

MEETING DATE:

April 8, 2013

AGENDA ITEM:

Consideration of Advocacy Positions to Convey the City Council's Position on S. 150 (Proposal by Senator Feinstein to Ban Assault Rifles); Mayors Against Illegal Guns; Americans for Responsible Solutions; and President Obama's Gun Violence Reduction Executive Orders- Now is the Time.

ATTACHMENTS

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THE UNITED STATES CONFERENCE OF MAYORS

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January 28, 2013

AN OPEN LETTER TO THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS FROM THE NATION'S MAYORS

Dear Mr. President and Members of the U.S. House of Representatives and U.S. Senate:

Again and again and again, Americans are stunned by senseless acts of violence involving guns. Friday's tragedy targeting young children in Newtown is incomprehensible. Too many times this year, mayors have expressed shock at a mass shooting. Even more frequently, many of us must cope with the gun violence that occurs on the streets of our cities.

Through The U.S. Conference of Mayors we have sent our condolences to the victims, their families, and their community. We know that Newtown First Selectman Patricia Llodra and Connecticut Governor Dannel Malloy continue to do everything possible to help the families of those killed and the entire community cope with so much loss and pain.

The Conference has been calling for sensible gun laws to protect the public for more than 40 years. Mayors and police chiefs from cities of all sizes have worked together in this effort over the years.

We urge you to take immediate action: the President to exercise his powers through Executive Order and Congress to introduce and pass legislation to make reasonable changes in our gun laws and regulations. Specifically we call on you to:

- Enact legislation to ban assault weapons and other high-capacity magazines being prepared by Senator Dianne Feinstein and others;
- Strengthen the national background check system and eliminate loopholes in it; and
- Strengthen the penalties for straw purchases of guns.

We know that preventing gun violence — whether it is a mass shooting in a school or a murder on a street corner — will take much more than strengthening our gun laws. We need to reverse the culture of violence in our nation so that a violent act isn't the first response to settling a difference or compensating for a wrong. We support the idea of establishing a bi-partisan Commission that looks at the broader issues of violence in our country. We need to strengthen and more adequately fund our mental health system so that we can identify troubled individuals earlier and get them the help they need. But strengthening our gun laws should not have to wait for these other actions to occur. The time for action is now!

We believe that with this latest national tragedy and the high incidence of gun violence that continues to plague our streets, we have reached a tipping point. The nation's mayors pledge to work with you to build a safer America for our children and all of our citizens.

Sincerely,

Michael A. Nutter
Mayor of Philadelphia
President

Michael R. Bloomberg
Mayor of New York City

Antonio R. Villaraigosa
Mayor of Los Angeles
Past President

Rahm Emanuel
Mayor of Chicago

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Past President

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Mayor of Brighton, NY

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Bill Summary & Status 113th Congress (2013 - 2014) S.150 CRS Summary

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S.150

Latest Title: **Assault Weapons Ban of 2013**

Sponsor: [Sen Feinstein, Dianne](#) [CA] (introduced 1/24/2013) [Cosponsors](#) (21)

Related Bills: [H.R.437](#)

Latest Major Action: 3/14/2013 Placed on Senate Legislative Calendar under General Orders. Calendar No. 27.

SUMMARY AS OF:

3/14/2013--Reported to Senate amended. (There is 1 [other summary](#))

Assault Weapons Ban of 2013 - (Sec. 3) Amends the federal criminal code to ban the import, sale, manufacture, transfer, or possession of a semiautomatic **assault weapon**, including:

- a semiautomatic rifle that can accept a detachable magazine and has any one of the following characteristics: (1) a pistol grip; (2) a forward grip; (3) a folding, telescoping, or detachable stock; (4) a grenade or rocket launcher; (5) a barrel shroud; or (6) a threaded barrel;
- a semiautomatic rifle or pistol with a fixed magazine that can accept more than 10 rounds;
- a semiautomatic pistol that can accept a detachable magazine and has any one of the following characteristics: (1) a threaded barrel, (2) a second pistol grip, (3) a barrel shroud, (4) the capacity to accept a detachable magazine at some location outside of the pistol grip, or (5) a semiautomatic version of an automatic firearm;
- a semiautomatic shotgun that has any one of the following characteristics: (1) a folding, telescoping, or detachable stock; (2) a pistol grip; (3) a fixed magazine that can accept more than five rounds; (4) the ability to accept a detachable magazine; (5) a forward grip; or (6) a grenade or rocket launcher;
- a shotgun with a revolving cylinder;
- firearms that are specifically listed as prohibited by this Act and copies, duplicates, variants, or altered facsimiles with the capability of any such **weapon**;
- all belt-fed semiautomatic firearms;
- any combination of parts from which any such prohibited firearm can be assembled; and
- the frame or receiver of a prohibited rifle or shotgun.

Excludes from such ban any semiautomatic **assault weapon** that: (1) is lawfully possessed on the date of enactment of this Act (grandfathered **weapon**); (2) is manually operated by bolt, pump, lever, or slide action; (3) has been rendered permanently inoperable; (4) is an antique firearm; or (5) is used for law enforcement or security purposes or for testing or experimentation authorized by the Attorney General.

Identifies, by make and model, firearms that are specifically exempted from the ban imposed by this Act.

Requires the Attorney General to establish and maintain a record of the make, model, and date of manufacture of any semiautomatic **assault weapon** which the Attorney General is made aware has been used in relation to a crime under federal or state law.

Makes it unlawful to: (1) import, sell, manufacture, transfer, or possess a large capacity ammunition feeding device (generally, a device that can accept more than 10 rounds of ammunition); or (2) store or keep any grandfathered semiautomatic **weapon** that may become accessible by an individual who is prohibited from receiving or possessing such a **weapon**. Requires identification markings (i.e., serial number and the date of manufacture) on semiautomatic **assault weapons** and large capacity ammunition feeding devices. Provides for the seizure and forfeiture of prohibited large capacity ammunition feeding devices.

(Sec. 5) Makes it unlawful for an unlicensed individual to transfer a grandfathered semiautomatic **weapon** to another unlicensed individual, unless a licensed importer, manufacturer, or dealer: (1) has first taken custody of the **weapon** for the purpose of complying with existing national instant criminal background check requirements; and (2) upon taking custody, complies with all firearms requirements as if the licensee were transferring the **weapon** from the licensee's inventory to the unlicensed transferee. Sets forth an exception for the temporary transfer of possession in a licensed target facility or established range for the purpose of participating in target shooting. Requires implementing regulations to set a maximum fee that licensees may charge for services provided, but prohibits such regulations from imposing recordkeeping requirements on any unlicensed transferor or from requiring licensees to facilitate such transfers.

(Sec. 6) Amends the Omnibus Crime Control and Safe Streets Act of 1968 to allow the use of Edward Byrne Memorial Justice Assistance Grant Program funds to pay compensation to individuals who surrender semiautomatic **assault weapons** and large capacity ammunition feeding devices under a buy-back program.

(Sec. 7) Requires: (1) the Attorney General to instruct the Director of the National Institutes of Justice to conduct a peer-reviewed factual study of incidents of mass shootings in the United States, and (2) the Director to report the findings of such study to Congress within one year. Requires the Director to examine the impact upon perpetrators of specified factors, including childhood abuse or neglect, exposure to criminal acts or bullying, mental illness, school supportiveness, the availability of firearms and of **weapons** information, depictions of violence in video games and the media, and poverty or other socioeconomic factors.

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STATEMENT OF PRINCIPLES

Whereas: 30,000 Americans across the country are killed every year as a result of gun violence, destroying families and communities in big cities and small towns; and

Whereas: As Mayors, we are duty-bound to do everything in our power to protect our residents, especially our children, from harm and there is no greater threat to public safety than the threat of illegal guns;

Now, therefore, we resolve to work together to find innovative new ways to advance the following principles:

- Punish – to the maximum extent of the law – criminals who possess, use, and traffic in illegal guns.
- Target and hold accountable irresponsible gun dealers who break the law by knowingly selling guns to straw purchasers.
- Oppose all federal efforts to restrict cities' right to access, use, and share trace data that is so essential to effective enforcement, or to interfere with the ability of the Bureau of Alcohol, Tobacco, and Firearms to combat illegal gun trafficking.
- Keep lethal, military-style weapons and high capacity ammunition magazines off our streets.
- Work to develop and use technologies that aid in the detection and tracing of illegal guns.
- Support all local, state, and federal legislation that targets illegal guns; coordinate legislative, enforcement, and litigation strategies; and share information and best practices.
- Invite other cities to join us in this new national effort.

(Signature)

(Date)

(Mayor's Name – please print)

(Mayor's Office Address)

(City, State, Zip)

(Mayor's Telephone)

(Mayor's Email Address)

(Staff Contact Name)

(Staff Member's Telephone)

(Staff Position)

(Staff Email)

(Mayoral Term -- MM/YYYY to MM/YYYY)

(Elected as -- e.g. Rep., Dem., non-partisan, independent)

To join Mayors Against Illegal Guns, please fill in the information above and return this form to the coalition via fax at 212-312-0760. Alternatively, you can email a PDF of the signed statement to statement@mayorsagainstillegalguns.org.

(<http://americansforresponsiblesolutions.org/>)

Call Your Senator Today

Thanks for joining us and asking Congress to stand with 90% of Americans and pass universal background checks for all gun purchases. Your Senator needs to hear from you today.

Fill out the form on this page, your phone will ring, and you'll be connected with your Senator.

Here's a script if you'd like some help on the call.

Hello, my name is _____, and I'm calling today from ___(city)___ to urge Senator _____ to stand behind universal background checks to reduce gun violence in the United States.

Background checks are supported by over 90% of all Americans and are a commonsense tool for keeping guns out of the hands of criminals and the severely mentally ill.

Thank you for sharing my message.

Your information to get connected

Name

Email

Zip Code

Phone

submit

(you'll remain on this page and your phone will ring shortly after hitting the submit button)

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(<http://americansforresponsiblesolutions.org/>)

Congress: Enact Universal Background Checks and Limit High Capacity Magazines

The next few months will be challenging and filled with many ups-and-downs, but Mark and Gabby know that if we stick together, we can overcome anything -- even an ideological fringe that has consistently used big money and influence to obstruct progress.

Sign our petition calling on Congress to enact universal background checks for gun purchases and limit the availability of high capacity magazines.

Dear Congress -

I stand with Gabby Giffords and Mark Kelly in urging you to take immediate action to reduce gun violence in the United States.

Two reasonable solutions you could pass that would reduce violence while protecting responsible ownership would be universal background checks for gun purchases, and limiting the availability of high capacity magazines.

I look forward to watching your progress and commitment to this important issue.

Email*

First Name

Zip Code*

Mobile Phone Number (to receive alerts from Mark and Gabby)†

Are you willing to speak with local elected officials about reducing gun violence?

- ☐ Yes
☐ No
☐ Maybe

Share your personal message with Congress

Submit Form

* denotes required field

Message & Data rates may apply. Reply HELP for help, STOP to quit. †

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NOW IS THE TIME

GUN VIOLENCE REDUCTION
EXECUTIVE ACTIONS

WH.GOV/NOW-IS-THE-TIME

JANUARY
SIXTEENTH
TWO THOUSAND AND THIRTEEN

PRESIDENT OBAMA IS NOT WAITING TO TAKE ACTION. ON JANUARY 26, 2013, HE ANNOUNCED 23 EXECUTIVE ACTIONS TO REDUCE GUN VIOLENCE THAT WILL:

1. Issue a Presidential Memorandum to require federal agencies to make relevant data available to the federal background check system.
2. Address unnecessary legal barriers, particularly relating to the Health Insurance Portability and Accountability Act, that may prevent states from making information available to the background check system.
3. Improve incentives for states to share information with the background check system.
4. Direct the Attorney General to review categories of individuals prohibited from having a gun to make sure dangerous people are not slipping through the cracks.
5. Propose rulemaking to give law enforcement the ability to run a full background check on an individual before returning a seized gun.
6. Publish a letter from ATF to federally licensed gun dealers providing guidance on how to run background checks for private sellers.
7. Launch a national safe and responsible gun ownership campaign.
8. Review safety standards for gun locks and gun safes (Consumer Product Safety Commission).
9. Issue a Presidential Memorandum to require federal law enforcement to trace guns recovered in criminal investigations.
10. Release a DOJ report analyzing information on lost and stolen guns and make it widely available to law enforcement.
11. Nominate an ATF director.
12. Provide law enforcement, first responders, and school officials with proper training for active shooter situations.
13. Maximize enforcement efforts to prevent gun violence and prosecute gun crime.
14. Issue a Presidential Memorandum directing the Centers for Disease Control to research the causes and prevention of gun violence.
15. Direct the Attorney General to issue a report on the availability and most effective use of new gun safety technologies and challenge the private sector to develop innovative technologies.
16. Clarify that the Affordable Care Act does not prohibit doctors asking their patients about guns in their homes.
17. Release a letter to health care providers clarifying that no federal law prohibits them from reporting threats of violence to law enforcement authorities.
18. Provide incentives for schools to hire school resource officers.
19. Develop model emergency response plans for schools, houses of worship and institutions of higher education.
20. Release a letter to state health officials clarifying the scope of mental health services that Medicaid plans must cover.
21. Finalize regulations clarifying essential health benefits and parity requirements within ACA exchanges.
22. Commit to finalizing mental health parity regulations.
23. Launch a national dialogue led by Secretaries Sebelius and Duncan on mental health.

LEARN MORE AT WHITEHOUSE.GOV/NOW-IS-THE-TIME