

**Testimony of Robyn Thomas, Executive Director
Giffords Law Center to Prevent Gun Violence**

**U.S. Senate Judiciary Committee
Constitutional and Common Sense Steps to Reduce Gun Violence
March 23, 2021**

Thank you, Chairman Durbin, and members of the Committee for the opportunity to testify here today. My name is Robyn Thomas and I am the Executive Director of Giffords Law Center to Prevent Gun Violence. Giffords Law Center was formed more than 25 years ago after a mass shooting at a San Francisco law firm and renamed for former Congresswoman Gabby Giffords after joining forces with the organization she leads. I have been the Executive Director of the Law Center since 2006.

This past week we saw a horrible string of shootings, with nine people shot and eight people killed at three spas in the Atlanta area in Georgia, a shocking example of the disturbing increase in violence against the Asian-American community. Over the last year, communities have suffered not only from COVID-19 and its financial aftermath, but also from gun violence, a co-occurring public health crisis that has surged in all its forms. Suicides have increased dramatically in communities from Philadelphia to Chicago.¹ Domestic violence has also intensified, with many localities reporting more calls to hotlines and police in response to incidents of abuse.² Many metropolitan areas experienced spikes in community gun violence, with over a dozen cities reporting increases in homicides of 50% or more.³

Yet these troubling trends are extensions of our pre-existing national condition. Even before the recent surge, shootings made national headlines—the massacres at a Safeway in Tucson; in an Aurora, Colorado movie theatre; at Sandy Hook Elementary School in Connecticut; in a church in Charleston; at the Pulse nightclub in Orlando; at a country music festival in Las Vegas; at Marjory Stoneman Douglas High School in Parkland, Florida; and at a synagogue in Pittsburgh—to name only a few. And, day after day, gun violence that does not make national news claims far too many American lives, and ravages countless American communities.

¹ See e.g., William Wan, “For months, he helped his son keep suicidal thoughts at bay. Then came the pandemic.,” *The Washington Post*, November 23, 2020, <https://www.washingtonpost.com/health/2020/11/23/covid-pandemic-rise-suicides/>.

² Justin Nix & Tara N. Richards, “The immediate and long-term effects of COVID-19 stay-at-home orders on domestic violence calls for service across six U.S. jurisdictions,” *Police Practice and Research*, (January 2021).

³ Champe Barton et al., “A Historic Surge in Gun Violence Compounds the Traumas of 2020,” *The Trace*, December 21, 2020, https://www.thetrace.org/2020/12/shootings-data-philadelphia-cleveland-chicago-gun-violence/?fbclid=IwAR2HPjqq48HuOqjahYCpbUWG9UMCGW69_B1-CYVqoHsNMEipIR7aK-cdTnQ.

We cannot allow this violence to continue for the next generation. Proposed gun law reforms, many of which have been introduced in this Congress and which enjoy widespread public support, would make a difference. These proposals are a crucial part of an appropriate public health approach focused on prevention and are proportional to the seriousness of the issue and based on the data and research driving toward these solutions. And, despite what the gun lobby may argue, there is no constitutional impediment to passing lifesaving gun laws. Courts across the country have ruled, repeatedly, that the Second Amendment does not stand in the way of passing stronger gun laws, and the U.S. Supreme Court itself has made clear that “the right secured by the Second Amendment is not unlimited” and has never protected “a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.”⁴ The only thing standing in the way of laws that will prevent needless injuries and death--and that enjoy the support of overwhelming numbers of Americans--is the absence of political will to act. I urge this Committee, and the Senate, to find that will and finally provide our nation with the safety that Americans deserve.

Background Checks

Efforts to strengthen gun laws have long focused on background checks and for good reason. After the Virginia Tech massacre in 2007 and again after the Sutherland Springs shooting in 2018, we saw members of both parties come together to address the records that were missing from the National Instant Criminal Background Check System (NICS) which allowed the shooters to purchase the guns used to commit those atrocities.⁵ Yet, this effort has proven to be far too little to stem the tide of gun violence in this country. It is still far too easy for people who want to do harm to get their hands on guns.

Our federal elected officials need to do more than just ensure that records are in the background check system. We need to make sure that the background check system is used every time a person buys a gun. Though more than 90% of the American public supports background checks for all gun sales, a dangerous and deadly loophole in federal gun laws still exempts unlicensed sellers from having to perform any background check whatsoever before selling a firearm.

Under current federal law, unlicensed sellers can sell guns without running a background check. These sales occur online, at gun shows, and on the street—any place where the seller is not a licensed dealer.

Because federal law doesn’t require a background check for every gun sale, people who shouldn’t have guns and are legally prohibited from accessing them—domestic abusers, people with violent criminal records, and people prohibited for mental health reasons—can easily buy

⁴ *District of Columbia v. Heller*, 554 U.S. 570, 626 (2008).

⁵ NICS Improvement Amendments Act of 2007, Pub. L. No. 110-180, 121 Stat. 2559 (2008); Fix NICS Act of 2018, Pub. L. No. 115-141, Division S, Title VI, 132 Stat. 1132, (2018).

guns from unlicensed sellers with no background check and no questions asked, even if their records are in the system. They simply bypass that system.

This is not an abstract or theoretical matter; it's a dangerous loophole in our laws that threatens the public safety of communities across the country.

For example, on Saturday, August 31, 2019, a gunman opened fire on multiple locations in Odessa and Midland, Texas, killing seven and injuring at least 22. The shooter had previously failed a criminal background check when trying to purchase a gun. Yet this loophole in our nation's gun laws allowed him to bypass the background check system altogether and obtain the AR-style weapon used in his deadly assault from an unlicensed seller who wasn't required to run a background check.

Gun deaths in the United States have reached their highest level in almost 40 years, with nearly 40,000 Americans dying from gun violence in 2019— more than 100 people every day.⁶ Americans are 25 times more likely to be killed by a gun than people in other developed nations. In fact, no other developed country comes close.⁷ Sales and transfers of guns without background checks are a major contributor to this problem. A 2017 study estimated that 22 percent of American gun owners acquired their most recent firearm without a background check—which translates to millions of guns each year.⁸

A 2013 study found that approximately 80 percent of all firearms acquired for criminal purposes were obtained from sources who were not required to run a background check, and that 96 percent of inmates who were prohibited from possessing a firearm at the time they committed their crime obtained their gun this way.⁹

Congress must close this dangerous loophole. I am grateful to Senator Chris Murphy and Congressman Mike Thompson for introducing legislation to close this glaring loophole in the background check system in the 117th Congress.

These bills do not infringe on the right of Americans to own guns to protect themselves and their families, or to possess them for other lawful purposes. Nothing in the Constitution requires America's leaders to stand by and do nothing while more people die from gun violence each year than die from military combat overseas. And requiring background checks does not violate the Second Amendment. The Supreme Court has explicitly said that laws keeping guns out of

⁶ Giffords, "New CDC Data Underscores Urgency of America's Gun Violence Crisis," blog, January 12, 2021,

<https://giffords.org/blog/2021/01/new-cdc-data-underscores-urgency-of-americas-gun-violence-crisis/>.

⁷ Giffords, "Statistics," last accessed March 18, 2021,

<https://giffords.org/lawcenter/gun-violence-statistics/>.

⁸ Matthew Miller et al., "Firearm Acquisition Without Background Checks," *Annals of Internal Medicine* 166, no. 4 (February 2017): 233–239.

⁹ Katherine A. Vittes et al., "Legal Status and Source of Offenders' Firearms in States with the Least Stringent Criteria for Gun Ownership," *Injury Prevention* 19, no. 1 (February 2013): 26–31.

the hands of dangerous people are constitutional, and background checks are merely the means of ensuring that such laws are implemented effectively. That is why challenges to background checks have never succeeded, and courts have upheld lifesaving background check laws when they are challenged¹⁰

H.R. 8 and S. 529 will make it harder for dangerous people to get their hands on guns and hurt themselves or others. Since 1994, background checks have stopped over three and a half million gun sales or transfers to convicted felons, abusive partners, and people prohibited for mental health and other reasons.¹¹ This bill would expand the use of this system, ensuring that the laws prohibiting these people from possessing guns are enforced.

Law-abiding citizens can pass background checks. The background checks system is designed to identify and deny gun sales only to individuals prohibited from possessing firearms. The FBI's quality control evaluations indicate that background checks are accurate approximately 99.3 percent to 99.8 percent of the time.¹² And in about 90 percent of cases, firearm background checks processed through NICS are processed within minutes.¹³

Sometimes, however, the FBI cannot immediately obtain a clear yes or no answer on a NICS check. Federal law allows gun dealers to transfer guns after three business days, even if the FBI is still processing the background check.¹⁴ This loophole allowed the shooter who horrifically, hatefully killed nine people in a church in Charleston, South Carolina, in 2015 to obtain his gun, even though he wasn't legally entitled to buy it, because his background check was still in progress. Approximately 3,000 to 4,000 guns per year are transferred this way and then later have to be reacquired when the FBI determines after the three-day window has closed that the person should not have passed the background check.¹⁵ The Charleston loophole threatens local communities by enabling guns to fall into the hands of dangerous people. H.R. 1446, sponsored by Congressman James Clyburn and recently passed by the

¹⁰ *Colo. Outfitters Ass'n v. Hickenlooper*, 24 F. Supp. 3d 1050 (D. Colo. 2014), *vacated on other grounds*, 823 F. 3d 537 (10th Cir. 2016).

¹¹ Bureau of Justice Statistics, U.S. Department of Justice, Background Checks for Firearm Transfers, 2015-2017, at <https://www.bjs.gov/content/pub/pdf/bcft1617.pdf>

¹² US Department of Justice, Office of the Inspector General, "Audit of the Handling of Firearms Purchase Denials Through the National Instant Criminal Background Check System," September 2016, <https://oig.justice.gov/reports/2016/a1632.pdf>.

¹³ US Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division, "National Instant Criminal Background Check System Celebrates 20 Years of Service," November 30, 2018, <https://www.fbi.gov/services/cjis/cjis-link/national-instant-criminal-background-check-system-celebrates-20-years-of-service>.

¹⁴ 18 U.S.C. § 922(t)(1)(B)(ii).

¹⁵ US Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division, "National Instant Criminal Background Check System (NICS) Operations Reports," available at <https://www.fbi.gov/services/cjis/nics>.

House, and S. 591 sponsored by Senator Richard Blumenthal, would address this problem. Congress should pass this legislation.

Domestic Violence

While closing the loopholes in our federal background check system is a critical first step, we must also do more to strengthen the laws that cover people at a high risk of committing violence who are not currently prohibited from possessing firearms, including domestic abusers.

Nearly 600 women are shot and killed by intimate partners every year—an average of one woman every 16 hours.¹⁶ More than one in three women in the United States have experienced sexual violence, physical violence, and/or stalking by an intimate partner in their lifetimes,¹⁷ making it critical that policymakers take steps to remove firearms from domestic violence situations. Women in the United States are 21 times more likely to be killed with a gun than women in other high-income countries,¹⁸ fueled in large part by elevated rates of intimate partner gun violence. Guns and domestic violence are a deadly mix: the presence of a gun in a domestic violence situation makes it five times more likely the victim will die,¹⁹ while domestic violence assaults involving a gun are 12 times more likely to end in death than assaults with other weapons or physical harm.²⁰ Black women are also nearly twice as likely as white women to be fatally shot by an intimate partner.²¹ And even when they aren't used to commit murder, guns are often used by abusers to threaten and coerce their victims—approximately 4.5 million women in the United States have been threatened with a gun by an intimate partner.²²

In light of these stark statistics and the severe threat to women when domestic abusers have access to firearms, it is no surprise that courts have repeatedly recognized the importance of laws that keep guns out of their hands, and have repeatedly found laws banning gun

¹⁶ Jennifer Mascia, "Once Every 16 Hours, an American Woman Is Fatally Shot by a Current or Former Romantic Partner," *The Trace*, February 9, 2016, <https://www.thetrace.org/2016/02/women-domestic-violence-death-statistics/>.

¹⁷ Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, "National Intimate Partner and Sexual Violence Survey: 2015 Data Brief – Updated Release," November 2018: 8, <https://www.cdc.gov/violenceprevention/pdf/2015data-brief508.pdf>.

¹⁸ Erin Grinshteyn & David Hemenway, "Violent Death Rates in the US Compared to Those of the Other High-Income Countries, 2015," *Preventive Medicine* 123, (June 2019): 20–26.

¹⁹ Jacquelyn C. Campbell et al., "Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study," *Am. J. Pub. Health* 93, no. 7 (July 2003): 1089, 1092.

²⁰ Linda E. Saltzman et al., "Weapon Involvement and Injury Outcomes in Family and Intimate Assaults," *JAMA* 267, no. 22 (1992): 3043-3047.

²¹ Giffords Law Center to Prevent Gun Violence, "Domestic Violence," last accessed March 17, 2021, <https://giffords.org/issues/domestic-violence/> citing Federal Bureau of Investigation, Uniform Crime Reporting Program: Supplementary Homicide Reports (SHR), 2014-18.

²² Susan B. Sorenson & Rebecca A. Schut, "Nonfatal Gun Use in Intimate Partner Violence: A Systematic Review of the Literature," *Trauma Violence Abuse* 19, no. 4 (October 2018): 431-442.

possession by those convicted of domestic violence crimes²³ or subject to restraining orders²⁴ to be constitutional.

Current federal law does not prohibit gun possession by people who have assaulted dating partners they haven't lived with. This deadly gap leaves a significant number of abusers able to legally purchase and possess guns—and use them against their partners—despite a documented history of violence. As more couples wait until later in life to marry, this exception becomes deadlier: today, dating partners, not spouses, commit nearly half of all intimate partner homicides.²⁵ A study in one city showed that over 80 percent of intimate partner violence calls to law enforcement involve unmarried dating partners who aren't covered by our gun laws.²⁶ Congress must address this deadly threat to women by making clear that people convicted of misdemeanors for abusing or stalking dating partners aren't entitled to have guns just because they weren't married to their victims. That's why I am grateful to Congresswoman Sheila Jackson Lee and the bipartisan group of members who voted to pass H.R. 1620, the Violence

²³ *E.g.*, *Arnett v. State*, No. 1-18-859-CR, 2019 Tex. App. LEXIS 10764 (Tex. App. Dec. 12, 2019); *Stimmel v. Sessions*, 879 F.3d 198 (6th Cir. 2018); *Fisher v. Kealoha*, 855 F.3d 1067(9th Cir. 2017); *Fortson v. L.A. City Attorney's Office*, 852 F.3d 1190 (9th Cir. 2017), cert. denied, 199 L. Ed. 2d 48 (U.S. 2017); *Enos v. Holder*, 858 Fed. App'x 447 (9th Cir. 2014) (unpublished); *United States v. Armstrong*, 706 F.3d 1 (1st Cir. 2013), vacated and remanded on other grounds, 134 S. Ct. 1759 (2014); *United States v. Chovan*, 735 F.3d 1127, 1139-41 (9th Cir. 2013); *United States v. Staten*, 666 F.3d 154 (4th Cir. 2011); *United States v. Skoien*, 614 F.3d 638 (7th Cir. 2010) (en banc); *United States v. Chester*, 847 F. Supp. 2d 902 (S.D. W. Va. 2012), aff'd, 514 Fed. Appx. 393 (4th Cir. 2013) (per curiam) (unpublished); *United States v. White*, 593 F.3d 1199 (11th Cir. 2010); *United States v. Booker*, 644 F.3d 12 (1st Cir. 2011); *United States v. Holbrook*, 613 F. Supp. 2d 745 (W.D. Va. 2009); see also *In re United States*, 578 F.3d 1195 (10th Cir. 2009).

²⁴ *United States v. Elkins*, 495 F. App'x 330 (4th Cir. 2012) (per curiam) (unpublished); *United States v. Chapman*, 666 F.3d 220 (4th Cir. 2012); *United States v. Mahin*, 668 F.3d 119 (4th Cir. 2012); *United States v. Bena*, 664 F.3d 1180 (8th Cir. 2011); *United States v. Reese*, 627 F.3d 792 (10th Cir. 2010); *United States v. Collins*, No. 18-cr-00068, 2018 U.S. Dist. LEXIS 105737 (S.D. W. Va. Jun. 5, 2018), report & recommendation adopted by 2018 U.S. Dist. LEXIS 104599 (S.D. W. Va. Jun. 22, 2018); *United States v. Mailoto*, No. 17-cr-0148, 2018 U.S. Dist. LEXIS 76263 (E.D. Wash. May 4, 2018); *United States v. Taylor*, 2017 U.S. Dist. LEXIS 112318, report & recommendation adopted by 2017 U.S. Dist. LEXIS 111895 (E.D. Wis. Jul. 19, 2017); *United States v. Harris*, 2016 U.S. Dist. LEXIS 19654 (E.D. Wis. Feb. 2, 2016); *United States v. Garretson*, 2013 U.S. Dist. LEXIS 154246 (D. Nev. June 12, 2013); *United States v. Gillman*, 2010 U.S. Dist. LEXIS 63453 (D. Utah June 24, 2010); *United States v. Erwin*, No. 07-CR-556, 2008 U.S. Dist. LEXIS 78148 (N.D.N.Y. Oct. 6, 2008); *United States v. Luedtke*, 2008 U.S. Dist. LEXIS 117970 (E.D. Wis. 2008); see also *United States v. Emerson*, 270 F.3d 203 (5th Cir. 2001) (pre-Heller, holding that the Second Amendment protects an individual right to bear arms, but upholding the federal law prohibiting firearm possession by subject of a domestic violence restraining order); *Padgett v. Padgett*, No. 76543-4-I, 2018 Wash. App. LEXIS 2329, at *11 (Ct. App. Oct. 15, 2018) (“A valid restraining order does not violate the Second Amendment right to bear arms.”); *Webb v. Schlagal*, 2017 Tex. App. LEXIS 8331 (Tex. Ct. App. 2017) (rejecting Second Amendment challenge to lifetime restraining order, issued to protect a stalking victim, that prohibits possession of firearms for the duration of the order), petition for review denied, 2017 Tex. LEXIS 1127 (Dec. 8, 2017)

²⁵ US Department of Justice, Bureau of Justice Statistics, “Homicide Trends in the United States, 1980-2008,” November 2011, 20, <http://bjs.gov/content/pub/pdf/htus8008.pdf>.

²⁶ Susan B. Sorenson & Devan Spear, “New Data on Intimate Partner Violence and Intimate Relationships: Implications for Gun Laws and Federal Data Collection,” *Preventive Medicine* 107 (February 2018): 103-108.

Against Women Reauthorization Act and to Senators Blumenthal and Klobuchar for introducing bills to close this loophole. This effort would follow the lead of states that have closed this loophole and subsequently experienced a 16 percent drop in intimate partner homicides committed with guns.²⁷

H.R. 1620 and Senator Amy Klobuchar’s bill would also close the stalking loophole. Current federal law prohibits stalkers convicted of felonies from purchasing or possessing guns, but lets those convicted of misdemeanor crimes legally access them. But because felony stalking charges are often pled down to misdemeanors, this leaves victims at significant risk. Nearly one in six women in the United States is the victim of stalking in their lifetimes,²⁸ and stalking is a strong indicator of future violence. One study of female murder victims in 10 cities found that 76 percent of women who were murdered and 85 percent who survived a murder attempt by a current or former intimate partner had previously been stalked.²⁹

People convicted of abusing dating partners and stalking clearly should not have access to guns. Neither should those convicted of hate crimes.

Hate Crimes

Violent extremists and hate groups often use firearms as tools of violence and intimidation.³⁰ Between 2010 and 2014, roughly 43,000 hate crimes involving the use or threatened use of a gun were committed in the United States.³¹ Mass shootings at a gay nightclub in Orlando, Florida, a historic African-American church in Charleston, South Carolina, a Sikh temple in Oak Creek, Wisconsin, the Tree of Life synagogue in Pittsburgh, Pennsylvania, and a Walmart in El Paso, Texas were among the deadliest hate crimes ever committed in the United States, and among the deadliest mass shootings in our nation’s history.

This problem is getting worse. 2019 marked the highest level of reported hate crimes in over a decade. According to the FBI, 2019 also saw notably more violent acts of hate than previous years.³² In 2020, there were acts of hate committed against members of the Asian Pacific

²⁷ April Zeoli et al., “Analysis of the Strength of Legal Firearms Restrictions for Perpetrators of Domestic Violence and Their Association with Intimate Partner Homicides,” *American Journal of Epidemiology* 187, no. 11 (November 2018): 1449-1455.

²⁸ Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, “National Intimate Partner and Sexual Violence Survey: 2015 Data Brief – Updated Release,” November 2018: 5, <https://www.cdc.gov/violenceprevention/pdf/2015data-brief508.pdf>.

²⁹ Judith M. McFarlane et al., “Stalking and Intimate Partner Femicide,” *Homicide Studies* 3, no. 4 (November 1999): 300-316.

³⁰ See Giffords Law Center to Prevent Gun Violence, “How America’s Gun Laws Fuel Armed Hate,” March 15, 2021, <https://giffords.org/lawcenter/report/how-americas-gun-laws-fuel-armed-hate/>.

³¹ Center for American Progress, “Hate and Guns: A Terrifying Combination,” February 2016, <https://cdn.americanprogress.org/wp-content/uploads/2016/02/23104301/HateCrimes-report.pdf>.

³² “Hate Crimes,” Federal Bureau of Investigation, last accessed January 14, 2021, <https://www.fbi.gov/investigate/civil-rights/hate-crimes>.

Islander community throughout the pandemic, as well as an uptick in xenophobic rhetoric, and just last week we witnessed the unspeakable acts of violence against the Asian American community in Atlanta. Similarly, there were reports of acts of hate perpetrated against Black Americans in conjunction with protests seeking police reform and racial justice. Federal law does not prohibit perpetrators of hate crimes from possessing firearms if they plead down their crimes to misdemeanors. In the last Congress, Senator Casey and Congressman David Cicilline introduced legislation to close this loophole. I urge this Congress to take up and pass such a bill.

Extreme Risk Protection Orders

Another thing Congress should do is support states' efforts to pass and implement extreme risk legislation of the kind that has been enacted in red states and blue states across the country, especially since the tragic shooting at Marjory Stoneman Douglas High School in Parkland, Florida. Law enforcement officers often learn that certain individuals in their communities pose a real risk of harming themselves or others—and shouldn't be permitted to possess guns while they're at risk. Family members, too, often are alarmed that a loved one is engaging in dangerous behavior, and a common thread in many mass shootings is that a family member of the shooters saw these warning signs even before any violence occurred.³³ Extreme risk laws give families and law enforcement a way to intervene when someone demonstrates signs of a serious crisis, but in too many states, families and law enforcement lack this tool.

Extreme risk protection order laws empower families and law enforcement by creating a mechanism to temporarily remove guns and prevent the purchase of new guns if a court finds that someone poses a real risk to themselves or others. These laws now exist in some form in 19 states and the District of Columbia and save lives while ensuring due process for those who pose serious dangers: researchers have determined that in Connecticut, for every 10 to 20 orders issued, one life was saved.³⁴

Laws authorizing extreme risk protection orders are a critical tool in helping to prevent gun suicides, which represent 60 percent of gun deaths. Guns are used in only five percent of suicide attempts, but are responsible for over 50 percent of all suicide deaths, because suicides attempted with guns are fatal 85 percent of the time, far more often than suicides attempted by other means.³⁵ Put simply, people are more likely to die by suicide if they have easy access to firearms, and far less likely to die by suicide if they do not. For many individuals, this may mean

³³ See US Department of Justice, Federal Bureau of Investigation, "A Study of the Pre-Attack Behaviors of Active Shooters in the United States," June 2018, <https://www.fbi.gov/file-repository/pre-attack-behaviors-of-active-shooters-in-us-2000-2013.pdf/view>.

³⁴ Jeffrey W. Swanson et al., "Implementation and Effectiveness of Connecticut's Risk-Based Gun Removal Law: Does it Prevent Suicides?," *Law and Contemporary Problems* 80, no. 2 (2017): 179-208.

³⁵ Giffords Law Center to Prevent Gun Violence, "Confronting the Inevitability Myth: How Data-Driven Gun Policies Save Lives from Suicide," September 2018: 8, 25, https://giffords.org/wp-content/uploads/2018/09/Giffords-Law-Center-Confronting-The-Inevitability-Myth_9.3.18.pdf.

the difference between life and death: nine out of 10 people who survive a suicide attempt do not die by suicide at a later date.³⁶

Congress can and must do more to support state extreme risk laws. These laws have been enacted in states with broad bipartisan support, and in the last two Congresses, there has been bipartisan support for legislation that would provide grants to states that have enacted such legislation or would provide a procedure to seek an extreme risk order from a federal court. I urge this Congress to prioritize similar legislation, which Senator Dianne Feinstein introduced last session.

Community Violence

Congress should also act to address gun violence in the communities where its costs are felt most acutely. Gun violence disproportionately impacts communities of color. Often the spikes in gun violence over the last year are occurring in the nation's most disadvantaged, low-income neighborhoods, which already suffered a daily toll of gun violence that too often goes unrecognized. Gun violence is a racial justice issue: Black and Brown men make up about 75% of all gun homicide victims.³⁷ From 2015 to 2019, Black children and teens were nearly 13 times as likely to be shot and killed in a gun homicide as their white peers.³⁸ In that same time frame, Hispanic children and teens were nearly three times as likely and Native American children and teens were more than twice as likely to be shot and killed in a gun homicide as their white peers. Those who survive gun violence are likely to experience it again: in studies of urban hospitals, researchers found that up to 45 percent of patients treated for injuries like gunshots were violently reinjured within five years.³⁹

This violence is driven by a very small subset of the community and is geographically concentrated in urban neighborhoods. A handful of strategies, if implemented properly, have a proven record of success at reducing this violence by intervening with these individuals.⁴⁰ Evidence-based community-based violence intervention programs include group violence intervention, which deploys a strong message and targeted services for high-risk individuals with clear and swift consequences from law enforcement for those who continue to perpetrate violence. These programs have a documented association with homicide reductions of 30-60

³⁶ David Owens, Judith Horrocks, and Allan House, "Fatal and Non-fatal Repetition of Self-harm: Systematic Review," *The British Journal of Psychiatry* 181, no. 3 (2002): 193-199.

³⁷ Giffords Law Center to Prevent Gun Violence, "Community Violence," last accessed March 17, 2021, <https://giffords.org/issues/community-violence/>.

³⁸ Centers for Disease Control and Prevention, Web-based Injury Statistics Query and Reporting System (WISQARS), "Fatal Injury Reports," last accessed March 17, 2021, <https://www.cdc.gov/injury/wisqars>. Figures represent an average of the five years of most recent available data: 2015 to 2019; children and teens are defined as ages 0-19.

³⁹ J. Purtle et. al., "Hospital-based violence intervention programs save lives and money," *J Trauma Acute Care Surg.* 75, no. 2 (August 2013): 331-333, doi.

⁴⁰ See Giffords Law Center to Prevent Gun Violence, "Healing Communities in Crisis: Lifesaving Solutions to the Urban Gun Violence Epidemic," March 2016, <https://giffords.org/wp-content/uploads/2019/01/Healing-Communities-in-Crisis.pdf>.

percent. A second strategy, used in street outreach programs, treats violence as a communicable disease and works to disrupt its transmission among members of the community. Lastly, hospital-based violence intervention programs allow hospitals to provide counseling, case management, and social services to patients recovering from gunshot wounds. Patients who receive hospital-based violence intervention services are four times less likely to be convicted of a violent crime and four times less likely to be violently injured again.⁴¹ Through the use of these strategies, since 2012, the City of Oakland, California has cut its annual shootings and homicides nearly in half.⁴²

With gun violence costing this country \$280 billion a year,⁴³ these programs are capable of saving both lives and money. However, these strategies all require consistent and reliable funding in order to be successful, and many struggled to stay afloat in 2020. Congress should dramatically increase federal dollars for these strategies, which may be funded through the Departments of Justice and Health and Human Services. Last session, Senator Booker introduced the Break the Cycle of Violence Act to invest \$90 million each year for ten years in programs using these strategies. In addition, several major federal funding streams—the Victims of Crime Act, the Edward Byrne Memorial Justice Assistance Grant, and Project Safe Neighborhoods—can be used to fund them.⁴⁴ Congress should encourage this use of funding by requiring substantial percentages to be used to reduce violent crime in the most impacted communities through evidence-based, community-focused programs that rely less on prosecutions and corrections. Congress should also create an Office on Community Violence to direct federal grants to the expansion of these programs in localities disproportionately impacted by community violence, to build the country’s technical assistance capacity, and to disseminate best practices.

⁴¹ Tina L. Cheng, et al., “Effectiveness of a Mentor-Implemented, Violence Prevention Intervention for Assault-Injured Youths Presenting to the Emergency Department: Results of a Randomized Trial,” *Pediatrics* 122, no. 5 (2008): 938–946.

⁴² Giffords Law Center to Prevent Gun Violence, “A Case Study in Hope: Lessons from Oakland’s Remarkable Reduction in Gun Violence,” April 2019, <https://giffords.org/wp-content/uploads/2019/05/Giffords-Law-Center-A-Case-Study-in-Hope.pdf>.

⁴³ Everytown, “The Economic Cost of Gun Violence,” February 2021, <https://everytownresearch.org/report/the-economic-cost-of-gun-violence/#lost-quality-of-life>.

⁴⁴ See Giffords Law Center to Prevent Gun Violence, “America at a Crossroads: Reimagining Federal Funding to End Community Violence,” December 2020, <https://giffords.org/lawcenter/report/america-at-a-crossroads-reimagining-federal-funding-to-end-community-violence/>.

Over the long term, this would pay off: community violence intervention programs can save taxpayers \$7 for every dollar invested.⁴⁵

Research Funding

Congress's investment must also include a commitment to fully understand the American gun violence epidemic. This requires research. But in 1996, Congress took away dedicated federal funding for gun violence research from the Centers for Disease Control and Prevention (CDC). For more than 20 years, federal investment in gun violence research remained virtually nonexistent at the nation's primary health protection agency, despite gun deaths increasing to levels not seen in decades. Finally, in 2019, Congress appropriated \$25 million for gun violence research, with \$12.5 million going to CDC and \$12.5 million going to the National Institutes of Health (NIH), which was continued through 2021. This historic allocation conveyed to public health institutions that not only was research into gun violence allowed—it was necessary. But this is just a start. We must continue and increase this funding in order to make up for lost time so that we can learn how best to protect American families and communities from the devastation of gun violence.

Gun Trafficking

Congress must also do more to address gun trafficking. Notably, no clear and effective federal law prohibits gun trafficking. This blatant omission means that law enforcement agencies rarely focus their efforts on those individuals who put guns into the wrong hands. Closing the background check loophole would begin to address this problem, but the law must directly address gun trafficking. Last session, Senator Patrick Leahy introduced the Stop Illegal Trafficking in Firearms Act to do so.

In addition, current law does require federally licensed firearms dealers to provide a report to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) any time a person buys more than one pistol within five consecutive business days, which can indicate a trafficker at work.⁴⁶ This provision should be expanded to all firearms to provide law enforcement with the opportunity to investigate individuals with potentially dangerous intent.

⁴⁵ Patricia E. Campie, et al., "Massachusetts Safe and Successful Youth Initiative, Benefit-to-Cost Analysis of Springfield and Boston Sites," American Institutes for Research and WestEd, Nov. 26, 2014, <http://www.air.org/sites/default/files/downloads/report/Benefit%20to%20Cost%20Analysis%20of%20Boston%20and%20Springfield%20SSYI%20Programs.pdf>. See also Michael Sierra-Arevalo, Yanick Charette, and Andrew V. Papachristos, "Evaluating the Effect of Project Longevity on Group-Involved Shootings and Homicides in New Haven, CT," working paper, Institution for Social and Policy Studies, 2015, https://isps.yale.edu/sites/default/files/publication/2015/10/sierra-arevalo_charette_papachristos_projectlongevityassessment_isps15-024_1.pdf.

⁴⁶ 18 U.S.C. § 923(g)(3)(A).

Ghost Guns

Increasingly, people who are prohibited from possessing guns are exploiting another loophole to obtain them. They are using ghost guns—homemade untraceable firearms—to circumvent both federal and state gun laws. Ghost guns, which include firearms assembled from parts or made with 3D printers, are untraceable by law enforcement, and when made with 3D printers are often undetectable by metal detectors. Online retailers now sell these parts in kits, alongside the tools and instructions to turn these parts into fully functioning firearms with little effort. These businesses exploit the fact that ATF only treats the key part of a firearm—the frame or receiver—as a firearm if it is substantially finished. These businesses are not required to run background checks when they sell unfinished receivers and other materials, and the result is a firearm that lacks a serial number, meaning that law enforcement cannot run a trace search on the firearms to determine the chain of custody if the gun is used in a crime. These weapons are increasingly favored by gun traffickers and make up a growing share of crime guns: in California, one in three firearms recovered by ATF is a ghost gun;⁴⁷ in Los Angeles, the share is even higher at 40%.⁴⁸

Untraceable guns can also be created using 3D-printing technology. Computer code now exists, and has been distributed over the internet, that allows anyone with a 3D-printer to produce firearm components, including lower receivers. Although receivers manufactured with 3D printers are made of plastic, firearms built from them can be just as deadly. An assault rifle assembled using a 3D-printed lower receiver can fire over six hundred rounds—three times the number fired in the Pulse nightclub shooting that left 49 dead and 53 wounded.

ATF could significantly reduce this danger by reversing its position and ensuring that the key part of a firearm—the frame or receiver—is treated as a firearm by law, regardless of its stage of manufacture. Nevertheless, Congress must also act on legislation, introduced by Senator Richard Blumenthal last session, to ensure that all firearms carry a serial number that makes them traceable by law enforcement and that 3D printing technology is not used to create firearms that end up in the hands of people prohibited from possessing them. Nothing in the Second Amendment gives Americans the right to own or use 3D printed plastic guns that cannot be detected or guns without serial numbers that cannot be traced by law enforcement,⁴⁹ and Congress should act accordingly.

NICS Denial Notifications

⁴⁷ Alain Stephens, “Ghost Guns Are Everywhere in California,” *The Trace*, May 17, 2019, <https://www.thetrace.org/2019/05/ghost-gun-california-crime/>.

⁴⁸ ABC7.com, “City of Los Angeles suing maker of 'ghost gun' parts,” February 18, 2021, <https://abc7.com/ghost-gun-polymer80-kit-with-no-serial-number/10348449/>.

⁴⁹ *E.g.*, *United States v. Marzzarella*, 614 F.3d 85 (3d Cir. 2010) (rejecting Second Amendment challenge to federal law forbidding the possession of a firearm with an obliterated serial number)..

It is of paramount importance that we give law enforcement all of the information they need to keep communities safe. When people convicted of felonies and other prohibited people lie on Form 4473 when buying a gun, not only are they violating federal gun laws, they may also be planning violent crimes. But current law does not require reporting these so-called “lie and try” attempts to state or local law enforcement. Bipartisan legislation, sponsored by Senator Chris Coons and Congressman Mike Quigley, was introduced in both chambers in the 117th Congress to ensure that when prohibited individuals lie on a background check form and try to buy a gun, law enforcement gets a heads up. This prompt notification of law enforcement allows agents to investigate and make sure that a prohibited purchaser doesn’t obtain a gun some other way and use it to commit a crime.

Gun Dealers

Congress should also ensure that ATF is empowered and adequately funded to enforce our nation’s gun laws. While most gun dealers operate responsibly, a small number of irresponsible gun dealers supply an overwhelming number of guns used in crimes. Gun dealers need a license from ATF to operate, but ATF lacks the resources and authority to effectively oversee dealers and shut them down when they behave irresponsibly.

ATF is prohibited from conducting more than one unannounced inspection of each dealer per year⁵⁰—but even without this restriction, ATF would still lack the resources to conduct sufficient inspections. In fact, a 2013 report by the Office of the Inspector General found that 58 percent of dealers had not been inspected within the past five years due, in part, to a lack of resources.⁵¹ This problem has not been solved in the years since: in 2019, ATF inspected only about ten percent of federal firearm licensees and fewer than half of the businesses inspected were found to be in full compliance with federal firearms laws.⁵²

ATF is only authorized to revoke the license of a dealer who has “willfully” violated the law,⁵³ and ATF’s authority to temporarily suspend a gun dealer’s license is strictly limited. In 2017, ATF took administrative action against 3,531 firearms licensees, but only revoked or denied the renewal of 43 licenses.⁵⁴ This means that dealers are often allowed to stay in business despite careless or reckless business practices that have allowed criminals access to

⁵⁰ 18 U.S.C. § 923(g)(1)(B).

⁵¹ US Department of Justice, Office of the Inspector General, Evaluation and Inspections Division, “Review of ATF’s Federal Firearms Licensee Inspection Program,” April 2013: ii, <http://www.justice.gov/oig/reports/2013/e1305.pdf>.

⁵² US Department of Justice, Bureau of Alcohol, Tobacco, Firearms & Explosives, “Fact Sheet - Facts and Figures for Fiscal Year 2019,” June 2020, <https://www.atf.gov/resource-center/fact-sheet/fact-sheet-facts-and-figures-fiscal-year-2019>.

⁵³ 18 U.S.C. § 923(e).

⁵⁴ US Department of Justice, Bureau of Alcohol, Tobacco, Firearms & Explosives, “Fact Sheet - Facts and Figures for Fiscal Year 2019,” June 2020, <https://www.atf.gov/resource-center/fact-sheet/fact-sheet-facts-and-figures-fiscal-year-2019>.

guns—even after law enforcement learns about those dangerous business practices.

ATF is also specifically prohibited from requiring firearm dealers to conduct inventories of their businesses.⁵⁵ The Bureau’s lack of authority to ensure that firearms dealers utilize this common business practice means that, absent state or local regulation, dealers are not required to confirm whether firearms have gone missing. Gun stores are also under no legal obligation to use basic security measures to safeguard their inventories. Over 13,000 guns were reported either lost or stolen from federal firearms licensees in 2020 alone.⁵⁶

To keep American communities safe, gun stores whose irresponsible business practices put guns in the hands of criminals should not be allowed to stay in business, and ATF should have the resources and authority necessary to provide proper oversight and revoke licenses from bad actors. In past Congresses, bills have been introduced in both the House and the Senate that would strengthen ATF’s authority and reduce these problems, including the SECURE Firearm Storage Act from Chairman Durbin.

Gun Industry Immunity

In addition to encouraging the gun industry to pursue more responsible and safer business practices, Congress should ensure that irresponsible and dangerous industry actors can be held accountable. But gun dealers, importers, and manufacturers also enjoy an immunity from civil liability that doesn’t apply to any other industry. After a series of lawsuits in the 1990s began to hold particularly reckless gun businesses liable, the gun lobby convinced Congress to pass and President Bush to sign the Protection of Lawful Commerce in Arms Act in 2005.⁵⁷ This law gives gun manufacturers and sellers unprecedented nationwide immunity from lawsuits and as a result, the industry can ignore the incentive that civil litigation normally provides for private businesses to avoid causing harm to the public. PLCAA has slammed the courthouse doors shut for the thousands of gun violence victims whose deaths and injuries could have been prevented if the gun industry behaved in a more responsible manner. This Congress has the chance to right this wrong by passing legislation to repeal PLCAA, such as the legislation sponsored by Senator Richard Blumenthal.

Police Violence and Community Trust

The history of policing and its relationship to Black and Brown communities in this country is complex and fraught. While the United States does not collect comprehensive data about the use of lethal force by police officers, a database compiled by *The Washington Post* revealed

⁵⁵ Consolidated and Further Continuing Appropriations Act 2013, 113 Pub. L. No. 6, 127 Stat. 198 (2013).

⁵⁶ US Department of Justice, Bureau of Alcohol, Tobacco, Firearms & Explosives, “Federal Firearms Licensee (FFL) Theft/Loss Report” 2018, <https://www.atf.gov/resource-center/docs/report/theftdatausa2017pdf/download>.

⁵⁷ Protection of Lawful Commerce in Arms Act, Pub. L. No. 109-92, 119 Stat. 2095 (2004).

that police shoot and kill close to 1,000 civilians every year.⁵⁸ For people of color—armed or not—the risk is much greater. According to the database, law enforcement officers fatally shot nearly 1,000 Black Americans between 2015 and 2018, including at least 96 who were completely unarmed. While a similar number of unarmed white Americans were fatally shot by police, the racial disparities are clear, given that there are five times as many white Americans as Black Americans.

Unsurprisingly, police shootings often lead to significant ruptures in police-community trust, contributing to cycles of community violence. Researchers have concluded that “publicized cases of police violence not only threaten the legitimacy and reputation of law enforcement; they also—by driving down 911 calls—thwart the suppression of law breaking, obstruct the application of justice, and ultimately make cities as a whole, and the Black community in particular, less safe.”⁵⁹ When community members feel they cannot rely on law enforcement or the justice system to keep them safe or treat them fairly, witness participation with law enforcement drops and justice often remains undone. The result is that nationwide, a majority of Black victims’ killers are never even arrested, let alone convicted, further delegitimizing law enforcement in impacted communities.⁶⁰

Any serious effort to build community trust must start with a national commitment to implementing the evidence-based recommendations of the Task Force on 21st Century Policing.⁶¹ Cities and police departments should also engage with experts and community members to understand cycles of distrust, disengagement, and violence. To reduce gun violence and save lives, Congress must focus on reforms proven to build earned trust and more justly and effectively protect impacted communities from violence. The House passed H.R. 1280, the George Floyd Justice in Policing Act to do just that. We urge you to take up this bill or its companion sponsored by Senator Booker.

Assault Weapons and Large Capacity Magazines

While the gun industry should be treated equally in court to all other industries, it is clear that all guns are not created equal. Semi-automatic assault rifles offer a lethal combination: rifle ammunition capable of penetrating bullet-proof vests, coupled with the capability to accept

⁵⁸ “Fatal Force,” *The Washington Post*, last updated March 17, 2021, <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>.

⁵⁹ Giffords Law Center to Prevent Gun Violence, “In Pursuit of Peace: Building Police-Community Trust to Break the Cycle of Violence,” January 2020, <https://giffords.org/lawcenter/report/in-pursuit-of-peace-building-police-community-trust-to-break-the-cycle-of-violence/>.

⁶⁰ Giffords Law Center to Prevent Gun Violence, “In Pursuit of Peace: Building Police-Community Trust to Break the Cycle of Violence.” See e.g., Sarah Ryley et al., “Shoot Someone In a Major U.S. City, and Odds Are You’ll Get Away With It,” *The Trace*, January 24, 2019, <https://www.thetrace.org/2019/01/murder-solve-rate-gun-violence-baltimore-shootings/>.

⁶¹ The President’s Task Force on 21st Century Policing, “Final Report,” May 2015, https://ejj.org/wp-content/uploads/2020/06/taskforce_finalreport.pdf.

detachable magazines that can hold as many as 100 rounds. This lethality has made semi-automatic assault weapons the weapons of choice for shooters who carry out horrific public attacks. Studies show that the federal assault weapons ban, in effect from 1994 to 2004, resulted in a marked decrease in the use of assault weapons and large capacity ammunition magazines in crime.⁶² While the ban was in effect, mass shooting fatalities were 70% less likely to occur.⁶³

The key feature of an assault weapon is a detachable large capacity magazine. Because shooters with weapons equipped with large-capacity magazines can fire at large numbers of people without taking the time to reload, those in the line of fire do not have a chance to escape, law enforcement does not have the chance to intervene, and the number of lives shattered by senseless acts of gun violence increases dramatically. In Tucson, when Gabby was shot, the moment when the shooter stopped firing to reload was the moment when a courageous bystander intervened and stopped his rampage.

Because assault weapons and large capacity magazines enable mass shooters to inflict significant carnage, several states have restricted access to them. Courts have upheld these restrictions when challenges to bans on assault weapons and/or large capacity magazines were challenged here in the District of Columbia⁶⁴ and in Vermont,⁶⁵ Massachusetts,⁶⁶ New York⁶⁷, Connecticut,⁶⁸ New Jersey⁶⁹, Maryland,⁷⁰ Colorado,⁷¹ California⁷² and Illinois.⁷³

⁶² Mark Gius, “The Impact of State and Federal Assault Weapons Bans on Public Mass Shootings,” *Applied Economics Letters* 22, no. 4 (2015): 281–284; Arindrajit Dube, Oeindrila Dube, and Omar García-Ponce, “Cross-border Spillover: US Gun Laws and Violence in Mexico,” *American Political Science Review* 107, no. 3 (2013): 397–417.

⁶³ Charles DiMaggio et al., “Changes in US Mass Shooting Deaths Associated with the 1994–2004 Federal Assault Weapons Ban: Analysis of Open-source Data,” *Journal of Trauma and Acute Care Surgery* 86, no. 1 (2019): 11–19.

⁶⁴ *Heller v. District of Columbia* (“*Heller II*”), 670 F.3d 1244, 1260–64 (D.C. Cir. 2011) (upholding the District of Columbia’s ban on assault weapons and large capacity ammunition magazines after applying intermediate scrutiny)

⁶⁵ *Vermont v. Misch*, No. 2019-266 (Vt. 2021).

⁶⁶ *Worman v. Healey*, 922 F.3d 26 (1st Cir. 2019).

⁶⁷ *New York State Rifle & Pistol Ass’n v. Cuomo*, 804 F.3d 242 (2d Cir. 2015) (New York and Connecticut laws prohibiting possession of semiautomatic assault weapons and large-capacity magazines do not violate the Second Amendment)

⁶⁸ *Id.*

⁶⁹ *Ass’n of N.J. Rifle and Pistol Clubs v. Grewal*, No. 19-3142 (3d Circuit 2020).

⁷⁰ *Kolbe v. Hogan*, 849 F.3d 114 (4th Cir. 2017) (en banc) (Maryland’s assault weapons ban does not violate the Second Amendment).

⁷¹ *Colo. Outfitters Ass’n v. Hickenlooper*, 24 F. Supp. 3d 1050 (D. Colo. 2014).

⁷² *People v. James*, 174 Cal. App. 4th 662, 676-77 (2009) (upholding California’s ban on assault weapons and .50 caliber rifles)

⁷³ *Friedman v. City of Highland Park*, 784 F.3d 406 (7th Cir. 2015) (upholding local ordinance prohibiting assault weapons and large capacity ammunition magazines).

Congress must do more to restrict access to these deadly devices. We are glad Senator Feinstein and Congressman Cicilline have reintroduced their bills, S.736 and H.R. 1808, to restrict these weapons.

At the least, Congress must ensure that a teenager cannot easily purchase these exceptionally lethal firearms. Congress set the minimum age to buy a handgun at 21, but allows an 18-year-old to buy an AR-15. That is how the teenage shooter in Parkland, Florida, was able legally buy a semi-automatic assault rifle and use it to kill 17 people. Since that tragic day, four states have closed this gap and ensured that residents cannot buy an AR-15 or AK-47 before they are old enough to buy a handgun—or even a beer. Elected officials on both sides of the aisle agree we must raise the minimum age to purchase these weapons of war. Bipartisan legislation was already introduced in the last Congress to do just that, and I call on Congress to take this commonsense step forward.

The Second Amendment

As this testimony makes clear, there are numerous ways that Congress can, and should, strengthen our gun laws to make our country safer and save lives from gun violence. By way of conclusion, I want to stress the point that I made when I began, that neither the Second Amendment nor any other part of the Constitution prevents Congress from enacting the legislation I have endorsed. All of these proposals stand on firm constitutional ground, and none of them violate the Second Amendment.

In *District of Columbia v. Heller*, the landmark case from 2008, the Supreme Court held that the Second Amendment protects an individual right of law-abiding citizens, unconnected to militia service, to own guns for self-defense. But in writing for the Court's majority, the late Justice Antonin Scalia also made crystal clear that the right is not absolute or unlimited, and that it does not override basic public safety concerns.⁷⁴ As I have explained, *Heller* expressly said that the Second Amendment was not a “right to keep and carry any weapons whatsoever in any manner whatsoever and for whatever purpose,” and stated directly that a range of laws are fully consistent with the Second Amendment, including laws prohibiting gun possession by people convicted of felonies and people with serious mental health histories, prohibiting guns in sensitive places like schools and government buildings, and placing conditions on gun sales—conditions like background checks. The Court noted that nothing in the Second Amendment prohibits the government from regulating firearm storage to prevent accidents and made clear that Congress and the states can prohibit civilian possession of dangerous weapons of war like the M16 and other weapons most adapted to military use.

Heller's explicit recognition that a broad range of gun laws are fully consistent with the Second Amendment is in keeping with more than 200 years of American history. Since the founding of our country, gun rights have always coexisted with gun regulations, and the need to protect

⁷⁴ 554 U.S. 570 (2008).

public safety has always gone hand-in-hand with Americans' right to own guns. Indeed, early American gun laws were, in many cases, much *more* restrictive than 21st century laws, and went much further than any of the actions I have urged Congress to take today. That is why, for more than 200 years before *Heller* and in the decade that followed that decision, federal and state courts across the country have, again and again, upheld strong gun laws that keep our communities safe.

As I have explained, the only thing standing in the way of progress on gun safety is the lack of political will. All we need to strengthen our federal gun laws is a Congress with the courage to do so. I urge Congress to find that courage, to show leadership on this life-and-death issue, and to act, now.

Our gun violence crisis is a uniquely American problem. It's a problem that plagues our country in countless different ways and exacts a devastating toll on our communities. But it's a problem with solutions. While one single law will never stop all gun violence, we know strong gun laws save lives. We know that allowing children to grow up safe from violence is not a partisan issue, or at least it shouldn't be.

We have seen progress in recent years. That progress must be the expectation, not the exception. So today, I ask all members of this committee and Congress as a whole to recommit themselves to making progress and taking action to reduce gun violence in this country. Thank you again, Mr. Chairman, and I look forward to taking your questions.