



June 22, 2022

The Honorable Charles Schumer
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

Dear Majority Leader Schumer and Minority Leader McConnell:

On behalf of the American College of Physicians (ACP), I am writing to urge the immediate passage of the Bipartisan Safer Communities Act, S. 2938, as released on June 21, 2022, which contains several measures to help prevent gun violence. We commend the resolve shown by the Senate to craft this bipartisan legislation that would begin to address firearms-related violence for the first time in decades. ACP strongly supports provisions in the Bipartisan Safer Communities Act which would strengthen background checks, better protect victims of domestic abuse from violence of firearms, help states create and sustain programs for crisis intervention orders, require more sellers of firearms to be federally licensed, establish measures to end straw purchases, and bolster the nation's response to mental-health issues. Accordingly, we [reaffirm our call](#) to the Senate to act now to pass the policies contained in this legislation to reduce the danger of injury and death from gun violence.

ACP is the largest medical specialty organization and the second largest physician membership society in the United States. ACP members include 161,000 internal medicine physicians (internists), related subspecialists, and medical students. Internal medicine physicians are specialists who apply scientific knowledge, clinical expertise, and compassion to the preventive, diagnostic, and therapeutic care of adults across the spectrum from health to complex illness. Internal medicine specialists treat many of the patients at greatest risk from COVID-19, including the elderly and patients with pre-existing conditions like diabetes, heart disease and asthma.

Recent mass shootings that occurred in Buffalo, NY, Uvalde, TX, and Tulsa, OK tragically displayed the ongoing national nightmare of violence caused by the illegal use of firearms. These horrifically violent incidents required that Congress act both immediately and at the national level to help stop this epidemic of firearms-related violence. ACP is greatly concerned not only about the alarming number of mass shootings in the United States but also the daily toll of firearm violence in our neighborhoods, homes, workplaces, and public and private venues across the country. According to the most recent [data](#) published by the Centers for Disease Control (CDC), "in 2020, there were 45,222 firearm-related deaths in the United States – that's about 124 people dying from a firearm-related injury each day. More than half of firearm-related deaths were suicides and more than 4 out of every 10 were firearm homicides."

For more than two decades, ACP has called for common-sense policies that would help reduce the number of injuries and deaths stemming from firearms. In 2019, ACP joined with 41 other leading organizations in a joint [call-to-action](#) that called for evidence-based solutions to mitigate firearms violence. We are pleased that many of the proposals included in our most [recent policy paper](#) on firearms violence prevention are also policies contained in this bipartisan Senate legislation.

Enhancing Background Checks for Individuals Under the Age of 21

ACP supports the provision in the Bipartisan Safer Communities Act that provides for the enhanced review of gun purchasers under the age of 21 to help discover if that individual's juvenile record would prevent the purchase of a firearm. If the initial search reveals a possible disqualifying issue, the National Instant Criminal Background Check System (NICS) will have an expanded period of up to ten business-days to conduct an appropriate investigation.

Providing Support and Funding for Extreme Risk Protection Orders (ERPOs) Laws and Other Crisis Intervention Programs

ACP supports the provisions within the Bipartisan Safer Communities Act which would assist states with \$750 million in funding over five years in developing court processes and/or crisis intervention programs including extreme risk protection orders (ERPO) laws, otherwise known as "red flag" laws, to allow family members, the police, and other designated persons to petition a court for a firearm violence prevention order to temporarily halt dangerous individuals from purchasing weapons from federally licensed dealers. Under this legislation, states could also develop a court process and/or create laws that help prevent firearms being possessed by individuals that a court (such as mental health courts, drug courts, veterans' courts, and extreme risk protection orders) has determined to be a dire threat to themselves or others or create other crisis intervention programs that have sufficient due process.

Closing Domestic Violence Loopholes

ACP is pleased that the Bipartisan Safer Communities Act expands protection of domestic violence victims by prohibiting criminals convicted of a misdemeanor crime of domestic violence as part of a current or recent former dating relationship from purchasing or possessing firearms for five years by adding these individuals to NICS.

This is an important step toward closing loopholes in the NICS background check system that allow domestic violence offenders to buy and own firearms. Domestic violence offenders include dating partners, cohabitants, stalkers, those who victimize a family member other than a partner or child, and those with temporary restraining orders. Federal law prohibits abusers who have been convicted of domestic violence misdemeanors and abusers subject to certain domestic violence protective orders from purchasing or possessing firearms. However, current federal laws intended to prevent access to firearms by domestic abusers have significant limitations, in that they do not apply to many abusers who victimize non-spouse partners or family members other than a child, and they do not apply to persons with temporary, versus permanent, domestic violence restraining orders. ACP calls on these domestic violence loopholes to be closed by prohibiting sales and possession of firearms by persons convicted of domestic violence offenses on persons outside of their own household, as well as for any person with a temporary restraining order during the time when the restraining order is in effect. The provisions in the Bipartisan Safer Communities Act advance this goal.

Expanding the Definition of Federally Licensed Firearms Dealer

ACP supports the provisions in the Bipartisan Safer Communities Act to expand the universe of firearms sellers required to be federally licensed and therefore registered, conduct NICS background checks for firearms sales, and comply with federal recordkeeping requirements. These provisions will potentially prevent high-volume firearms sellers from avoiding federal licensing requirements as some sellers do now.

Community Violence Intervention Program

ACP applauds the provisions in the Bipartisan Safer Communities Act to support and provide \$250 million over five years for community violence intervention (CVI) and prevention programs within the U.S. Department of Justice, which sustains the \$50 million already appropriated in fiscal year 2022.

Increasing Penalties for Gun Trafficking and Straw Purchases

We are pleased that the Bipartisan Safer Communities Act would establish new federal offenses for gun trafficking and straw purchasers and would authorize the seizure of the property and proceeds of the offense. The College favors strong penalties and criminal prosecution for those who sell firearms illegally and those who legally purchase firearms for those who are banned from possessing them (“straw purchases”). Straw purchasers—persons who unlawfully purchase firearms for others who are in a prohibited category—move several thousand firearms into criminal channels each year, and [penalties for such purchasers must be strengthened](#), as included in this legislation, to reduce gun violence from this practice.

Bolstering Availability of Mental Health Services

ACP strongly supports the \$60 million over five years for mental health training in the Primary Care Training Enhancement (PCTE) program for primary care clinicians who treat children and youth as provided for in the Bipartisan Safer Communities Act. ACP recommends that every effort be made to reduce the risk of suicide and violence, through prevention and treatment. Diagnosis, access to care, treatment, and appropriate follow-up are essential. Ensuring access to mental health services is imperative. Mental health services should be readily available to persons in need throughout their lives or through the duration of their conditions. Ensuring an adequate availability of psychiatric beds and outpatient treatment for at-risk persons seeking immediate treatment for a condition that may pose a risk of violence to themselves or others should be a priority. ACP has submitted several [statements](#) to Congress calling for policies that integrate primary care with behavioral health, improve mental health parity with increased federal oversight and enforcement, conduct research to implement effective public health interventions, and ensure adequate physician workforce so patients have adequate access to mental health services.

ACP commends the inclusion of programs that invest in mental health services for children and families, including expanding the Medicaid Certified Community Behavioral Health Clinic program and providing resources for school-based mental health.

ACP also supports the provisions in the Bipartisan Safer Communities Act to expand telehealth mental health services for children and youth by requiring the Centers for Medicare and Medicaid Services (CMS) of HHS to furnish the necessary guidance to states. This guidance would help outline strategies

related to training and providing resources for clinicians and patients; offer best practices for furnishing mental health and substance use disorder services via telehealth in schools; include recommendations for measuring telehealth care quality; and include best practices for making known the accessibility of telehealth to Medicaid and CHIP enrollees.

ACP also commends the inclusion of \$150 million in one-time funding through the Bipartisan Safer Communities Act to support implementation of the 9-8-8 suicide and crisis lifeline. ACP has strongly [supported](#) legislation that would improve and expand the 988 system that would provide 24/7, free and confidential support to people in suicidal crisis or emotional distress.

Conclusion

ACP considers enactment of the policies above as a major step in an ongoing effort to reduce firearms-related violence and applauds the bipartisan effort to develop and pass the Bipartisan Safer Communities Act. ACP is committed to advancing reasonable, evidence-based policy reforms to curb firearms-related injuries and deaths, as outlined above. Physicians are on the frontlines of caring for patients affected by intentional or unintentional firearm-related injury. We care for those who experience a lifetime of physical and mental disability related to firearms-related injury and provide support for families affected by firearms-related injury and death. We urge the Senate to pass the Bipartisan Safer Communities Act, S. 2938, without delay. We stand ready to work with you to achieve this. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Mire', enclosed within a large, hand-drawn oval.

Ryan D. Mire, MD, FACP
President