

November 17, 2020

Dear Biden-Harris Transition Team,

Gun violence in the United States is a public health crisis. More than 100 people are killed with guns in this country every day as a result of homicides, suicides, unintentional shootings, and interpersonal conflicts that become fatal due to easy access to guns. The names of far too many of our communities have become synonymous with horrific acts of violence, while others suffer a daily toll of gun violence that never makes national headlines. The burden of this violence falls disproportionately on communities of color, with Black Americans making up around 13% of the population but 58% of gun homicide victims. In 2020, this crisis was exacerbated by the pandemic, which saw a substantial surge in gun sales, increased risks for survivors of domestic violence, and increases in shootings in some cities. Simultaneously, the nation has been gripped by a nation-wide racial justice movement, demanding an end to police violence and solutions to dismantle systemic racism.

This violence is unacceptable. And it is not inevitable.

The Biden-Harris Administration has a substantial opportunity to take meaningful action to address gun violence from day one without needing to wait for Congress. What follows is a non-exhaustive list of recommendations for executive actions the administration can take to begin to address all aspects of gun violence and implement a comprehensive all-of-government approach to confronting this public health epidemic.

To be sure, there are many serious gaps in our nation's gun laws that put all of our communities at risk. These recommendations for executive action are not meant to replace the need for Congress to act quickly to pass new legislation, but rather are intended to provide guidance regarding the substantial opportunities that exist for non-legislative measures for the next administration to implement a comprehensive strategy to address gun violence.

#### **Identify Gun Violence Prevention as a Priority Issue**

- Create an Interagency Task Force or Hub on Gun Violence Prevention responsible for developing and implementing a coordinated, comprehensive plan to address all aspects of gun violence across all federal agencies
- Appoint a senior-level White House official to coordinate federal efforts to address gun violence
- Nominate a Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives and a Secretary of the Department of Health and Human Services who will promote gun violence prevention values
- Declare gun violence to be a public health emergency

### **Address Gun Violence as a Public Health Crisis**

- Create a federal office of violence prevention in the Department of Health and Human Services to support community-based violence intervention programs
- Provide official guidance encouraging the use of federal grant programs, including Byrne JAG and VOCA funding, for community-based gun violence victim services and eligible violence intervention programs
- Revise the Office for Victims of Crime guidelines for victim compensation program eligibility to discourage state victim compensation programs from deeming individuals ineligible for compensation based on a lack of "cooperation with law enforcement"
- Instruct the Secretary of Health and Human Services to identify existing grant programs that can be used to support community-based violence intervention programs
- Increase funding to enhance access to trauma-based healthcare
- Increase federal funding for public health-focused research into gun violence
- Improve public health information on gun deaths and injuries through funding and improved data collection, data infrastructure, and timeliness of results in order to know the true burden of gun violence in real-time
- Standardize the definition of "mass shooting" across the federal government to include any incident in which four or more people are shot
- Install a domestic violence specialist at each ATF field office
- Limit gun carrying on federal public lands and preclude the use of "stand your ground" as a defense on federal property
- Create a national voluntary gun buyback pilot program and a national safe storage campaign

### **Strengthen the Background Check System**

- Further clarify which gun sellers must obtain a federal firearms license from ATF
- Close the "fire sale loophole" that allows dealers who lose their license to sell guns in their inventory as private sellers
- Provide additional funding for Fix NICS and to increase capacity at the National Instant Criminal Background Check System
- Alert state and local law enforcement each time a prohibited person fails a background check—before they find another way to arm themselves
- Alert state and local law enforcement of default proceed sales to prohibited persons
- Direct the FBI to complete every background check and require ATF to retrieve every firearm sold to a prohibited purchaser through a default proceed sale
- Track and provide additional information on NICS in the NICS Operations Report to better illustrate trends in denials and clarity on delayed checks (e.g., the Charleston loophole), including whether delayed checks are completed or purged, the number and type of delayed denials, and what retrieval action was taken

### **Enhance Oversight of the Gun Industry**

- Use executive authority to ban ghost guns
- Focus ATF law enforcement activities on bad actors in the gun industry and traffickers

- Instruct ATF to overhaul its internal standards for issuing remedial actions against noncompliant gun dealers, including license revocations
- Modernize the application process to become a gun dealer or renew an existing license and strengthen record-keeping requirements for dealers
- Implement federal procurement requirements that direct federal agencies to procure firearms solely from manufacturers, distributors, and dealers that have adopted safe business practices
- Issue an annual report providing detailed information about legal violations by gun dealers, distributors, and manufacturers
- Direct ATF to require that gun dealers perform annual background checks on all employees who may transfer firearms
- Fully enforce the ban on importation of foreign-made assault weapons that do not have a “sporting purpose”

### **Implement Measures to End Police Violence**

- Issue guidance establishing a necessary use of force standard that prioritizes de-escalation and allows police use of force only as a last resort after exhausting reasonable options when there is an imminent threat of death or serious bodily injury
- Prohibit profiling by federal law enforcement based on actual or perceived personal characteristics, including race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, age, disability, proficiency with the English language, immigration status, and housing status
- Use executive authority to end the transfer of military weapons and equipment to local law enforcement agencies under the 1033 and similar programs
- Reinstate all bias training required of federal law enforcement to state and local law enforcement that work with the federal government through joint task forces and other partnerships and rescind the Trump Administration’s executive order banning training that incorporates critical race theory
- Improve data collection on use-of-force incidents, increase transparency of this data, and incentivize state and local law enforcement agencies to collect and publish data through federal grant programs
- Rescind the Sessions Memo and restore the DOJ’s ability to negotiate consent decrees to hold law enforcement agencies accountable for systemic civil rights abuses and increase the necessary resources and staffing to the Civil Rights Division to investigate police departments for pattern or practices of constitutional violations
- Use discretionary grantmaking power to pressure local and state leaders to make new policies that hold police accountable and reduce police violence
- Prohibit the use of no-knock police warrants, particularly for non-violent offenses
- Establish a national public database comprising the names of officers who had licenses revoked, were criminally convicted, or terminated and the reasons for termination, and mandate participation of state and local agencies to be eligible for federal grant programs

### **Implement Measures to Address Domestic and International Gun Trafficking**

- Reverse the Trump Administration rule shifting oversight of gun exports — including technical data for 3D-printed guns — to the Commerce Department and return firearm exports to the U.S. Munitions List
- Increase ATF funding to hire additional Industry Operations Investigators to conduct gun dealer compliance inspections
- Expand the requirement that gun dealers report multiple sales of long guns to include additional states that have a known nexus to international gun trafficking
- Release an annual report on gun trafficking investigations similar to the 2000 ATF report “Following the Gun” that includes information about the largest suppliers of crime guns
- Clarify that the federal budget riders restricting access to certain crime gun trace data (the so-called “Tiahrt Amendments”) do not restrict ATF’s ability to publish or release aggregate data about the source of guns that is critical to stemming trafficking
- Assess the terms of all eTrace MOUs with state, local, and partner nation law enforcement agencies regarding the use of eTrace data and ensure that no provisions place any unnecessary restrictions on use of trace data
- Re-sign the United Nations Arms Trade Treaty

### **Focus on Firearm Suicide**

- Track national suicide mortality, by method, on a quarterly and monthly basis using the Vital Statistics Rapid Release program
- Align suicide prevention training efforts through relevant federal programs to include a focus on lethal means safety
- Provide funding to support lethal means counseling training for all suicide prevention lifeline staff and volunteers, health care professionals, and health care students
- Instruct ATF to develop and issue federal guidance on firearm safety and home storage safety and encourage gun dealers to provide all firearms purchasers with educational materials on safe storage options
- Direct DOJ to issue best practices and offer technical assistance to states interested in enacting extreme risk laws, including as it relates to suicide prevention
- Instruct ATF to develop and provide guidance, education, and suggested procedures to gun range owners and their employees to prevent incidents of gun violence onsite, as well as theft or burglary.

### **Ensure the Safety of all Students**

- Clarify that Student Support and Academic Enrichment grant funds may not be used to purchase guns or pay for firearm training for schools
- Increase funding to support evidence-based student violence prevention and suicide prevention programming via the STOP School Violence grant program at the Bureau of Justice Assistance
- Increase funding for mental health professionals in schools
- Address student access to guns through awareness programs and technical assistance
- Standardize the definition of “school shooting” across the federal government

### **Disarm Armed White Supremacists and Protect Peaceful Protests and Voting**

- Address the rise in armed white supremacists and extremists by improving data on hate crimes and domestic terrorism
- Use existing counterterrorism resources and civil rights laws to prosecute white supremacists and armed extremists
- Expand the use of policies that disrupt firearm access by hate-driven people, such as extreme risk protection orders

Gun violence is a uniquely American problem – no other high income nation loses people to gunfire at even close to the rate that we do. It is long past time for action to address this crisis, and the undersigned organizations stand ready to support the Biden-Harris Administration in its efforts to implement these and other measures.

Signed,

Alliance for Gun Responsibility  
Alliance of Baptists  
AME Church Social Action Commission  
American Association of Suicidology  
American Federation of Teachers  
Amnesty International USA  
Battle Born Progress- Nevada  
Bishops United Against Gun Violence  
BPFNA-Bautistas por la Paz  
Brady  
The BRAVE Youth Leaders  
The Campaign to Keep Guns Off Campus  
CeaseFirePA  
Center for American Progress  
Change the Ref  
Chi-Town GVP Summit  
Coalition to Stop Gun Violence  
CommonSpirit Health  
Community Justice Action Fund  
CT Against Gun Violence  
Delaware Coalition Against Gun Violence  
DC Area Interfaith Gun Violence Prevention Network  
Episcopal Diocese of Iowa  
Episcopal Peace Fellowship  
Essence T. Christal Female Youth Empowerment Program  
The Ethan Miller Song Foundation

Everytown for Gun Safety  
Franciscan Action Network  
Friends Committee on National Legislation  
Gays Against Guns  
Generation Progress  
Giffords  
Global Exchange  
God Before Guns  
Guns Down America  
Gun Sense New York  
Gun Violence Prevention PAC  
Gun Violence Prevention Center of Utah  
GunsenseVT  
The Health Alliance for Violence Intervention  
Hoosiers Concerned About Gun Violence  
Interfaith Alliance of Iowa  
We Can End Gun Violence Iowa Coalition  
Iowans for Gun Safety  
Iowa Coalition Against Domestic Violence  
Jewish Women International  
Jr Newtown Action Alliance  
Maine Gun Safety Coalition  
March for Our Lives  
Marylanders to Prevent Gun Violence  
Massachusetts Coalition to Prevent Gun Violence  
Ministries Across Generations Team, DHM, Christian Church (Disciples of Christ) in USA and Canada  
National Coalition Against Domestic Violence  
National Council of Jewish Women  
National Education Association  
Nebraskans Against Gun Violence  
Newtown Action Alliance  
New Yorkers Against Gun Violence  
North Carolinians Against Gun Violence  
Not My Generation  
Ohio Coalition Against Gun Violence  
Orange Ribbons For Gun Safety  
Peace Action  
Prevent Gun Violence Ministry at River Road UUC  
Purpose Over Pain  
Pride Fund to End Gun Violence  
Remembering Darien Foundation  
Rhode Island Coalition Against Gun Violence

Sandy Hook Promise  
States United to Prevent Gun Violence  
Stop Handgun Violence  
Survivors Empowered  
Sweet Future Project Inc  
Temple Sinai (DC) Gun Violence Prevention Group  
Terrell Bosley Anti-Violence Assoc  
The T.R.I.G.G.E.R. Project  
The United Methodist Church - General Board of Church and Society  
Union for Reform Judaism  
WAVE Educational Fund  
We Can End Gun Violence Iowa Coalition  
We The People For Sensible Gun Laws  
Westmoreland Congregational UCC  
Women Against Gun Violence  
Women's National Democratic Club  
YouTurn  
Youth Over Guns