

*CBM Gun Trafficking Prevention Member Day Testimony*

Thank you Chairman Nadler, Ranking member Collins and members of the committee for the opportunity to testify about a glaring void in our federal law.

Every day in this country, 100 Americans are killed by gun violence and hundreds more are shot and injured. Despite these epidemic level statistics, there currently is no federal law specifically designed to combat fire arms trafficking.

Combatting illegal gun trafficking requires a federal response. Data demonstrates that thousands of guns used to commit crimes are sourced from across state lines—often from several states away.

A 2016 report from the Office of the New York State Attorney General showed that from 2010-2015, 74% of New York's crime guns came from

out of state. Most of these guns pass through the “Iron Pipeline” of states with weaker gun laws along I-95 like Virginia and Georgia.

Nationally, 29% of traceable guns used in crimes originated in another state.

These statistics underscore why mayors, chiefs of police, and other law enforcement professionals are looking to Congress to end the flow of illegal guns into their communities.

My bill, H.R. 1670, the Hadiya Pendleton and Nyasia Pryear-Yard Gun Trafficking and Crime Prevention Act of 2019, would be the first bill with bipartisan support specifically designed to combat illegal gun trafficking in the United States.

This bill bears the names of two teenage girls who were killed by trafficked guns in Chicago and New York and, in their honor, addresses concerns raised by law enforcement officials in

testimony before Congress about the lack of a dedicated federal statute prohibiting gun trafficking.

It amends the Federal Criminal Code to make it unlawful to ship or receive two or more firearms where the individual knows or has reason to believe the firearms were unlawfully obtained.

The bill also strengthens penalties for “straw purchasers” who intentionally provide false or misleading material information when they purchase firearms from Federal Firearms Licensees.

This includes a purchaser’s statement that he or she is the actual buyer when he or she is, in fact, purchasing the firearm on behalf of someone else.

The bill also establishes a penalty of up to 20 years imprisonment for making material misstatements.

These increased penalties provide law enforcement officials with tools to encourage straw purchasers to cooperate with prosecutors and provide information regarding other members of their gun trafficking networks.

Additionally, the bill provides enhanced penalties for organizers or managers of firearms trafficking networks, creating a five-year penalty enhancement for these kingpins and recommends that the Sentencing Commission amend the Sentencing Guidelines to impose enhanced penalties for multiple illegal gun purchases.

Importantly, this bill has no impact on legal gun ownership or purchases. It is narrowly focused

on individuals who purchase or transfer firearms with the intent of transferring them to criminals and even includes exceptions for gifts that would not otherwise violate the law and certain transfers at death.

This legislation is currently endorsed by Third Way, Everytown for Gun Safety, New Yorkers Against Gun Violence, Giffords, and the Brady Campaign to Prevent Gun Violence. Previous, but substantially similar versions have been endorsed by the National Law Enforcement Partnership to Prevent Gun Violence, the Violence Policy Center, the Law Enforcement Coalition for Common Sense, and the Association of Prosecuting Attorneys.

For years, law enforcement has been asking Congress to make gun trafficking a federal felony and to impose harsher penalties on straw purchases who buy guns for those who are not allowed to buy guns on their own. This

bill answers those calls and treats gun trafficking and straw purchases as the dangerous acts they are in order to prevent more senseless gun violence.

Thank you again for the opportunity to testify here today and I hope the committee will consider taking action on H.R. 1670, the Hadiya Pendleton and Nyasia Pryear-Yard Gun Trafficking and Crime Prevention Act of 2019.