

PROGRESS REPORT ON THE PRESIDENT'S EXECUTIVE ACTIONS TO REDUCE GUN VIOLENCE

“This effort is not over. I want to make it clear to the American people we can still bring about meaningful changes that reduce gun violence... Even without Congress, my Administration will keep doing everything it can to protect more of our communities.”

—President Barack Obama, April 17, 2013

We Have Completed or Made Significant Progress on All 23 Executive Actions

Although a minority of the Senate voted down common-sense legislation to reduce gun violence, President Obama is continuing to make progress.

When the President unveiled his [plan to reduce gun violence](#) on January 16th, it included 23 executive actions to make sure the Administration was taking essential and rapid steps to reduce gun violence and to save lives. As this report demonstrates, the Administration has completed or made significant progress on **all 23** executive actions.

These steps – ranging from ending the freeze on gun violence research, to addressing barriers that keep states from submitting records to the background check system, to making sure federal law enforcement agencies trace guns recovered in investigations – will help keep our streets and our communities safe.

In addition, the Administration continues to develop [new executive actions](#). We have taken the first steps to close the “trust loophole” that allows individuals looking to buy some of the most dangerous firearms (including machine guns and short-barreled shotguns) to avoid background checks by registering the firearm to a trust or a corporation, instead of to themselves. Also, the Administration will deny nearly all requests to bring surplus military-grade firearms back into the country for resale to private entities.

But We Still Need Congress to Act

The Administration has more work to do to continue making progress on these important actions in the weeks and months ahead, but Congress must also act. Passing common-sense gun safety legislation – including expanding background checks and making gun trafficking a federal crime – remains the most important step we could take to reduce gun violence. A vast majority of the American people supports this critical step, which would protect our kids and our communities without infringing in any way on our Second Amendment rights.

Strengthening the Existing Background Check System

To prevent gun violence and mass shootings, we need to keep guns out of the wrong hands, and our most important tool for doing so is the National Instant Criminal Background Check System (NICS). Today, federally licensed firearms dealers are required to use this system to run background checks on those who buy guns. However, many gun sellers, such as private sellers at gun shows or on the Internet, do not have to run a background check on gun purchasers. The President called on Congress to pass legislation that would expand the background check requirement to most private gun sales (with the exception of sales between families and friends). However, a minority in the Senate blocked this common-sense legislation.

But even as Congress refuses to act, the President is taking action to strengthen the existing background check system. The President took action to make sure states and federal agencies add more records of dangerous people prohibited from owning guns into the existing background check system. He also called on private sellers to transfer firearms through licensed dealers who run background checks, and took steps to make it easier for dealers to conduct these checks for private sales.

- ✓ **Hold federal agencies accountable for sharing reliable information with the background check system:** The President [directed](#) federal agencies to make all relevant records, including criminal history records and information related to persons prohibited from having guns for mental health reasons, available to the federal background check system. This effort is beginning to bear fruit. In the nine months since the President's directive, federal agencies have made available to the NICS over 1.2 million additional records identifying persons prohibited from possessing firearms, nearly a 23% increase from the number of records federal agencies had made available by the end of January.
- ✓ **Address unnecessary legal barriers that prevent states from reporting information about those prohibited from having guns:** In April 2013, the Department of Health and Human Services (HHS) [began the rulemaking process](#) to assess and address any unnecessary legal barriers under the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule preventing states from making appropriate data available to the federal background check system. HHS has reviewed public comments received in response to the initial notice and will be issuing a proposed rule that includes consideration of this feedback.
- ✓ **Encourage private sellers to run background checks through licensed dealers:** The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) published a [letter](#) to federally licensed gun dealers providing guidance on how to run background checks for private sellers.
- ✓ **Review categories of dangerous people prohibited from having guns:** The Attorney General has undertaken a comprehensive review of our laws that identify potentially dangerous individuals who should not have access to a gun. As part of the review, DOJ has solicited input from a variety of experts and stakeholders with a wide range of views.

- ✓ **Improve incentives for states to share information with the background check system:** States are one of the key sources of data on persons prohibited from having guns, including felons and those prohibited for mental health reasons. That's why the President took action to [invest more than \\$20 million](#) this year to improve incentives for states to share this information with the federal background check system. In September, the Department of Justice (DOJ) awarded \$27.5 million to 42 states and one territory to strengthen the firearms background check system by improving their abilities to share information with the NICS. In addition, the Administration is proposing \$50 million for this purpose in FY2014, and Congress should act to provide these critical resources.

Empowering Law Enforcement

Law enforcement is on the front lines in keeping our streets safe by preventing and responding to gun crime. We have a responsibility to give them every tool they need to keep us safe. That's why the President's plan to reduce gun violence included both legislative proposals and executive actions to enhance law enforcement's ability to prevent and respond to gun crime. The President called on Congress to make gun trafficking a federal crime, eliminate restrictions that keep the ATF from doing its job, and keep 15,000 cops on the street. A minority in the Senate blocked a tough new gun trafficking law, but these remain critical steps to empower law enforcement officers and Congress should pass them right away.

Despite Congress's inaction, the Administration has made significant progress on executive actions to give law enforcement the tools it needs to keep our streets and communities safe.

- ✓ **Confirm a Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF):** The ATF went without a permanent director for seven years. The key agency enforcing gun laws in America needs a leader to make sure it has the full strength to do its job, which is why the President [nominated](#) B. Todd Jones as Director of the ATF and, on July 31, the Senate [confirmed](#) his appointment.
- ✓ **Enhance firearm tracing data:** The President [issued a directive](#) requiring federal law enforcement to trace guns recovered in criminal investigations. This tracing process allows law enforcement to follow a gun's path from its manufacturer, to the dealer who sold it, to its first purchaser. Making sure federal law enforcement consistently traces recovered guns will help solve violent crimes by generating leads in specific cases, and aggregating large amounts of this tracing data will help reveal national gun trafficking patterns.
- ✓ **Help law enforcement avoid returning guns to the wrong hands:** Law enforcement officers often must return firearms seized as part of an investigation, but they cannot currently use the federal background check system to conduct a check on the gun's owner. DOJ has issued a [proposed rule](#) to give law enforcement the ability to run a full federal background check on someone before returning a seized gun. Now that the official comment period has ended, DOJ will issue a final regulation shortly.
- ✓ **Provide effective training on responding to active shooter situations to law enforcement officers, first responders, and school officials:** DOJ and the Department of Homeland Security (DHS) have provided and will continue to provide federal training for law enforcement, first responders, and school officials on active shooter situations. This includes trainings for local law enforcement at FBI field offices and active shooter roundtables, workshops, and site security assessments with police and fire chiefs and school officials. DHS also launched a new [active shooter webpage](#), which includes training resources for federal, state, and local partners and the public.

- ✓ **Publish data on lost and stolen guns:** DOJ issued a [report](#) analyzing information on lost and stolen guns, making it widely available to law enforcement and the public. This report includes state-by-state statistics about guns reported as missing by licensed gun dealers and individual gun owners.

- ✓ **Maximize enforcement efforts:** The Attorney General is continuing to work with all United States Attorneys to maximize enforcement efforts to prevent gun violence and prosecute gun crime. Since the release of the President’s plan to reduce gun violence, the Attorney General rolled out his “Smart on Crime” initiative. As part of the initiative, U.S. Attorneys are putting in place updated anti-violence strategies that are specific to their districts. To monitor the success of these district-based anti-violence strategies, DOJ will, in the coming months, implement new information-sharing techniques to share data from high-crime communities across Justice Department components.

Making Schools Safer

We need to make our schools safer places for our children to learn and make sure they are prepared to respond in the unthinkable event of another school shooting. That means making sure schools have effective and reliable emergency management plans in place, and that students and staff are prepared to follow these plans. It also means we need to help law enforcement agencies hire school resource officers for school districts that want them. These specially trained police officers, who work in schools, can deter crime with their presence and advance community policing objectives, while partnering with other school personnel to create a supportive school climate. The President has taken action to achieve both of these goals.

Congress must also act to make our schools safer, not only by enhancing their physical security, but also by investing in school counselors and other mental health professionals and by helping schools take steps to create safe and supportive school climates. The President's plan to reduce gun violence called on Congress to provide \$150 million for school districts and law enforcement agencies to hire school resource officers, school psychologists, social workers, and counselors. In addition, the Administration has proposed a new initiative to help thousands of schools train their teachers and staff to improve school climate, which evidence shows is a key step to reduce violence and bullying.

- ✓ **Give schools and other institutions a model for how to develop and implement reliable plans:** High-quality emergency management plans can help save lives. A 2010 survey found that while 84% of public schools had a written response plan in the event of a shooting, only 52% had drilled their students on the plan in the past year. The Department of Education, DOJ (led by the FBI), DHS (led by FEMA), and HHS have developed [high-quality emergency management planning guidance](#) for schools, institutions of higher education, and houses of worship.
- ✓ **Provide incentives for schools to hire school resource officers:** Community Oriented Policing Services (COPS) Hiring Grants, which help police departments hire officers, can already be used by departments to fund school resource officers. This year, DOJ provided additional points in the COPS grant competition to applicants who requested funds to hire school resource officers. On September 27, the Attorney General [announced](#) more than \$125 million for COPS grants to 263 cities and counties, including nearly \$45 million to fund 356 new school resource officer positions. DOJ has also begun their work to develop a model for, as well as training curriculum on, the effective use of school resource officers to help create safe and nurturing school climates.

Encouraging Responsible Gun Ownership

The President believes that the Second Amendment guarantees an individual right to bear arms, but this right comes with a responsibility to use and store guns safely. The President's plan to reduce gun violence included executive actions to encourage gun owners to keep their guns safe and to encourage the development of safe gun technologies, and the Consumer Product Safety Commission committed to assessing the need for new standards for gun locks.

- ✓ **Launch a national responsible gun ownership campaign:** Working with the National Crime Prevention Council and the Ad Council, DOJ [will launch](#) a national safe and responsible gun ownership campaign to promote common-sense gun safety measures like the use of gun safes and trigger locks, separate storage of guns and ammunition, and the reporting of lost and stolen weapons to law enforcement. The campaign will roll out early next year.
- ✓ **Encourage the development of innovative gun safety technology:** DOJ issued a [report](#) reviewing the availability and use of new gun safety technologies. This report incorporated input from a meeting the Attorney General hosted with stakeholders, including manufacturers and technology experts. Building on this report, the Administration will issue a challenge to the private sector to develop innovative and cost-effective gun safety technology and provide prizes for those technologies that are proven to be reliable and effective.
- ✓ **Review and enhance safety standards for gun locks and gun safes:** Gun owners need to be able to count on gun locks and gun safes to make sure their firearms are neither accidentally nor intentionally used to harm others. The Office of the Chairman of the Consumer Product Safety Commission has reviewed the safety standards for gun locks and gun safes and fully engaged the relevant voluntary standards body, which has begun a process to improve the standards. That process is now underway, with regular monitoring by the Chairman's office.

Ending the Freeze on Gun Violence Research

There are over 30,000 firearm-related homicides and suicides a year. This fact makes it clear that gun violence is a public health crisis that merits the attention of top public health researchers. But for years, Congress has effectively placed a freeze on gun violence research. The Centers for Disease Control and Prevention (CDC) and other scientific agencies are prohibited from using funds to “advocate or promote gun control,” and some members of Congress have claimed this ban extends to any research on the causes of gun violence.

Research on gun violence is not advocacy; it is critical public health research. So the President has taken action to immediately restart this important work and is calling on Congress to provide \$10 million to allow the CDC to conduct further research.

- ✓ **Conduct research on the causes and prevention of gun violence:** The President [directed](#) the CDC to research the causes and prevention of gun violence, including links between video games, media images, and violence. The CDC is starting this work by assessing existing strategies for preventing gun violence and identifying research questions. To inform this process, earlier this year the Institute of Medicine and the National Research Council – at the request of the CDC – released a [report](#) recommending the most pressing research questions with the greatest potential public health impact.

To inform future research and gun violence prevention strategies, we also need to better understand how and when firearms are used in violent deaths. That’s why the Administration is calling on Congress to invest an additional \$20 million to allow all states to participate in the National Violent Death Reporting System, which collects anonymous data—including the type of firearm used, whether the firearm was stored loaded or locked, and details on youth gun access—when firearms are used in homicides or suicides. These funds would expand the reporting system from the 18 states currently participating to all 50 states within one year. For the first time, prevention researchers, practitioners, and policymakers will be able to gauge magnitude, trends, and characteristics of violent deaths at the national, state, and local levels to inform the development, implementation, and evaluation of violence prevention strategies, which will ultimately save lives.

Preserving Rights of Health Providers to Protect their Patients and Communities from Gun Violence

Doctors and other health professionals play an important role in protecting the safety of their patients and the broader community. We should never ask them to turn a blind eye to the risks posed by guns in the wrong hands. Therefore, the President took two actions to clarify that no federal law prohibits health care providers from reporting threats of violence or talking to their patients about gun safety.

- ✓ **Clarify that no federal law prevents health care providers from warning law enforcement authorities about threats of violence:** In response to public confusion about whether federal law prohibits health care providers from reporting direct and credible threats of violence to the authorities, HHS issued a [letter](#) to providers clarifying that no federal law prohibits these reports in any way.
- ✓ **Protect the rights of health care providers to talk to their patients about gun safety:** HHS issued [guidance](#) clarifying that the Affordable Care Act does not prohibit or otherwise limit communication between health care professionals and patients, including about firearms. Health care providers can play an important role in promoting gun safety.

Improving Access to Mental Health Care

The vast majority of people experiencing mental illnesses are not violent. But it is also true that most suicides each year involve someone with a mental illness or substance use disorder, and sometimes, when untreated, mental illness can lead to a large-scale tragedy. Even for individuals with no likelihood of violence, untreated mental illnesses too often cause immense distress and can prevent people from living healthy, fulfilling lives. The good news is that for many people living with mental illnesses, treatment is available and effective. So we need to do everything in our power to help them access the mental health services that can help them recover.

The President is taking steps to reduce the barriers that too often prevent people from getting the help they need for mental health problems. The President's FY2014 Budget includes a new \$130 million initiative to address several barriers that sometimes prevent people from accessing help. This initiative proposes to help teachers recognize signs of mental illness in students and refer them to mental health services if needed, support innovative state-based programs to improve mental health outcomes for young people ages 16-25, and train 5,000 more mental health professionals to serve students and young adults. Additionally, the President has made significant progress on or completed four executive actions:

- ✓ **Launch a national conversation to increase understanding about mental health:** The Administration hosted the [National Conference on Mental Health](#) to discuss how we can all work together to reduce negative attitudes and perceptions about mental illnesses, encourage people experiencing mental health problems to reach out for help, and encourage friends and family members to support their loved ones and connect them with help. The White House applauded the [dozens of commitments](#) to increase understanding and awareness of mental health that were made by organizations representing media, educators, health care providers, faith communities, and foundations. The Administration also launched [mentalhealth.gov](#), a new website featuring easy-to-understand information about basic signs of mental health problems, how to talk about mental health, and how to find help for you or a loved one.
- ✓ **Finalize requirements for private health insurance plans to cover mental health services:** To fill gaps in insurance coverage that too often make the cost of mental health services prohibitively expensive, the Administration finalized an Affordable Care Act [rule](#) that expands mental health and substance use disorder benefits and parity protections for 62 million Americans. Because of these parity protections, many insurance plans will include coverage for mental health and substance use disorders that is comparable to their medical and surgical coverage.
- ✓ **Make sure millions of Americans covered by Medicaid get quality mental health coverage:** HHS also released a [letter](#) to state health officials making clear how Medicaid plans must comply with requirements to ensure that mental health care is covered the same as other medical services.
- ✓ **Finalize rule under the Mental Health Parity and Addiction Equity Act of 2008:** The Departments of Health and Human Services, Labor and the Treasury have issued a [final rule](#) on health plan coverage of mental health and substance use disorders. Under the rule, plan benefits for these conditions, when offered, must be covered at parity with medical and surgical care benefits. The regulation also includes important consumer protections, including making clear the information that insurance companies must provide to help ensure transparency and compliance with the law.