



**Testimony of Robert Wilcox
Everytown for Gun Safety**

**US House Rule Committee
Subcommittee on Legislative and Budget Process
June 15, 2022**

Good morning Chairman Morelle, Ranking Member Burgess, and distinguished members of the Subcommittee.

My name is Rob Wilcox, and I'm the Federal Legal Director at Everytown for Gun Safety, the country's largest gun violence prevention organization.

I'm a survivor of gun violence whose cousin was shot and killed by someone who never should have had a firearm. I also come from a family that has had guns for as long as I can remember. I'm an attorney and policy expert who has been working on gun safety issues in different capacities for nearly 20 years at the local, state and federal level.

I am exceptionally grateful for the opportunity to appear before this Subcommittee to talk about America's gun violence crisis, the flow of illegal guns and how we can do better.

As we all know, this hearing comes not long after 10 people were shot and killed at a supermarket in Buffalo; 21 people were shot and killed at Robb Elementary in Uvalde and 4 people were shot and killed at a Tulsa hospital.

Frequent, public mass shootings terrorize the country and are a uniquely American problem.

No peer nation faces as many mass shootings as the United States. Mass shootings often focus national attention and grief — and with good reason — but they represent a small fraction of all gun deaths in this country which include other gun homicides, suicides, and unintentional shootings.

Every single day in this country, 110 people are shot and killed and hundreds more are wounded. We have been horrified to our core more times that we can count, with places of joy and everyday life becomes places of terror. The names of locations like Uvalde, Pulse, Buffalo, Sandy Hook, and Aurora all carry the weight of the horror that occurred there.



We don't share the burden of gun violence equally. Gun violence intensifies long-standing social inequities and has an outsized impact on historically underfunded neighborhoods. Black Americans experience 10 times the rate of gun homicides as white Americans. Latinx children are three times more likely to be killed by gun homicide than white children. And guns are the leading cause of death for American children, outpacing deaths from motor vehicles.

And we are not moving in the right direction. Cities across the country are seeing record rates of gun violence. In 2020, gun homicides increased by over 30% compared to the year prior. More and more, the guns recovered from these crime scenes bear the signs that they were purchased for the purpose of trafficking or use in crime.

This epidemic comes with a cost to our country. Individual families are left devastated by gun violence, and local resources are strained to cover the costs of gun violence. The costs borne by the government and paid for with taxpayer dollars, out-of-pocket costs paid by families and employers, lost income, and an estimate for the intangible lost quality-of-life costs of gun violence to account for pain and suffering. We at Everytown estimate that this cost comes to \$280 billion every year, more than the budget of the Veterans Administration.

Addressing our gun violence crisis requires a comprehensive approach that balances downstream investment in the community-based programs we know are effective while also going upstream to shut off the flow of illegal firearms. The flow of illegally trafficked firearms are used in murders, recovered at violent crime scenes, and fuel the gun violence crisis in our cities. Between 2016 and 2020, over one million firearms were recovered by law enforcement in connection to crimes.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is the federal agency responsible for enforcing our federal gun laws. In 2018, ATF pointed to the three most common channels that feed the pipeline for illegal guns: no-background check sales, straw purchases, and gun thefts.

First, no background check sales. Nearly a third of all guns recovered after a crime by law enforcement have been brought across state lines. And nearly 80 percent of trafficked crime guns come from states without background check laws. We know that there are significant commercial marketplaces that foster no background check sales. Just one website has had over a million ads for gun sales that didn't require background checks a year. These websites are a source for gun traffickers as Everytown's research found 1 in 9 people looking to buy guns from a stranger would fail a background check. President Biden's new



gun trafficking strike forces recently busted a trafficking ring that acquired over 500 guns from online sellers in Georgia and trafficked them to California.

Second, straw purchases. A straw purchase is when one person buys a firearm for another person, often a person who cannot legally purchase the gun themselves or is a gun trafficker who wants to not have his name on gun dealer records. Straw purchasers often show signs, such as unfamiliarity with the firearm they are seeking to purchase, paying all cash or even being accompanied by the actual buyer who is directing the process. These are sales that gun dealers should be trained to identify with technology recording these transactions in order to identify illegal behavior. And without a standalone crime for straw purchasing on the books, law enforcement's hands are tied when trying to crack down on straw purchasing.

Third is gun theft. And many guns enter the illegal market after they are stolen from lawful gun owners. Hundreds of thousands of guns are stolen from gun owners each year — one third of which are stolen from cars. Guns are also frequently stolen from licensed gun dealers, who under federal law are not subject to minimum physical security requirements. ATF reports that over a recent 5 year period, 80,000 guns were reported stolen or missing from licensed gun dealers. Anyone in possession of a firearm needs to take storage seriously and securely store their firearm to prevent access from not only toddlers and teens, but thieves as well.

The ATF not only identifies these trafficking channels but is responsible for enforcing our gun laws, investigating gun trafficking and holding accountable the rogue dealers that profit from gun violence, but for decades it has been undermined, underfunded and without a Senate-confirmed Director. Unbelievably, there is one proposal in Congress called the "Eliminate the ATF Act." These efforts and demagoguery have placed unnecessary burdens on the ATF and left it without the resources, appropriate staff, authority and leadership necessary to execute its mission.

Just as we can identify the issues, we can identify the solutions. No one solution will stop all gun violence but there are multiple common sense policies that would be effective, popular and not infringe on the Second Amendment.

Congress must pass the Bipartisan Background Checks Act which would require all gun buyers to pass a background check and cut off one of the main channels for illegal guns. If a person is selling a gun to a stranger there should be a background check, period. If a person is repetitively selling guns for a profit and using commercial marketplaces online and at gun shows then they should get licensed as a gun dealer.



Congress must pass the Congresswoman Kelly's Federal Firearm Licensees Act, to modernize our regulations of gun dealers and give ATF the tools and resources it needs to do its important job.

We need Congress to take action on a standalone straw purchasing crime to give law enforcement the tools they need to crack down on straw purchasers and traffickers. The law should be focused on investigating all the way upstream so knowing facilitators are held accountable for the role they played.

We need secure storage requirements for both gun owners and gun dealers. The Chairman's bill, The Gun Theft Prevention Act, is a critical and necessary step to prevent gun thefts from dealers and crack down on the pipeline of stolen guns.

These are simple solutions that will drastically reduce gun violence over time. Overall, the cost of gun violence is measured in different ways. Whether it's the \$280 billion a year or over 40,000 lives taken a year, or the families like mine that are no longer complete, we know that all of these costs are too much.

With concrete action we can make a difference and save lives. I look forward to your questions. Thank you.