ammunition sales, except to the extent that it prohibits anyone from knowingly distributing, transporting, importing into the state, keeping, offering, or exposing for sale, or giving anyone any “armor-piercing .50 caliber bullet” or “incendiary .50 caliber bullet” (CGS § 53-2021(b)). And while federal law bans online firearm transactions, it does not regulate online ammunition sales. Federal law governing ammunition is limited to (1) prohibiting sales to and purchases by certain categories of people (e.g., felons, illegal aliens, and illegal drug users) and (2) prohibiting the manufacture, importation, and sale, by any means, of armor-piercing ammunition. It requires a person to be at least age 18 to buy long gun (shot gun or rifle) ammunition and at least age 21 to buy handgun (pistol or revolver) ammunition. But if a state law or local ordinance sets a higher minimum age, the higher minimum applies (18 USC § 922(b)(1), 27 CFR § 478.99(b)).

In July, two federal lawmakers (Senator Frank Lautenberg and Representative Carolyn McCarthy) introduced legislation that would effectively ban online ammunition sales. The *Stop Online Ammunition Sales Act* (S 3458 and H.R. 6241) would, among other things, would require ammunition sellers to examine the photo identification of anyone (other than licensed gun dealers) buying ammunition, thereby making it virtually impossible to sell ammunition online. It would also require ammunition sellers to be licensed, maintain sale records, and report sales of over 1,000 rounds of ammunition to nonlicensees (see copy of the bill at: <http://thomas.loc.gov/cgi-bin/query/z?c112:S.3458>). The bill is currently in the Senate Judiciary Committee.

RESTRICTIONS ON ONLINE AMMUNITION SALES

Several websites sell ammunition online. We did not visit all of them. Some of the ones we visited contain information on eligibility criteria for making purchases and restrictions on sales; others do not. Typically, those that contain this information (e.g., Aim Surplus, Inc.) state that buyers must meet the federal criteria for purchasing ammunition. For example, Aim Surplus, Inc. (<http://www.aimsurplus.com/info/buyammo.aspx>) states that it will not sell ammunition to anyone prohibited from purchasing ammunition under federal law, namely anyone who:

1. has ever been convicted of a felony or crime punishable by imprisonment for a term exceeding one year,

2. has been adjudicated as “mentally defective” or been committed to a mental institution,
3. has ever been a fugitive from justice or unlawful user of any controlled substance,
4. has been convicted of a misdemeanor crime of domestic violence,
5. has been dishonorably discharged from the U.S. Armed Forces,
6. has renounced his or her U.S. citizenship,
7. is under a court order restraining him or her from harassing, stalking, or threatening a child or an intimate partner, or
8. is underage.

The company requires buyers to be at least age 21 and submit with their order for ammunition a copy of a government-issued identification (emailed, mailed, or faxed) to verify their age.

Federal law does not require sellers to conduct criminal history record or other background checks to determine if someone is prohibited from buying ammunition. But Aim Surplus states that it is company policy to sell ammunition and firearms only to properly licensed U.S. citizens and claims that it will not ship orders for ammunition unless the buyer submits proper identification and confirms the eligibility requirements above. Apart from requiring buyers to submit documentation verifying age, it is unclear what form confirmation takes.

The company’s website specifies restrictions and terms of online sales of firearms, ammunition, and magazine in nine states, District of Columbia, Guam, and Puerto Rico as follows:

Alaska	No direct ammunition sales; all ammunition shipments must go through a freight forwarder
California	No ammunition delivered to Napa, Los Angeles, Oakland, and San Francisco
Hawaii	No direct ammunition sales
Illinois	Customer must have current copy of firearm owner identification card state photo ID. No sales of ammunition to the City of Chicago
Massachusetts	No sales of ammunition
Maryland	No magazine sales over 20-round capacity
New Jersey	Firearms/ammunition ID card must accompany first-time orders for ammunition
Ohio	No sale of magazines exceeding 30 rounds
New York	No ammunition sales
Washington, D.C.	No ammunition sales
Guam	No direct ammunition sales; all ammunition shipments must go through a freight forwarder
Puerto Rico	No direct ammunition sales; all ammunition shipments must go through a freight forwarder

A random selection of websites that sell ammunition online is identified below.

<http://www.ammunitontogo.com/>

<http://www.cheaperthandirt.com/>

<http://www.cabelas.com/>

<http://www.gunbroker.com/>

<http://ammunitionstore.com/>

<http://www.targetsportsusa.com/>

<http://www.midwayusa.com/category/ammunition>

<http://www.thegunsandgearstore.com/>

[http://www.brownells.com/.aspx/cid=20252/s_o=MostPopular+\(Descending\)/Products/Ammunition](http://www.brownells.com/.aspx/cid=20252/s_o=MostPopular+(Descending)/Products/Ammunition)

<http://amosphere.com/>

<http://www.theammobroker.com/>

<http://www.luckygunner.com/#rid=montanaguns&bid=aa9bde78&chan=code1>

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