

**Testimony of Congressman Danny K. Davis before the  
Oversight Subcommittee in the Committee on Ways and Means  
Hearing on The Public Health Consequences & Costs of Gun Violence  
September 26, 2019**

Chairman Lewis, Chairman Neal, Ranking Member Kelly, Ranking Member Brady, and Members of the Subcommittee - Given that gun violence in America is at an epidemic proportion, prominent public health researchers from Harvard and Boston Children's Hospital advocate that we should address gun violence as a public health crisis.<sup>1</sup> As a Member of this Committee, I understand that our Committee has jurisdiction over policies that can help reduce gun violence and address its public health consequences. I thank the Subcommittee for thoughtfully considering this crisis and how our policies can help reduce violence through any way that we possibly can.

Gun violence exacts a tremendous price from our citizens, our governments, and the public health of our nation. Recent research demonstrates that firearm injury costs the United States more than \$229 billion annually, with over \$12 billion of this loss borne by state, federal and local governments.<sup>2</sup> Remarkably, 74% of all firearm-injury costs to government are for intentionally-inflicted homicide, assault, and interpersonal violence; this percent goes up to 96% if we include suicide. Given that these numbers only include costs post-injury and not costs associated with prevention (e.g., increased law enforcement, community intervention programs) or community fear (e.g., stores closing earlier and losing sales), these figures underestimate the true cost of gun violence to government. The University of Chicago Crime Lab estimates that gun violence costs Chicago and its residents \$2.5 billion a year.<sup>3</sup> Despite the high cost of gun violence, not one penny of the approximately \$624 million raised by federal taxes on guns and ammunition in 2018 went to gun violence prevention.<sup>4</sup> Rather, all gun and ammunition excise taxes go to fish and wildlife conservation.

I know the personal cost of gun violence. I know what it feels like to have a loved one whose life was wiped out unnecessarily for no apparent reason. I have attended the funeral of so many children in my communities whose wonderful lives were interrupted by gun violence. I feel the devastation. I see the trauma. I see the lost work, the missed school, the impaired health of the survivors. When you multiply these consequences by the millions of people and communities haunted by gun violence each day, the public health cost of gun violence is horrific, and this crisis should outrage us all.

If we take a public health approach to gun violence, then as part of a *comprehensive* strategy to reduce gun violence, we need stable revenue to fund violence prevention efforts, serious enforcement of existing gun laws, and gun violence research. These are the lessons from public

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<sup>1</sup> Dariush Mozaffarian, David Hemenway, and David S. Ludwig. (2013). Curbing Gun Violence: Lessons from Public Health Successes. *JAMA*, 309 (6), pp. 551-552.

<sup>2</sup> Mark Follman, Julia Lurie, Jaeah Lee, and James West (April 15, 2015). The True Cost of Gun Violence in America, including supplementary spreadsheet. *Mother Jones*. <https://www.motherjones.com/politics/2015/04/true-cost-of-gun-violence-in-america/>

<sup>3</sup> Roseanna Ander, Phillip J. Cook, Jens Ludwig, and Harold Pollack (March 2009). Gun Violence among School-age Youth in Chicago. University of Chicago Crime Lab. <https://www.issuelab.org/resources/9537/9537.pdf>

<sup>4</sup> Alcohol and Tobacco Tax and Trade Bureau (2019). Annual Report Fiscal Year 2018. <https://www.ttb.gov/images/pdfs/ttbar2018.pdf>

health successes in addressing tobacco use, unintentional poisoning, and motor vehicle safety. This means that the possibilities are not out of reach. There are ways in which we have found success in changing social behavior and social thinking.

After a young woman from Chicago named Hadiya Pendleton was killed in crossfire in January 2013, just a few weeks after performing here in *this* Ways and Means Committee room at my Inauguration day event, I began working on legislation to create a dedicated funding stream for gun violence prevention as part of a *comprehensive* approach to reducing gun violence. I have partnered with my colleague, Representative Bill Pascrell, on these policies.

One bill would close two tax loopholes related to assault-type weapons. Under current law, many sales of AR and AK weapons avoid any excise tax at all because these weapons are sold in a few pieces. Even though they are some of the most popular weapons, they not considered guns under the tax code and are exempt from federal excise taxes. We need to modernize our tax code to reflect the nature of modern weapons. My bill would close this loophole and direct the new revenue to gun violence prevention. It likely would not be a lot of revenue, but it would be dedicated funding for gun violence prevention and more than we have now. I deeply value conservation, and so my bill would not touch the current excise tax revenue dedicated to conservation.

Similarly, my bill would close the quasi-assault-rifle pistols loophole within the National Firearms Act, thereby subjecting these weapons to the same requirements as other firearms. The National Firearms Act governs the making and transfer of firearms as well as the special occupational tax on people or companies in the business of importing, manufacturing, and dealing in firearms covered by the National Firearms Act. The pistol versions of the AR-15 and the AK-47 adopt the military design of detachable magazines and are chambered as a mid-size rifle; however, given that they lack shoulder stocks and have barrels shorter than 16 inches, they technically are handguns and are not subject to the National Firearms Act. These assault-type weapons are extremely dangerous, consistent with the lethality and dangerousness of weapons covered by the National Firearms Act and are appropriate for the additional regulation provided by the National Firearms Act (such as more thorough background checks and registration when transferring the weapon).

To illustrate these loopholes, I could purchase a fully-outfitted, military-grade lower receiver for about \$400. I could then buy an upper receiver and/or barrel, attach it to the lower receiver, and have a fully-functioning firearm, without paying the excise tax normally levied on any other modern firearm that was fully assembled at the factory. Moreover, I could buy a lower receiver without a shoulder stock – a so called “virgin” receiver - outfit it with a barrel shorter than 16 inches, and it would be considered a pistol, even though such a firearm would have the same dimensions as short-barrel rifle. Hence, I would avoid registering that firearm with the Attorney General under the National Firearms Act and paying a \$200 transfer tax.

The Ways and Means Committee has jurisdiction over these tax loopholes, and I am hopeful we can come together to close them. Correctly identifying semi-assault weapons as guns in the tax code would not enact a new tax; it would simply close loopholes that let these lethal weapons side-step current tax laws.

In addition, I think it is appropriate for our Committee to consider increasing gun and ammunition taxes. Gun taxes are the same as they were in 1919; ammunition taxes are the same as they were in 1941. A small increase in these excise taxes could create a stable funding stream for gun violence prevention. Using a Constant Elasticity Function and a price elasticity of 1.0, I believe a one percent increase could raise around \$41 million dedicated to gun violence prevention. With this dedicated revenue, we could fund gun violence prevention research to help understand patterns in gun violence and which policies work best to lessen it. We could help states and the federal governments upgrade and strengthen their background check systems. We could fund mental health treatment and support programs for law enforcement officers under the STOIC Act – a bipartisan bill signed into law just this year. We could fund victim compensation funds. We could improve school climates to keep kids in school and off the streets.

We can debate what an appropriate increase in the excise would be. We can debate the most effective programs to address gun violence prevention and its consequences. However, a public health model indicates that effective prevention needs a stable revenue source as part of a comprehensive strategy, and, at the federal level, that stable revenue source starts within the Committee on Ways and Means.

I thank you for the opportunity to discuss the public health consequences of gun violence, and I hope we can work together to find policies to reduce this epidemic that exacts so much pain and opportunity from our communities and our country.