

# Congress of the United States

Washington, DC 20515

September 11, 2023

The Honorable Joseph R. Biden, Jr.  
President of the United States  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear Mr. President:

We write to encourage the Biden-Harris Administration to continue taking robust actions to combat gun violence. We commend the important steps your Administration has recently taken on this issue, including steps to expand the scope of dealers required to conduct background checks, increase public access to information about dealers who violate the law, and more.<sup>1</sup> Nevertheless, the American people expect the federal government to use every possible tool to reduce gun violence. Congress must act — and it is an ongoing tragedy that Republican leadership refuses to do so. We also believe you can exercise your executive authority to take additional action to address gun violence without congressional action.

With almost 500 mass shootings since the beginning of this year — in schools, grocery stores, houses of worship, and countless other venues — 2023 is on track to become the deadliest year of mass shootings in recent American history.<sup>2</sup> The number of active shooter incidents has skyrocketed over the past two decades.<sup>3</sup> Gun violence is one of the leading causes of premature death in the United States and, as of 2020, the leading cause of death for youth.<sup>4</sup> Meanwhile, a majority of Americans favor stricter gun laws.<sup>5</sup>

The epidemic of gun violence demands that you use the full power of the executive branch. Your Administration has taken critical steps to reduce gun violence, including through your Executive Order in March 2023 and your May 2023 announcement of actions to strengthen the implementation of the Bipartisan Safer Communities Act (BSCA).<sup>6</sup> Additionally, your Administration issued a rule clarifying which firearm dealers must conduct background checks — a much-needed step to further implement BSCA.<sup>7</sup> We also applaud your Administration's investment in community violence intervention programs.<sup>8</sup> Furthermore, the confirmation of Steven Dettelbach last summer as the first Senate-confirmed Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) in seven years highlights your Administration's commitment to this issue.<sup>9</sup> And in January 2023, ATF clarified that pistols equipped with stabilization braces qualify as short-barreled rifles, which closed a critical loophole by ensuring that those highly lethal pistols are regulated by the National Firearms Act.<sup>10</sup> Stabilization braces have been used in recent mass shootings—including a Nashville incident during which a shooter took the lives of three nine-year-old children and three staff at the Covenant School.<sup>11</sup> In spite of this, Republicans in the House

passed a resolution that would have reversed this much-needed ATF rule.<sup>12</sup> Every Republican in the Senate also supported that resolution, but Senate Democrats stood united and defeated that ill-conceived resolution in June.<sup>13</sup>

With Republicans in Congress blocking further legislative action to reduce gun violence, we urge you to leverage the full scope of your executive authority on this issue. Reporting indicates that you are preparing to undertake an “ongoing series” of efforts to address gun violence.<sup>14</sup> As part of that push, we encourage you to consider the following proposals:

- 1. Leverage the federal government’s purchasing power to improve public safety.**  
The federal government spent at least \$1.8 billion purchasing guns and ammunition from private companies in FY 2022 — procuring them for the Department of Defense (DoD) and law enforcement officials throughout the federal government.<sup>15</sup> Your March Executive Order directed DoD to use its acquisition of firearms to advance public safety practices.<sup>16</sup> You can build on that directive by instructing DoD and over 60 other federal agencies that purchase firearms<sup>17</sup> to develop and implement standards for procuring taxpayer-funded firearms only from manufacturers that agree to adopt a code of conduct. Codes of conduct could be developed by each agency in consultation with the White House and could contain various public safety practices that firearm vendors must follow in order to be awarded government contracts. Examples of public safety practices could include declining to sell military-grade weapons in the civilian market, incorporating modern safety features into guns,<sup>18</sup> or only selling firearms to responsible dealers who refuse to proceed with a sale without a completed background check (even when they are legally authorized to do so<sup>19</sup>). This move would push gun manufacturers to improve their practices by leveraging the federal government’s status as a major purchaser of firearms.<sup>20</sup> The federal government has the authority to impose conditions on the award of federal contracts under the Federal Property and Administrative Services Act,<sup>21</sup> and your Administration has leveraged that authority on multiple occasions, as did the Obama Administration.<sup>22</sup>
- 2. Revisit the list of guns eligible for import under the “sporting purposes” exception.** The Gun Control Act of 1968 generally prohibits the import of firearms.<sup>23</sup> However, weapons that are “particularly suitable for or readily adaptable to sporting purposes” are exempted from this ban.<sup>24</sup> Roughly one fourth of rifles in the United States are imported,<sup>25</sup> and the “sporting purposes” exception is one of the primary exemptions used for firearm imports.<sup>26</sup> The Attorney General is responsible for determining whether a firearm falls within this “sporting purposes” exception. However, ATF has not reviewed which shotguns should be eligible for this exemption for over a decade, and has not reassessed the list of eligible rifles for over 20 years, despite technological changes.<sup>27</sup> The White House should direct ATF to review the lists of firearms, firearm parts, and related accessories being imported under the “sporting purposes” exception to determine whether those products are still used for legitimate sporting purposes by law-abiding citizens and thus still satisfy the standard for that exception. If they do not, ATF should ban their import.

3. **Transfer authority over assault rifle export controls back to the State Department from the Commerce Department.** In 2020, the Trump Administration transferred authority over exports of certain assault weapons from the State Department to the Commerce Department by removing those firearms from the United States Munitions List (USML) and placing them on the Commerce Control List (CCL).<sup>28</sup> This has had important implications: while the State Department is required to notify Congress of license approvals for certain firearm exports exceeding \$1 million (and Congress has the power to adopt a joint resolution to disapprove the sale),<sup>29</sup> this is not the case for exports controlled by the Commerce Department. The State Department is also better equipped than Commerce to assess the human rights and security impact of arms exports.<sup>30</sup> After the transfer of license authority to the Commerce Department, the rate of export license approvals jumped by 30%.<sup>31</sup> The State and Commerce Departments should publish final rules returning export licensing authority to the State Department. Alternatively, if Commerce retains this authority, it should at a minimum tighten export controls over 3D-printed “ghost gun” files by amending or clarifying 15 C.F.R. § 734.7, as members of Congress have recommended.<sup>32</sup>
4. **Encourage the FTC to issue a policy statement on “unfair or deceptive” gun ads.** The FTC regularly issues policy statements that describe how it interprets statutory standards, such as the prohibition on unfair or deceptive practices.<sup>33</sup> Gun sellers have sought to capture the market of anxious buyers through messaging that asserts that firearm ownership increases household residents’ physical safety from gun violence<sup>34</sup> — despite extensive empirical evidence to the contrary.<sup>35</sup> Gun violence prevention groups have argued that such marketing is unfair and deceptive.<sup>36</sup> The FTC should consider issuing a policy statement establishing that advertisements will be found unfair and/or deceptive when they falsely convey that gun ownership increases the safety of household residents.
5. **Direct the Department of Justice (DoJ) to review its interpretation of the Tiahrt Amendment.** The Tiahrt Amendment, first enacted as a rider to the 2003 Consolidated Appropriations Resolution, prohibits ATF from releasing information from its firearm trace database to the public, including to researchers, litigants, and journalists.<sup>37</sup> An exception permits ATF to share “*statistical aggregate data* regarding firearms traffickers and trafficking channels, or firearms misuse, felons, and trafficking investigations.”<sup>38</sup> Still, the Tiahrt restriction — and narrow interpretations of its exceptions — have stymied the public’s ability to comprehensively understand gun violence trends and to hold wrongdoers in the gun industry accountable.<sup>39</sup> As advocates have urged,<sup>40</sup> the Administration should direct DoJ to consider issuing guidance clarifying that “statistical aggregate data” includes information such as the aggregate number of crime gun traces on a per-dealer basis, and information about the largest crime gun suppliers in annual state trafficking reports.

These proposals are just examples<sup>41</sup> of the additional actions your Administration can take to reduce gun violence and protect our communities from the next mass shooting. With Republicans in Congress refusing to act, the American people are relying on your

Administration to ensure that they can move through their daily lives without fear of firearms on the streets, in public establishments, and in their homes.

Thank you for your attention to this important matter.

Sincerely,



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Elizabeth Warren  
United States Senator



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Charles E. Schumer  
United States Senator



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Raphael Warnock  
United States Senator



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Richard J. Durbin  
United States Senator



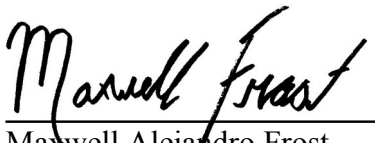
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Richard Blumenthal  
United States Senator



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Dina Titus  
Member of Congress



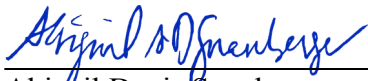
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Maxwell Alejandro Frost  
Member of Congress

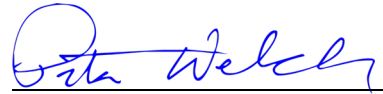


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Diana DeGette  
Member of Congress



Abigail Davis Spanberger  
Member of Congress



Peter Welch  
United States Senator



Kirsten Gillibrand  
United States Senator



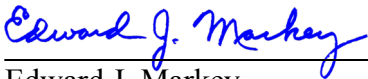
Dianne Feinstein  
United States Senator



Bernard Sanders  
United States Senator



Sheldon Whitehouse  
United States Senator



Edward J. Markey  
United States Senator



Benjamin L. Cardin  
United States Senator



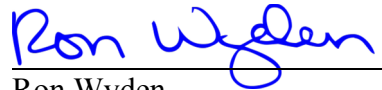
Cory A. Booker  
United States Senator



Jack Reed  
United States Senator



Mazie K. Hirono  
United States Senator



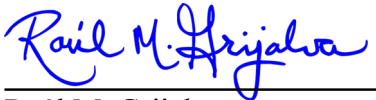
Ron Wyden  
United States Senator



Chris Van Hollen  
United States Senator



Robert Menendez  
United States Senator



Raúl M. Grijalva  
Member of Congress



Donald M. Payne, Jr.  
Member of Congress



Mark Takano  
Member of Congress



Rashida Tlaib  
Member of Congress



Eleanor Holmes Norton  
Member of Congress



Lloyd Doggett  
Member of Congress



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Alma S. Adams, Ph.D.  
Member of Congress



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Kevin Mullin  
Member of Congress



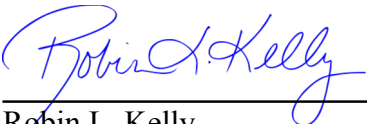
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Adriano Espaillat  
Member of Congress



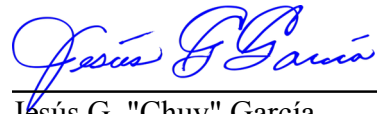
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Morgan McGarvey  
Member of Congress



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Robin L. Kelly  
Member of Congress



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Jesús G. "Chuy" García  
Member of Congress



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Danny K. Davis  
Member of Congress



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Frederica S. Wilson  
Member of Congress



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Barbara Lee  
Member of Congress



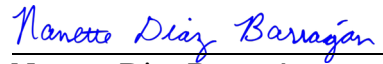
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Katie Porter  
Member of Congress



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Henry C. "Hank" Johnson,  
Jr.  
Member of Congress



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Nanette Diaz Barragán  
Member of Congress



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Joseph D. Morelle  
Member of Congress



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Dan Goldman  
Member of Congress



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Bonnie Watson Coleman  
Member of Congress



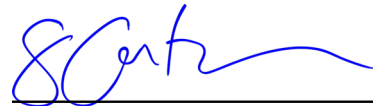
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Mark DeSaulnier  
Member of Congress



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Troy Carter  
Member of Congress



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Sean Casten  
Member of Congress



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Tony Cárdenas  
Member of Congress



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Grace Meng  
Member of Congress





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Eric Swalwell  
Member of Congress



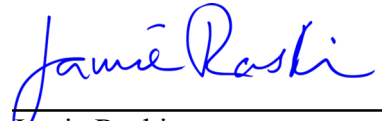
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Bradley Scott Schneider  
Member of Congress



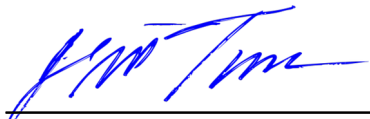
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Mike Quigley  
Member of Congress



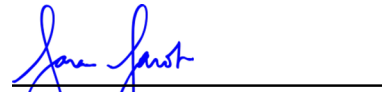
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Jamie Raskin  
Member of Congress



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David J. Trone  
Member of Congress



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Sara Jacobs  
Member of Congress



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Mike Levin  
Member of Congress



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JM Tokuda  
Member of Congress



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Seth Magaziner  
Member of Congress



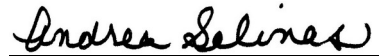
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Stephen F. Lynch  
Member of Congress




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Jake Auchincloss  
Member of Congress



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Andrea Salinas  
Member of Congress



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Jason Crow  
Member of Congress



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Jeffrey A. Merkley  
United States Senator



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Becca Balint  
Member of Congress



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Mikie Sherrill  
Member of Congress



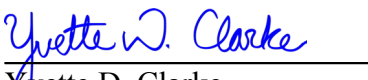
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Colin Z. Allred  
Member of Congress



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Dean Phillips  
Member of Congress



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Yvette D. Clarke  
Member of Congress



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Pramila Jayapal  
Member of Congress



- <sup>1</sup> White House, “Executive Order on Reducing Gun Violence and Making Our Communities Safer,” March 14, 2023, <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/03/14/executive-order-on-reducing-gun-violence-and-making-our-communities-safer/>.
- <sup>2</sup> Gun Violence Archive 2023, August 11, 2023, <https://www.gunviolencearchive.org/>; The Guardian, “US on Track to Set Record in 2023 for Mass Killings After Series of Shootings,” Erum Salam, May 9, 2023, <https://www.theguardian.com/us-news/2023/may/09/us-on-track-set-record-mass-killings-2023>.
- <sup>3</sup> Pew Research Center, “What the Data Says About Gun Deaths in the U.S.,” John Gramlich, April 26, 2023, <https://www.pewresearch.org/short-reads/2023/04/26/what-the-data-says-about-gun-deaths-in-the-u-s/>.
- <sup>4</sup> Forbes, “America’s Gun Violence Is A Public Health Emergency, But Politics And The Courts Prevent a Proper Response,” Joshua Cohen, May 14, 2023, <https://www.forbes.com/sites/joshuacohen/2023/05/14/americas-gun-violence-is-a-public-health-emergency-but-politics-and-the-courts-prevent-a-proper-response/?sh=33ea56a746ad>; National Public Radio, “Firearms Overtook Auto Accidents as the Leading Cause of Death in Children,” Dustin Jones, April 22, 2022, <https://www.npr.org/2022/04/22/1094364930/firearms-leading-cause-of-death-in-children>.
- <sup>5</sup> Gallup, “Guns,” <https://news.gallup.com/poll/1645/guns.aspx>; Pew Research Center, “Key Facts About Americans and Guns,” Katherine Schaeffer, September 13, 2021, <https://www.pewresearch.org/short-reads/2021/09/13/key-facts-about-americans-and-guns/>.
- <sup>6</sup> White House, “Executive Order on Reducing Gun Violence and Making Our Communities Safer,” March 14, 2023, <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/03/14/executive-order-on-reducing-gun-violence-and-making-our-communities-safer/>; White House, “FACT SHEET: President Biden Announces 13 New Actions to Reduce Gun Violence by Maximizing the Benefits of the Bipartisan Safer Communities Act,” May 14, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/05/14/fact-sheet-president-biden-announces-13-new-actions-to-reduce-gun-violence-by-maximizing-the-benefits-of-the-bipartisan-safer-communities-act/>.
- <sup>7</sup> Bureau of Alcohol, Tobacco, Firearms and Explosives, “Definition of ‘Engaged in the Business’ as a Dealer in Firearms,” August 31, 2023, <https://www.atf.gov/firearms/definition-engaged-business-dealer-firearms>.
- <sup>8</sup> U.S. Department of Justice, Office of Public Affairs, “Justice Department Awards \$100 Million to Reduce Community Violence,” September 29, 2022, <https://www.justice.gov/opa/pr/justice-department-awards-100-million-reduce-community-violence>.
- <sup>9</sup> White House, “Statement by the President on the Bipartisan Confirmation of Career Prosecutor Steve Dettelbach to be the First Senate-Confirmed ATF Director in 7 Years,” July 12, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/07/12/statement-by-the-president-on-the-bipartisan-confirmation-of-career-prosecutor-steve-dettelbach-to-be-the-first-senate-confirmed-atf-director-in-7-years/>.
- <sup>10</sup> Alcohol, Tobacco, Firearms, and Explosives Bureau, Federal Register Final Rule, “Factoring Criteria for Firearms With Attached ‘Stabilizing Braces,’” January 31, 2023, <https://www.federalregister.gov/documents/2023/01/31/2023-01001/factoring-criteria-for-firearms-with-attached-stabilizing-braces>.
- <sup>11</sup> United States Conference of Mayors, “American Mayors Send Letter to Senators Urging Opposition to Rollback of Pistol Brace Rule,” June 22, 2023, <https://www.usmayors.org/2023/06/22/american-mayors-send-letter-to-senators-urging-opposition-to-rollback-of-pistol-brace-rule/>.
- <sup>12</sup> Associated Press, “House Passes Resolution to Overturn New Federal Gun Regulation; Biden Vows Veto,” Farnoush Amiri and Lindsay Whitehurst, June 13, 2023, <https://apnews.com/article/gun-stabilizing-brace-congress-republicans-5a1ee268735c400022ed83c3926667ef>.
- <sup>13</sup> Politico, “An Effort to Overturn The Biden Administration’s Tightened Regulations on Stabilizing Braces for Firearms Just Failed in the Senate. Senators Voted Along Party Lines,” Nancy Vu, June 22, 2023, <https://www.politico.com/minutes/congress/06-22-2023/pistol-brace-vote/>.
- <sup>14</sup> CNN, “Biden Preps Rollout of Expanded Background Checks as Part of Major Gun Safety Push Into 2024,” Edward-Isaac Dovere, August 11, 2023, <https://www.cnn.com/2023/08/11/politics/biden-gun-control-2024/index.html>.
- <sup>15</sup> Congressional Research Service, “DOD and Other Federal Agency Spending on Firearms and Ammunition, FY2022,” Memorandum, July 26, 2023, on file with the Office of Senator Elizabeth Warren. This figure includes items categorized as “guns” under the General Service Administration’s (GSA) relevant Product and Service Codes in the System for Award Management Data Bank, and associated ammunition. It excludes bombs, guided missiles, mines, and other weapons that may meet the statutory definition of a firearm in 18 U.S.C. § 921 but that are not categorized as “guns” by the GSA.
- <sup>16</sup> White House, “Executive Order on Reducing Gun Violence and Making Our Communities Safer,” March 14, 2023, <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/03/14/executive-order-on-reducing-gun-violence-and-making-our-communities-safer/>.
- <sup>17</sup> Open the Books, “The Militarization of America: Non-Military Federal Agencies Purchases of Guns, Ammo, and Military-Style Equipment,” June 2016, p. 4, [https://www.openthebooks.com/assets/1/7/Oversight\\_TheMilitarizationOfAmerica\\_06102016.pdf](https://www.openthebooks.com/assets/1/7/Oversight_TheMilitarizationOfAmerica_06102016.pdf); United States Government Accountability Office, “Federal Law Enforcement Purchases and Inventory Controls of Firearms, Ammunition, and Tactical Equipment,” December 2018, <https://www.gao.gov/assets/gao-19-175.pdf> (detailing firearm procurement spending by the 20 agencies that employ the most non-DoD federal law enforcement officers).

<sup>18</sup> Examples of modern safety features include: (1) microstamped-enabled technology (which allows for linking gun shells to the gun that fired them); (2) chamber-load indicators (which indicate whether the gun contains a bullet); (3) internal locking systems/personalization technology so only authorized users can fire the gun; (4) tamper-proof serial numbers; and/or (5) child-proof technology.

<sup>19</sup> 18 U.S.C. § 922(t)(1)(B)(ii).

<sup>20</sup> Forbes, “America’s Gun Business Is \$28B. The Gun Violence Business Is Bigger,” Elizabeth MacBride, Nov. 25, 2018, <https://www.forbes.com/sites/elizabethmacbride/2018/11/25/americas-gun-business-is-28b-the-gun-violence-business-is-bigger/?sh=2b9da0ba3ae8>.

<sup>21</sup> 40 U.S.C. § 101, 121; *see also Am. Fed’n of Lab. & Cong. of Indus. Organizations v. Kahn*, 618 F.2d 784, 789 (D.C. Cir. 1979); *Perkins v. Lukens Steel Co.*, 310 U.S. 113, 127 (1940) (“[T]he Government enjoys the unrestricted power . . . to determine those with whom it will deal, and to fix the terms and conditions upon which it will make needed purchases.”).

<sup>22</sup> *See, e.g.*, Executive Order 14042 (Executive Order on Ensuring Adequate COVID Safety Protocols for Federal Contractors); Executive Order 13706 (Executive Order on Establishing Paid Sick Leave for Federal Contractors).

<sup>23</sup> 18 U.S.C. § 922(l).

<sup>24</sup> 18 U.S.C. § 925(d)(3).

<sup>25</sup> Bureau of Alcohol, Tobacco, Firearms and Explosives, “Firearms Commerce in the United States: Annual Statistical Update 2021,” 2021, <https://www.atf.gov/firearms/docs/report/2021-firearms-commerce-report/download>; National Shooting Sports Foundation, “Firearm Production in the United States,” 2020, <https://www.nssf.org/wp-content/uploads/2020/11/IIR-2020-Firearms-Production-v14.pdf>.

<sup>26</sup> Congressional Research Service, July 3, 2023, on file with the Office of Senator Elizabeth Warren.

<sup>27</sup> Bureau of Alcohol, Tobacco, Firearms and Explosives, “Study on the Importability of Certain Shotguns,” January 2011, [https://www.atf.gov/resource-center/docs/january-2011-importability-certain-shotgunspdf/download#:~:text=The%201989%20study%20concluded%20that,combat%20rather%20than%20sporting%20applications.%E2%80%9D&text=determined%20that%20they%20were%20not,925\(d\)\(3\).](https://www.atf.gov/resource-center/docs/january-2011-importability-certain-shotgunspdf/download#:~:text=The%201989%20study%20concluded%20that,combat%20rather%20than%20sporting%20applications.%E2%80%9D&text=determined%20that%20they%20were%20not,925(d)(3).); Department of the Treasury, “Study on the Sporting Suitability of Modified Semiautomatic Assault Rifles,” April 1998,

<https://www.atf.gov/file/57521/download>; Giffords Law Center to Prevent Gun Violence, “Gun Safety Recommendations for the Biden Administration,” January 30, 2023, <https://giffords.org/memo/gun-safety-recommendations-for-the-biden-administration/>.

<sup>28</sup> U.S. Department of State, “Final Rules for Oversight of Firearms Exports,” January 23, 2020, <https://2017-2021.state.gov/proposed-rules-for-oversight-of-firearms-exports-published-for-public-comment/index.html>; U.S. Department of Commerce, “USML Categories I-III: Firearms and Related items – Transitioned to the EAR,” August 18, 2020, <https://www.bis.doc.gov/index.php/documents/2020-virtual-conference/2614-usml-categories-i-iii-to-ccl-firearms/file>.

<sup>29</sup> 22 CFR § 123.15.

<sup>30</sup> House Committee on Foreign Affairs, Subcommittee on Oversight and Investigations, “Proposed Small Arms Transfers: Big Implications for U.S. Foreign Policy,” Hearing, March 26, 2019, pp. 12-26, <https://www.congress.gov/116/meeting/house/109161/documents/HHRG-116-FA17-Transcript-20190326.pdf>; Letter from Senator Robert Menendez, et al., to President Joseph R. Biden, Jr., April 19, 2021, <https://www.foreign.senate.gov/imo/media/doc/04-19-21%20Menendez%20Leahy%20Feinstein%20letter%20to%20Biden%20re%20small%20arms%20export%20control%20lists.pdf>.

<sup>31</sup> Bloomberg, “The US Is Pushing Guns on a Country It Labels Violent and Corrupt,” Monte Reel, August 10, 2023, <https://www.bloomberg.com/graphics/2023-us-gun-violence-border-crisis-guatemala/#xj4y7vzkg>; Letter from Senator Elizabeth Warren, et al., to Commerce Secretary Gina Raimondo, September 28, 2022, <https://www.warren.senate.gov/imo/media/doc/Letter%20to%20%20Commerce%20re%20assault%20weapons%20exports.pdf>.

<sup>32</sup> 15 C.F.R. § 734.7(c); Letter from Senator Edward J. Markey, et al., to President Joseph R. Biden, Jr., October 20, 2022, [https://www.markey.senate.gov/imo/media/doc/bicameral\\_letter\\_to\\_president\\_biden.pdf](https://www.markey.senate.gov/imo/media/doc/bicameral_letter_to_president_biden.pdf).

<sup>33</sup> *See, e.g.*, Federal Trade Commission, “Policy Statement of the Federal Trade Commission on Biometric Information and Section 5 of the Federal Trade Commission Act,” May 18, 2023, [https://www.ftc.gov/system/files/ftc\\_gov/pdf/p225402biometricpolicystatement.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/p225402biometricpolicystatement.pdf); Federal Trade Commission, “Policy Statement of the Federal Trade Commission on Rebates and Fees in Exchange for Excluding Lower-Cost Drug Products, June 16, 2022, <https://www.ftc.gov/legal-library/browse/policy-statement-federal-trade-commission-rebates-fees-exchange-excluding-lower-cost-drug-products>.

<sup>34</sup> Southwick Associates, “24 Million People Want to Buy Their First Firearm. Who Are They?” 2020, <https://www.southwickassociates.com/24-million-people-want-to-buy-their-first-firearm-who-are-they/>.

<sup>35</sup> *Annals of Internal Medicine*, “Homicide Deaths Among Adult Cohabitants of Handgun Owners in California, 2004 to 2016,” David M. Studdert, et al., June 2022, <https://www.acpjournals.org/doi/full/10.7326/M21-3762>; The Trace, “Will a Gun Keep Your Family Safe? Here’s What the Evidence Says,” Melinda Wenner Moyer, April 7, 2020, <https://www.thetrace.org/2020/04/gun-safety-research-coronavirus-gun-sales/>.

<sup>36</sup> Giffords Law Center to Prevent Gun Violence, Brady, and March For Our Lives, “The Gun Industry’s Advertising: Effective, Deadly, And Actionable,” April 7, 2022, <https://firearmsaccountability.org/FTCPetition.pdf>.

<sup>37</sup> 18 USC § 923 note.

<sup>38</sup> *Id.* (emphasis added).

<sup>39</sup> Everytown, “Repeal Restrictions on Gun Trace Data,” <https://www.everytown.org/solutions/gun-trace-data/>; WBUR, “Why Data on Tracing Guns Is So Difficult to Find,” April 3, 2018, <https://www.wbur.org/hereandnow/2018/04/03/gun-research-trace-data>.

<sup>40</sup> Everytown, “What Can the Department of Justice Do to Prevent Gun Violence?,” February 8, 2021, <https://www.everytown.org/what-can-the-department-of-justice-do-to-prevent-gun-violence/>; Brady, “How a Biden-Harris Administration Can Address Gun Violence with Executive Authority,” <https://www.bradyunited.org/reports/biden-harris-executive-authority>.

<sup>41</sup> Advocates have submitted lists of additional ideas to your Administration. *See, e.g.*, Letter from the Gun Violence Prevention Coalition to the Biden-Harris Transition Team, November 17, 2020, <https://static1.squarespace.com/static/5a9cdd65620b8564e4ffd194/t/60089848140c0826235e676f/1611176008232/GVP+Coalition+Transition+Letter+%281%29.pdf>; Letter from the Center for American Progress et al. to President Biden and Vice-President Harris, February 2022, <https://www.americanprogress.org/wp-content/uploads/sites/2/2022/02/Executive-Actions-for-GVP-2022-Letter-Final.pdf>.