



Department of Justice

STATEMENT OF

**LORETTA E. LYNCH
ATTORNEY GENERAL**

BEFORE THE

**SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND
RELATED AGENCIES
COMMITTEE ON APPROPRIATIONS
UNITED STATES SENATE**

FOR A HEARING REGARDING

**OVERSIGHT OF THE DEPARTMENT OF JUSTICE'S ROLE IN
IMPLEMENTING NEW EXECUTIVE ACTIONS
RELATED TO GUN CONTROL**

PRESENTED

JANUARY 20, 2016

**Statement of Attorney General Loretta E. Lynch
Before the Subcommittee on
Commerce, Justice, Science, and Related Agencies
Committee on Appropriations
United States Senate
January 20, 2016**

Good morning, Chairman Shelby, Vice Chairwoman Mikulski, and distinguished members of the Subcommittee. I appreciate this opportunity to appear before you today to discuss steps the Department of Justice is taking to reduce gun violence and ensure smart and effective enforcement of our nation's gun laws.

As this Subcommittee well knows, our nation faces an epidemic of gun violence that has taken a devastating toll on communities throughout the country. Each and every year, tens of thousands of Americans are injured or killed by firearms – in armed robberies, domestic disputes, suicides, accidents, shootouts, and heinous acts of mass violence. From law enforcement officers shot down while defending their communities, to children killed in tragic accidents, our friends and family members, neighbors and fellow citizens are being taken from us – day after day after day.

As the list of tragedies involving firearms has grown, so has the American people's belief that we must do more to stem the tide of gun violence – and this Administration is committed to doing our part. The executive actions that the President announced two weeks ago, including the measures I recommended to him, are essential components of our effort. They are important steps that are within the Executive's power to clarify existing legal provisions, focus enforcement efforts, and spur innovation.

I have complete confidence that the common sense steps announced by the President are lawful. They are consistent with the Constitution as interpreted by the Supreme Court and the laws passed by Congress. For example, the Gun Control Act lists the people who are not allowed to have firearms – such as felons, domestic abusers, and others. Congress has also required that background checks be conducted as part of sales made by federally licensed firearms dealers to make sure guns stay out of the wrong hands. The actions announced by the President, which focus on background checks and keeping guns out of the wrong hands, are fully consistent with the laws passed by Congress.

Taken together, the new executive actions will bring progress on a number of fronts. By clarifying what it means to be “engaged in the business” of dealing firearms, we raise awareness of and enhance compliance with laws that are already on the books. By issuing new regulations, we ensure that licensed dealers who ship weapons will report them if they are lost or stolen in transit, and that those trying to acquire some of the most dangerous weapons through trusts or corporations undergo background checks. By enhancing our national system of background checks, we will be better prepared to keep guns out of the wrong hands in the first place. By increasing access to mental health care treatment with a proposed \$500 million investment to the Department of Health and Human Services (HHS), we will not only be helping those in need, but also curbing gun deaths – the majority of which result from suicide. And by supporting research

on gun safety technology, we will be laying the groundwork for a safer future and drawing on our strength as the most technologically advanced nation on Earth.

These actions will involve important investments in the Federal Bureau of Investigation (FBI) and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) over the course of Fiscal Years 2016 and 2017 – some of which have already been appropriated, and some of which will be requested in the coming year. This year, the FBI will be dedicating \$6.6 million to begin filling 230 new positions to support the National Instant Criminal Background Check System (NICS), which we are currently working to transition to a round-the-clock service. ATF will be investing \$4 million to enhance the capabilities of its National Integrated Ballistic Information Network (NIBIN), including support for the National NIBIN Correlation and Training Center in Huntsville, Alabama, which is set to open in February 2016.

In FY 2017, the President's Budget will request \$80.3 million to sustain and expand upon these critical investments. When the Budget submission is delivered to Congress on February 9th, the FBI's request will include \$35.0 million to sustain the FY 2016 NICS expansion, enabling the Bureau to increase the number of personnel processing firearms background checks and enhance the recruitment and retention of the personnel in these critical jobs. ATF's request will include \$35.6 million for an additional 200 Special Agents and Industry Operations Investigators – vital personnel who will enforce existing federal firearms laws, take violent criminals off the street, prevent firearms from getting into the wrong hands, and enhance ATF's ability to perform its regulatory duties. ATF will seek to invest an additional \$4.0 million in NIBIN above the FY 2016 funding level to support additional staff hiring, and \$5.7 million to help process federal firearms license applications and National Firearms Act applications, as well as to support gun crime tracing – a critical service provided to federal, state, and local law enforcement across the country.

The steps that I have outlined – and the actions that President Obama has described – are all well-reasoned measures, well within existing legal authorities, built on work that's already underway. They clarify laws that are already on the books – because clear notice will help ensure that those laws are followed. They direct important resources to our law enforcement agents – because these men and women deserve to have the support they need to do their difficult jobs effectively. They lay the groundwork for state governments to more easily provide information to our background check system and for helping people with mental illnesses gain access to care – because in addition to helping people get the treatment they need, we must make sure we keep guns out of the hands of those who are prohibited by law from having them. And they invest in research and promising technology that will make weapons safer – because problem-solving through innovation has always been one of our country's greatest strengths.

I am confident that these actions will help to make our people safer, our communities more secure, and our law enforcement more effective. But I also have no illusions that these measures by themselves will end gun violence in America. At a time when there is so much work to be done and so much capacity for progress, there are many areas where only Congress can act. We would welcome the opportunity to work with you to further these goals. That's why I am so grateful to have this opportunity to speak with you today about how we can work together to reduce gun violence in this country. And I look forward to continuing this

conversation in the days ahead as we discuss how to keep our promise to protect and defend every American's right to safety and security, and to life and liberty.

At this time, I'd be glad to answer any questions you may have.