

Jackie and I negate Resolved: The United States should require universal background checks for all gun sales and transfers of ownership.

[Wagner 2011](#) finds that

**Any future Federal gun control effort will have to go through the [National Rifle Association, or] NRA,** which has nearly 4 million members and a famously muscular approach toward influencing policy.

a powerful lobbying group that seeks to loosen gun restrictions. This is because [Sykes 2017](#) explains that

**the [Republican] party [which controls both the House and Senate] has ceded control to [the NRA]** a gun lobby that has built its brand on absolutism.

However, the NRA fundamentally opposes any UBC that restricts gun ownership, as [Donahue 2013](#) explains that

**[Gun manufacturers] are the ones who call the shots at the NRA,** and they are the most important people in the opposition. The manufacturers **[and they] don't want anything that interferes with** total gun sales and **profits.**

Therefore, we observe that no legislation will be passed that restricts access to firearms. When UBCs are passed, the NRA will distort the legislation to weaken gun restrictions instead.

Our sole contention is derailing progress.

Currently, there's already a trend of states taking effective gun control action instead of the federal government.

[Wing 2015](#) finds that

In fact, **over the past three years, 39 states have passed** at least **117 [gun control laws]**es of legislation that make gun laws more strict, according to the Law Center to Prevent Gun Violence, a nonpartisan group that tracks legislation across the country.

This is because the [Washington Post 2016](#) explains that grassroots movements advocating for gun control are effective at the state level because they directly channel public support

Instead of looking for action from [to national] politicians too easily bullied [by the NRA], they are going straight to voters **with [state] ballot measures** focused on combating gun violence **[rather than working at the NRA-controlled federal level].** Four states — Maine, Nevada, Washington and California — will have gun-control initiatives on ballots in the Nov. 8 election.

However, at the federal level, the NRA distorts legislation to weaken existing gun laws.

[Gerney 2013](#) explains that

**Seeing that they may not be able to block** the bill **[UBCs]** entirely, **NRA lobbyists are pushing [to]** a backup plan: **make background checks unenforceable.**

Empirically, [Kessler 2013](#) from the Washington Post writes that

**When the** House of Representatives took up the issue the following month, the **NRA worked with [Democrats]** a longtime supporter, Rep. John Dingell (D-Mich.), **to craft a background-check amendment** that the Clinton administration and gun-control groups denounced **[it]** as a sham that would have **actually weakened existing gun laws.** His proposal **[by]** extended background checks to all sales at gun shows but also drastically **curtail[ing] the time allowed for the checks,** [increasing the number of default proceeds] — a wrinkle flagged by LaPierre's use of the word "instant" in his testimony.

[Tumulty 2013](#) continues that in one of the most recent bipartisan pushes for gun control,

As the Senate prepares to begin debate next week on the biggest gun-control bill in nearly two decades, **the** gun rights lobby **[NRA] and its Senate allies** are work[ed] on a series of amendments [on a gun control bill] that could have [had] the opposite effect — **[pushed for amendments that would] loosen** many of the **restrictions that exist in current law.**

And [MacGillis 2014](#) explains that Democrats have gone along with such legislation in the past because it

Dingell's proposal **gave cover to members who were reluctant to oppose the NRA, allowing them to say they had voted "for [quote-on-quote] expanded background checks."**

This is problematic because passing a federal bill that weakens existing law undermines state progress for two reasons.

First, federal preemption.

[Valentine writes for the Atlantic](#) in 2015 that

**The NRA** frames its **support[s] of preemption [clauses, where federal laws override state laws]** as an effort to simplify "a complex patchwork of restrictions that change from one local jurisdiction to the next." There are just too many different ordinances, they say, which could be confusing or inconvenient to gun owners.

The [LA Times in 2016](#) explains that preemption is the NRA's biggest priority and that the NRA has tried to tack preemption clauses that would nullify state gun restrictions for things such as concealed carry onto federal gun control bills in 2013.

Second, by giving the NRA political ammunition to derail future legislation.

Kessler 2013 continues that

So, in effect, the NRA's support for **[The NRA's support for] so-called expanded background checks [vanished when it later]**, appears to have been a tactical retreat in the aftermath of Columbine. The actual NRA proposal, once it emerged in the form of Dingell's amendment, was the opposite of what gun-control advocates considered an expansion of background checks. Still, LaPierre was on record of having called for some version of expanded background checks in 1999. His caveats have been largely forgotten. So his 1999 testimony led to this uncomfortable moment before the Senate Judiciary Committee this January *SEN. PATRICK LEAHY (D-Vt.): Now, in your testimony in '99, you supported mandatory instant criminal background checks for every sale at every gun show....Should we have mandatory background checks at gun shows for sales of weapons? LAPIERRE: If you're a dealer, that's already the law. If you're talking -- LEAHY: That's*

not my question. Please, Mr. LaPierre, I'm not trying to play games here. But if you could, it would here if you could just answer my question. LAPIERRE: Senator, I do not believe the way the law is working now, unfortunately, that it does any good to extend the law to private sales between hobbyists and collectors. LEAHY: OK, so you do not support mandatory background checks in all instances at gun shows. LAPIERRE: We do not because the fact is the law right now is a failure the way it's working. The fact is that you have 76,000-some people that have been denied under the present law. Only 44 were prosecuted. You're letting them go. They're walking the streets. Sandy Froman, an NRA board member and former president, [made a similar point on CNN](#): "The NRA has changed its position [to **opposed further gun legislation**] and the reason it's changed its position is because **saying that the background check system it helped pass doesn't work, evidence of the failure of gun control**]"

This allows the NRA to falsely claim that gun-control legislation never works, derailing further progress by creating an illusion of failure.

The impact is twofold.

First, increasing the number of default proceeds.

Currently, the government can delay a gun sale by three days in order to conduct a UBC. If it takes longer than three days, the seller can sell the gun without a background check in what is known as a default proceed.

In fact, Charleston shooter Dylan Roof obtained his guns through a "default proceed" even though he would not have passed the background check.

But Joshua Eaton in 2017 writes for ThinkProgress that

The FBI processed 9.3 million background checks **last year**, according to [data it shared with ThinkProgress](#). It delayed more than 1 million of those, and **there were [more than 300,000 default proceeds]**—303,146 default proceeds. Those numbers are all up from 2015, when the FBI processed 8.9 million background checks and delayed 900,567, with 271,359 default proceeds.

Part of this problem is the NRA, which supports and lobbies for default proceeds provisions.

[Eaton](#) continues

The National Rifle Association declined to comment on the record for this story, but **the [NRA] organization praise[s] a default proceeds** in a [July 2015 blog post](#) responding to Clyburn's bill. "This provision ensures that Americans' rights to acquire firearms are not arbitrarily denied because of bureaucratic delays, inefficiencies, or mistakes in identity," the organization wrote. The NRA **call[ing them]** default proceeds **"a critical safety valve"** in federal law.

[MacGillis](#) explains that in 1999, an NRA supported bill would increase the number of default proceeds by

It would close the loophole for unlicensed dealers—but weaken[ed] the background check, by **reducing the amount of time authorities would have to perform it [checks] from 72 to 24 hours**, while also limiting the definition of events considered actual "gun shows."

The Wall Street Journal reports that had the bill passed,

**critics said more than 60% of current denials would not have been made**

Second, by reversing important state progress.

State gun laws have beneficial add-ons that go beyond federal requirements.

[Gifford Law Center](#) explains that

**Nine states and [D.C.]** the District of Columbia **have waiting periods that apply to the purchase of** some or all **firearms**

These policies deter impulsive actions such as suicide and homicide.

However, Republicans have tried to derail this state progress before as

The [Washington Post](#) reports

**The [Brady] bill** was re-introduced **in 1993 [had]** and passed the House on Nov. 10. Sanders voted against it. He voted for an amendment allowing people to request the reason for ineligibility if they did not pass the background check. He voted for an amendment to replace the five-day waiting period with the instant background check, five years after the law is enacted. He voted against **an amendment to preempt state waiting period laws [with an instant check]** with the Brady bill.

The only reason this amendment failed was because Democrats controlled the House by an 80 vote margin. However, in today's political climate, it is very likely that such an amendment would go into effect.

Thus, in order to preserve progress, we negate.