



June 16, 2016

The Honorable Paul Ryan
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
Washington, DC 20515

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Harry Reid
Minority Leader
U.S. Senate
Washington, DC 20510

Dear Congressional Leaders:

On behalf of the American College of Physicians, I am writing to urge Congress to enact legislation to reduce the rate of gun violence and deaths in the United States. We believe that in the wake of the devastating mass shooting in Orlando, causing unconscionable deaths and injuries to dozens of people, a bipartisan consensus is emerging in Congress on the need to enact legislation now to help ensure the safety of Americans and reduce the threat of injury or death from firearms. That the victims in Orlando may have been targeted as a hate crime because of their sexual orientation and gender identities affirms the need not only for the United States to institute policies to reduce firearms injuries and deaths but also the need to take a stand against all forms of discrimination against LGBT persons.

Deaths and injuries from firearms are not just a result of mass shootings, they are an everyday occurrence in our communities, homes, schools, and workplaces, costing more than 30,000 Americans their lives each year. ACP urges Congress to enact a series of policies to decrease the threat of gun violence that include: ending the prohibition on funding for CDC research on gun violence, requiring criminal background checks for all firearm purchases (including firearms sold at gun shows), prohibiting persons “straw purchasers” to unlawfully purchase firearms for other persons who are in a prohibited category, and banning assault weapons and large capacity magazines.

The ACP is the largest medical specialty organization and the second-largest physician group in the United States. ACP members include 143,000 internal medicine physicians (internists), related subspecialists, and medical students. Internal medicine physicians are specialists who

apply scientific knowledge and clinical expertise to the diagnosis, treatment, and compassionate care of adults across the spectrum from health to complex illness.

The rising number of mass shootings that we have recently experienced in Orlando, San Bernardino, Colorado Springs, Charleston, Washington DC, and the loss of more than 32,000 lives per year due to gun violence, shows us that this is a serious public health issue that should be addressed by Congress. First and foremost, the availability of good data and adequate funding for analyses of the data are essential in order to obtain a greater understanding of the issue and better assess and target interventions.

We ask you to lift restrictions on research conducted by the Centers for Disease Control and Prevention, the National Institutes of Health, and the National Institute of Justice, that studies the effect of violence and unintentional gun-related injury on public health and safety. Access to data should not be restricted, so researchers can conduct studies that enable the development of evidence-based policies to reduce the rate of firearms injuries and deaths in this nation. Therefore, the College strongly opposes any provision, such as the one included in the FY2016 House Labor, Health and Human Services, and Education Appropriations bill, which would prohibit the use of funds for federal agencies to carry out gun research or the gathering of data for future research.

ACP also strongly supports requiring criminal background checks for all firearms purchases, including sales by gun dealers, sales at gun shows, and private sales between individuals. Although current laws require background checks at gun stores, purchases at gun shows do not require such checks. This loophole must be closed. In 2010, of the 14 million persons who submitted to a background check to purchase or transfer possession of a firearm, 153 000 were prohibited purchasers and were blocked from making a purchase.¹ Background checks clearly help to keep firearms out of the hands of persons at risk for using them to harm themselves or others. However, 40 percent of firearms transfers take place through means other than a licensed dealer; as a result, an estimated 6.6 million firearms are sold annually with no background checks.² The only way to ensure that all prohibited purchasers are prevented from acquiring firearms is to make background checks a universal requirement for all gun purchases or transfers of ownership.

We also ask Congress to enact strong penalties for persons who unlawfully purchase firearms for other persons who are in a prohibited category-known as “straw purchasers”. In a 2000 report released by the Bureau of Alcohol, Tobacco and Firearms (ATF), *Following the Gun: Enforcing Federal Laws Against Firearms Traffickers*³ the agency found that over the 2.5-year

¹ Federal Bureau of Investigation. National Instant Criminal Background Check System (NICS) Operations 2010. Washington, DC: U.S. Department of Justice; 2010. Accessed at www.fbi.gov/about-us/cjis/nics/reports/2010-operations-report/2010-operations-report-pdf on 30 January 2015.

² Cook PJ, Ludwig J. Guns in America: National Survey on Private Ownership and Use of Firearms. Washington, DC: U.S. Department of Justice, National Institute of Justice Research in Brief; May 1997. Accessed at www.ncjrs.gov/pdffiles/165476.pdf on 30 January 2015

³U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives. *Following the Gun: Enforcing Federal Laws Against Firearms Traffickers*. Washington, DC: U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives; 2000. Accessed at www.atf.gov/sites/default/files/assets/Firearms/chap1.pdf on 26 March 2014.

period between 1996 and 1998, 46 percent of all trafficking investigations involved straw purchases; approximately a third of illegally diverted firearms were associated with straw purchasing. The proportion is of concern to the ATF, which reported that the numbers underscore a significant public safety problem. A survey of federally licensed firearms dealers in 2011 found that 67.3 percent of respondents reported potential straw purchases⁴ indicating that straw purchasing and attempted straw purchasing remain obstacles in stymieing the flow of guns into the hands of persons who are prohibited from having them.

The College favors enactment of legislation to ban the sale and manufacture for civilian use of firearms that have features designed to increase their rapid killing capacity (often called “assault weapons”) and large-capacity ammunition and retaining the current ban on automatic weapons for civilian use. Although evidence on the effectiveness of the Federal Assault Weapons Ban of 1994 is limited, the College believes that there is enough evidence to warrant appropriate legislation and regulation to limit future sales and possession of firearms that have features designed to increase their rapid killing capacity and can, along with a ban on large-capacity ammunition magazines, be effective in reducing casualties in mass shooting situations. Such legislation should be carefully designed to make it difficult for manufacturers to get such firearms exempted from the ban by making modifications in its design while retaining its semi-automatic functionality.

ACP believes that the public health risks are too great for Congress to delay the adoption of these reasonable measures to reduce the threat of gun violence. It is time for Congress to seize this moment to help ensure the safety of our patients and citizens.

Sincerely,



Nitin S. Damle, MD, MS, FACP
President

⁴ Wintemute GJ. Frequency of and responses to illegal activity related to commerce in firearms: findings from the Firearms Licensee Survey. *Inj Prev.* 2013;00:1-9. Accessed at www.ucdmc.ucdavis.edu/vprp/publications/Wintemute%20frequency%20and%20responses%20online%20version.pdf on 26 March 2014.