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Fraudulent Sale of Firearms Act

What the problem is:

Gun violence continues to devastate communities across the United States with more than 46,000 gun-related deaths in 2023, the third-highest number in U.S. history. While background checks, red flag laws, and other measures are essential for keeping firearms out of the wrong hands, individuals can easily evade these safeguards by purchasing firearms online.

Federal law requires background checks for gun sales by licensed dealers, and 22 states extend that requirement to unlicensed sellers. Still, individuals who would fail a routine background check—such as those with felony convictions, domestic violence restraining orders, or a history of severe mental illness—frequently obtain firearms through online marketplaces that lack meaningful oversight.

Although some technology platforms ban firearm sales, sellers often exploit loopholes by disguising listings. For example, firearms are routinely advertised on Facebook Marketplace as “stickers” featuring gun brand logos, while the actual weapons are sold off-platform.

These deceptive practices allow potentially dangerous individuals to access guns without scrutiny, fueling gun trafficking and violent crime. An estimated 80% of firearms used in crimes are obtained from sellers who do not conduct background checks, including fraudulent online dealers. Between 2017 and 2021, unlicensed sellers were responsible for more than half of all trafficked firearms, amounting to over 68,000 weapons. As long as online platforms remain vulnerable to abuse through disguised listings and fraudulent sales tactics, individuals intent on doing harm will continue to exploit them, putting public safety and community well-being at risk.

What the bill would do:

The *Stopping the Fraudulent Sale of Firearms Act* would make it a federal crime to fraudulently advertise or sell firearms online, including through deceptive listings that circumvent tech companies’ terms of service.

By closing this dangerous loophole, the bill directly addresses a critical gap in gun safety enforcement. Holding fraudulent sellers accountable will reduce the illegal flow of firearms to individuals prohibited from possessing them and strengthen efforts to protect communities from preventable violence.