

May 22-23, 2018

Reducing Firearms-Related Injury and Death

Senators and House members should introduce, cosponsor, and pass legislation, inclusive of policies that: strengthen the criminal background check system, ban assault weapons and high capacity magazines, prevent the unlawful transfer of firearms to those who cannot legally purchase them, and remove restrictions on, and provide dedicated funding for, research by federal agencies on prevention of firearms-related injuries and death, as described below in the “What is ACP Asking of Congress” section.

What’s it all about?

Over the past several years, this nation has experienced an unprecedented series of mass shootings resulting in devastating injuries and loss of life to so many innocent individuals, from Parkland, FL to Sutherland Springs, TX to Las Vegas, NV, to Orlando, FL to San Bernardino, CA. Deaths and injuries from firearms are not just a result of mass shootings though, they are a daily occurrence in our neighborhoods, homes, work places, and communities. In 2016, more than 38,000 Americans lost their lives to firearms, according to the Centers for Disease Control and Prevention (CDC); another 81,000 each year on average suffer non-fatal yet often devastating injuries from firearms. As an organization representing physicians who have first-hand experience with the devastating impact on the health of our patients resulting from firearms-related injuries and deaths, we have a responsibility to be part of the solution in trying to mitigate firearms-related tragedies.

After the recent shooting in Parkland, Florida, a new wave of activism has spread across the country led by students who have been impacted by the deaths of their classmates at school. On March 24th, hundreds of thousands of people in large cities and small towns across the United States participated in a *March for Our Lives* rally to demonstrate their support for measures to reduce firearms-related violence in the United States. Recent [polling data](#) conducted after the Parkland, Florida shooting shows an increase in public support for Congressional action that would expand restrictions on firearms ownership and improve the background check system for all firearms purchases.

In 2014, ACP conducted a comprehensive analysis of the evidence on firearms violence and its impact on health, and concluded that the United States must adopt a range of policies to help mitigate and decrease the threat of firearms-related violence, including: ending the prohibition on funding for CDC research on firearms violence, requiring criminal background checks for all firearm purchases (including firearms sold at gun shows), prohibiting persons “straw purchasers” from unlawfully purchase firearms for other persons who are in a prohibited category, and banning assault weapons and large capacity magazines. Furthermore, in 2015, ACP and 50 other supporting organizations, and the American Bar Association, issued a [Call to Action](#) calling for policies to help mitigate the rate of firearms injuries and deaths in the United States.

What’s the current status?

There has been a noticeable uptick in legislative proposals in Congress over the past year aimed at reducing firearms-related injury and death, some of which have been bipartisan. This year, in fact, Congress did pass and the president did sign into law a measure, the Fix NICS Act, which enhances the accuracy of the national criminal background check system by requiring federal agencies to improve their standards for reporting NICS data. It will also provide incentives for states to update record sharing systems related to firearms data. ACP supported this measure, which was included as part of the Fiscal Year 2018 Omnibus Appropriations bill that was signed into law in March.

Just months earlier, however, the House took steps that ACP believes would actually be an impediment to curbing firearms-related violence by passing the *Concealed Carry Reciprocity Act of 2017*, H.R.38. This bill requires each state to recognize permits for the concealed carry of a handgun issued in other states, making it easier for legal gun owners to

travel across state lines with such weapons. ACP voiced strong [opposition](#) to this bill because it would force states with stricter firearms safety laws, such as New York and California, to honor out-of-state permits from states with less restrictive requirements effectively forcing states with higher restrictions to conform to the loosest laws, regardless of individual states' public safety needs. Fortunately, the Senate has not agreed to take up that legislation, and ACP will continue to urge that it does not.

Why and how should Congress address this issue?

ACP appreciates that Congress saw through to the ultimate passage and enactment of the Fix NICS Act, but further policy reforms are needed, including the following:

- ***The Assault Weapons Ban of 2018 (S. 2095 in the Senate, H.R. 5077 in the House)***: This legislation, sponsored by Senator Diane Feinstein (D-CA) and Representative Federica Wilson (D-FL) would prohibit the sale of high velocity, rapid-fire “assault rifles” (rifles specifically designed to inflict lethal harm to as many victims as possible, in as little time as possible), large capacity magazines and bump stocks.
- ***The Brady Background Check Expansion Act (S. 2009 in the Senate, no similar House version)***: This legislation, sponsored by Senator Chris Murphy (D-CT) would expand background checks to virtually all firearms sales in the United States. The bill will substantially close the gun show, internet, and other private sales loopholes.
- ***The Stop Illegal Trafficking in Firearms Act of 2017 (S. 1185 in the Senate, no similar House version)***: This legislation, sponsored by Senator Patrick Leahy (D-VT) would increase the maximum prison term for the sale or transfer of a firearm to a person prohibited from possessing a firearm. It would also expand the category of prohibited persons (individuals barred from receiving or possessing a firearm or ammunition) to include persons who intend to sell or transfer a firearm or ammunition to a prohibited person, sell or transfer a firearm to further a crime of violence or drug trafficking offense.
- **S. 834/H.R. 1832**: This legislation, sponsored by Senator Edward Markey (D-MA) in the Senate and Rep. Carolyn Maloney (D-NY) in the House, would authorize \$10 million in each of Fiscal Years 2018-2023 for the CDC to conduct research on gun violence prevention. CDC has not conducted any such research since Congress approved an amendment (known as the Dickey amendment) to an appropriations bill in 1996 that indicated that the CDC could not advocate for or promote gun control. Although ACP is encouraged that report language was included in the Fiscal Year 2018 appropriations bill that states that CDC has the authority to conduct gun violence research; we believe that this research will not take place unless Congress provides dedicated funding to research the impact of firearms-related violence in America.

What is ACP asking of Congress?

Senators and House members should cosponsor the *Assault Weapons Ban of 2018 (S. 2095 in the Senate, H.R. 5077 in the House)*, which would place bans on the sale of high velocity, rapid fire “assault rifles” and large capacity ammunition magazines and bump stocks.

Senators should cosponsor the *Brady Background Expansion Act (S. 2009)*, to expand background checks to virtually all firearm sales in the United States. House members should introduce the companion bill in the House.

Senators and House members should cosponsor legislation to help prevent the illegal purchase of guns (S. 1185, the *Stop Illegal Trafficking in Firearms Act of 2017*, and H.R. 5134, the *Stop Straw Purchases Act*), these bills would increase penalties for individuals who unlawfully purchase firearms for other persons who are prohibited from possessing firearms (known as straw purchasers).

Repeal the Dickey amendment restricting firearms-related research by federal agencies and [support](#) \$50 million in funding for the CDC to conduct such research. As a good first step, identical legislation has been introduced in both chambers that authorizes funding for the CDC to conduct research regarding injuries and deaths caused by firearms (S. 834/H.R. 1832). Senators and House members should cosponsor the bill in their respective chambers.

Who can I contact to learn more?

advocacy@acponline.org; Digital version of this issue brief can be found at: <https://www.acpservices.org/leadership-day/policy-priority-issues>