



March 22, 2021

Senator Richard J. Durbin
Chair
United State Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chair Durbin:

On behalf of the American College of Physicians (ACP), we submit this statement for the record for the Senate Judiciary Committee hearing on “Constitutional and Common Sense Steps to Reduce Gun Violence” on March 23, 2021. I am writing to urge the Senate to put partisanship aside and act on much-needed policy reforms to address the senseless firearms-related injuries and deaths that continue to occur across this nation. The most recent tragic mass shootings that occurred in my own home state of Georgia should continue to be a loud wake-up call to lawmakers that something needs to be done to stop this epidemic of firearms-related violence. You have it within your power to exact some positive change by passing legislation that is currently pending in your chamber.

ACP is the largest medical specialty organization and the second-largest physician group in the United States. ACP members include 163,000 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.

In 2018, the *Annals of Internal Medicine* published ACP’s updated position paper on reducing firearms injuries and deaths. Entitled, “[Reducing Firearm Injuries and Deaths in the United States: A Position Paper from the American College of Physicians](#),” the policy recommendations in the paper build on current ACP policies and are based on analyses of common-sense approaches that the evidence suggests will be effective in reducing deaths and injuries from firearm-related violence. The paper was an update and expansion of ACP’s 2014 position paper. The paper reaffirms many of ACP’s 2014 recommendations, such as banning sales of assault weapons and requiring universal background checks, and proposes new policies on issues including extreme risk protection orders, domestic violence, child access prevention, and others that are found to be effective in reducing gun-related injuries and deaths. A summary of the paper can be found [here](#).

In 2019, ACP and six of the nation’s leading physician and public health organizations released a call to action, published in the *Annals of Internal Medicine* entitled, “[Firearm-Related Injury and Death in the United States: A Call to Action from the Nation’s Leading Physician and Public Health Professional Organizations](#).” In this paper, ACP, together with the American Academy of Family Physicians,

American Academy of Pediatrics, American College of Surgeons, American Medical Association, American Psychiatric Association, and the American Public Health Association, outlined common sense policies to reduce firearms-related injuries and deaths. These include the need for universal background checks on all firearms purchases, protections for victims of firearms-related domestic violence, extreme risk protection orders for those deemed a threat to themselves or others, and federal funding for the study of firearms safety and injury prevention, to name a few.

Specifically, ACP urges the Senate to take up and pass the following legislation/initiatives:

The Bipartisan Background Checks Act of 2021 (H.R. 8), the Background Check Expansion Act (S. 529):

These bills would strengthen the accuracy and reporting of the National Instant Criminal Background Check System (NICS) as well as expand Brady background checks to cover all firearm sales, including unlicensed firearms sellers currently not required to use background checks. ACP strongly [supports](#) this legislation. Examples of gun sales not requiring background checks through NICS include those at gun shows, through the internet, and between private individuals or classified ads. With some exceptions, the legislation would expand background checks to cover all private and commercial firearm transfers and sales. In addition, because gun sellers would now be required to perform background checks for all sales and transfers, gun purchasers would no longer be able to cross state lines to buy firearms in a state with less rigorous background check laws. ACP applauds the House for passage of this legislation and urges Senate leadership to expedite its consideration in the Senate.

Funding for Gun Violence Prevention Research in the Fiscal Year 2022 appropriations bills:

In the previous 116th Congress, ACP [submitted](#) a statement to the House Committee on Appropriations, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies that urged the committee to provide dedicated and increased federal funding for research on firearms violence and lift current restrictions on this research in FY2020 and beyond. ACP has continued to [support](#) this funding and is pleased that Congress for the past two fiscal years (2020, 2021) has enacted funding for this research, with \$12.5 million allocated to the Centers for Disease Control and Prevention (CDC) and \$12.5 million allocated to the National Institutes of Health (NIH) to study firearms safety and gun violence prevention. ACP urges Congress to continue to fund this research and increase total overall funding to \$50 million for Fiscal Year 2022 from \$25 million in the FY2022 Department of Labor, Health and Human Services, and Education, and Related Agencies (LHHS) Appropriations bill. More federally-funded research is needed on firearms-related violence and on intervention and prevention strategies to reduce injuries caused by firearms.

The Violence Against Women (VAWA) Reauthorization Act of 2021 (H.R. 1620):

This bill includes provisions to prohibit persons convicted of a misdemeanor crime of domestic violence, including violence against persons outside their own household, from possessing firearms as well as prohibits persons who are subject to a temporary or permanent court order of protection from possessing firearms. **ACP applauds the House for passage of this legislation and urges Senate leadership to expedite its consideration in the Senate.**

We are pleased that several provisions in the bill will close loopholes in the background check system that allow domestic violence offenders, who currently are not covered by the National Instant Criminal

Background Check System (NICS), to buy and own guns. Such domestic violence offenders, not currently included in the NICS, include dating partners, cohabitants, stalkers, individuals who victimize a family member other than a partner or child, and individuals with temporary restraining orders. The bill would also direct that relevant law enforcement agencies be contacted when a prohibited purchase of a firearm has taken place, where the prohibited purchaser has been previously convicted of misdemeanor domestic violence, misdemeanor stalking, or whomever is subject to a court order of protection.

The Extreme Risk Protection Order Act of 2019 (S. 506/H.R. 1236), 116th Congress:

These bills from the previous 116th Congress would allow states to use Community Oriented Policing Services (COPS) funding to develop court processes to allow family members 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 that would allow family members to petition a court for an extreme risk protection order that would grant law enforcement the authority to temporarily take weapons away from individuals who present a threat to themselves or others.

ACP supports the enactment of extreme risk protection orders (ERPO) to allow families and law enforcement to obtain a ruling from an impartial judge within 72 hours to temporarily remove guns from individuals at imminent risk of using them to harm themselves or others, with due process. ERPOs empower families, household members, or law enforcement officers to ask a judge to temporarily remove a person's access to firearms who is found to be at imminent risk of using them to harm themselves or others. **ACP urges reintroduction and passage of these bills in the current 117th Congress.**

The Assault Weapons Ban of 2019 (S. 66/H.R. 1296), 116th Congress:

These bills from the previous 116th Congress would prohibit the sale of semi-automatic assault weapons and large capacity ammunition feeding devices. ACP supports banning semiautomatic firearms that are designed to increase their rapid killing capacity (often called "assault weapons"). ACP supports enacting legislation to ban the manufacture, sale, transfer, and subsequent ownership for civilian use of assault weapons and their large capacity magazines and supports retaining the current ban on automatic weapons for civilian use. **ACP urges reintroduction and passage of these bills in the current 117th Congress.**

The Raise the Age Act (H.R. 717), 116th Congress:

Only as an interim step toward a complete ban, ACP supports increasing the minimum age to purchase semi-automatic firearms to 21, consistent with the federal requirement for handguns. Accordingly, [ACP supported the Raise the Age Act, H.R. 717](#), from the previous 116th Congress. This legislation would prohibit anyone under 21 from buying semiautomatic rifles, with exceptions for active duty personnel and some police officers.

Child Access Prevention:

At the state level, States should consider **enacting laws to require adults who have guns in their homes to store them safely and securely so they don't end up in the hands of children or others who might use them to harm themselves or others.** The presence of unlocked and/or loaded guns in

homes increases the risk of both unintentional gun injuries and intentional shootings. Child access prevention laws hold firearm owners accountable for the safe storage of firearms by imposing criminal liability on those who negligently store firearms under circumstances where minors could or do gain access to them. According to the American Academy of Pediatrics, about 1/3rd of American children live in homes with firearms, and of these households, 43 percent contain at least one unlocked firearm. Thirteen percent of households with guns contain at least one firearm that is unlocked and loaded or stored with ammunition. It is also important for physicians to discuss with their patients the risks that may be associated with having a firearm in the home and recommend ways to mitigate such risks, just like they would with anything that could pose a risk to their patients' health, including not using seatbelts, not getting vaccinated, or using tobacco. In 2017, the Annals of Internal Medicine published a [pledge](#) about doctors discussing firearm safety with patients. Over 2,400 doctors have committed to date.

Conclusion

ACP sincerely appreciates that this hearing has been convened and for your commitment to ensure that the Senate addresses reducing firearm violence. ACP will continue to speak out on the need to address firearm-related violence and is committed to advancing reasonable, evidence-based policy reforms to curb such violence. We remain committed to this endeavor and we call on the Senate to pass the measures and recommendations stated above as necessary first steps in addressing the public health crisis created by firearms violence. We stand ready to continue to serve as a resource and welcome the opportunity to continue to work with you in developing policy about this issue during the 117th Congress. Please contact George Lyons, Director, Legislative Affairs, by phone at (202) 261-4531 or via email at glyons@acponline.org with any further questions or if you need additional information.

Sincerely,

A handwritten signature in black ink that reads "Jacqueline W. Fincher MD". The signature is written in a cursive, flowing style.

Jacqueline W. Fincher, MD, MACP
President