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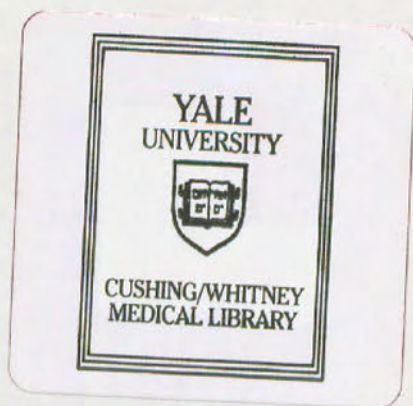
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THE NATIONAL FIREARM INJURY REPORTING SYSTEM:
POLITICAL BARRIERS AND STRATEGY RECOMMENDATIONS

Sarah J. Dash

YALE UNIVERSITY

2001



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**THE NATIONAL FIREARM INJURY REPORTING SYSTEM:
POLITICAL BARRIERS AND STRATEGY RECOMMENDATIONS**

By

Sarah J. Dash

S.B., Massachusetts Institute of Technology, 1999

A Thesis Presented to

The Faculty of the Department of Epidemiology and Public Health

Yale University

In Candidacy for the Degree of

Master of Public Health

2001

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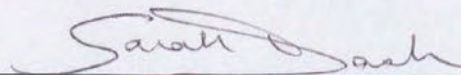
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Abstract

A national firearm injury reporting system would provide researchers and policymakers with information that could be used to alleviate the substantial burden of firearm injuries in the United States (Teret et al. 1992; Teret 1996; Barber et al. 2000; Gotsch et al 2001). No such reporting system has been established, however. The objectives of this thesis were 1) To determine why Congress has not authorized a firearm injury reporting system, and 2) To identify strategies for overcoming identified political barriers to reporting system authorization. To accomplish these objectives, two frameworks – firearm policy paradigms and social regulatory policy analysis – were presented. Potential mechanisms by which these frameworks could be expected to impact reporting system bill outcomes were then proposed and evaluated for their plausibility. The mechanisms assessed were 1) Congressional committee leadership, 2) partisan composition, 3) committee voting preferences, 4) federal agency designation in reporting system bills, and 5) interest group paradigms. The mechanisms involving committee leadership, partisan composition, and interest group paradigms were found the most plausible. The prediction that health-related committees would be more supportive of gun control than criminal justice committees was found to be incorrect, as was the prediction that the federal agency designated in a reporting system bill would impact bill outcomes. However, politically attractive bill content garnered support for reporting system bills. Finally, the vulnerability of relevant federal agencies would be a serious barrier to implementation and continued authorization of a reporting system. Based on this analysis, the following strategies for increasing the success of future reporting system legislation were proposed: 1) improving committee members' support for reporting system legislation, 2) pursuing bipartisan support for reporting system bills, 3) attaching reporting system proposals to bills with politically popular content; and 4) continuing the growth of interest groups promoting the public health paradigm. Finally, the establishment of a privately funded reporting system should be considered as an alternative to the government approach.

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In loving memory of Honore and Edward Dash,
who would not allow injustice to prevail.

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Introduction

Firearm injuries pose a substantial public health burden in the United States. Since 1979, over 30,000 people have died from firearm injuries each year, with several times as many injured by firearms (Murphy 2000). One out of three Americans personally knows someone who has been shot (Gallup 2000). Despite the magnitude of this problem, there is no national, ongoing reporting system for obtaining data on victims, perpetrators, firearms, injury circumstances and injury consequences. A national firearm injury reporting system would provide needed information to national, state, and local policymakers for the reduction of firearm injury. A coordinated reporting system effort is currently operative in several states, and bills that would establish various forms of reporting systems have been introduced in Congress every year since 1992. However, no national reporting system has yet been established.

Although researchers have speculated that cost or unwillingness to pay may be factors preventing the establishment of a reporting system (Teret 1996), evidence suggests that there are reasons far more entrenched within our political views and institutions. First, cost is not a plausibly important factor: the cost of a national firearm injury reporting system [an estimated \$3.5 to \$12 million¹] would likely be far less than the annual lifetime costs of firearm injuries, estimated at \$20 billion in 1990 (Max and Rice 1993). Furthermore, while one researcher stated that “the creation of a reporting system should be seen as nonpartisan” because “the information to be derived from such a system would be available to buttress arguments on any side of the gun policy debate”, it is not clear that research or surveillance of firearm injuries are viewed in a nonpartisan manner (Teret 1996).

This thesis aims to examine several potential reasons for the failure of Congress to authorize a national firearm injury reporting system. Based on the reasons found to be the most compelling, it then aims to develop strategies that would aid the creation of a national firearm injury reporting system. To accomplish the first objective, two conceptual frameworks for

viewing firearm politics are presented; they are then combined to identify potential mechanisms for the lack of a reporting system. In the first of these frameworks, firearm politics are viewed through 5 key paradigms: 1) crime control, 2) sovereignty, 3) culture, 4) political symbolism, and 5) public health (Vizzard 1999; Vizzard 2000). Of these, the crime and sovereignty paradigms have tended to dominate the policy discussion, while the public health paradigm has emerged relatively recently and with unclear impact. The paradigm framework assumes that dominant paradigms in the policy arena can influence the types of bills that are likely to be proposed or to pass. This thesis analyzes how the dominance of the crime and sovereignty paradigms and relative weakness of the public health paradigm could negatively impact the establishment of a reporting system.

However, paradigms must be manifested through political institutions in order to impact policy outcomes. In addition, political factors other than paradigm acceptance can impact policy outcomes through political institutions. For example, key Congressional leaders can aid or hinder passage of legislation regardless of whether a particular paradigm is generally accepted among lawmakers. Therefore, this paper will use a second framework, social regulatory policy analysis (Spitzer 1998), which predicts that political institutions involved in social regulatory policymaking have a predictable impact on these policy outcomes. After introducing the two frameworks, this paper identifies potential mechanisms by which firearm policy paradigms and key features of political institutions have impacted firearm reporting system bill outcomes. The mechanisms selected for analysis are 1) committee leadership, 2) partisan composition, 3) committee voting preferences, 4) federal agency designation in reporting system bills, and 5) interest groups.

Key findings from the above analysis were as follows. First, powerful committee leaders opposed to firearm regulation have very likely prevented reporting system legislation from passing. Second, partisan composition in the committees to which reporting system bills were

assigned appears to play its predicted role, with Republicans generally unsupportive of firearm regulation and reporting system legislation, and Democrats more supportive. However, there have been exceptions to this rule, with some Democrats persistently opposing firearm regulation. Third, the language and paradigms used by interest groups may also have impacted reporting system legislation. Finally, two of the mechanisms examined did not appear plausible. One was the committee voting preferences mechanism, which predicted that health-related committees would be more favorable of reporting system legislation than criminal justice committees. The other was the federal agency designation mechanism: the agency designated did not appear to have an impact on support for reporting system legislation. Instead, support appears to be more related to bill content, with the most support occurring for reporting system bills related to firearm injury prevention in young people. Despite this finding, however, the vulnerability of relevant federal agencies would be a serious barrier to implementation and continued authorization of a reporting system.

Given the above findings, two categories of strategy recommendations are presented for those who would like a national firearm injury reporting system to be established. The first category is to pursue Congressional authorization of a reporting system, along with the appropriation of the necessary funds. Strategies within this category could include 1) Improving committee members' support for reporting system legislation, particularly in committees where the leadership is opposed to firearm regulation; 2) Persuading Republicans to support reporting system bills; 3) Attaching reporting system proposals to bills with politically popular content; and 4) Continuing the growth of interest groups promoting the public health paradigm. The second category is to pursue non-governmental support for reporting system establishment. Both strategies have advantages and limitations, to be discussed in the "Strategy Recommendations" section; they should both be considered in light of the current political environment and availability of private funds.

The remainder of the paper is organized as follows. First, a background is presented to define the firearm injury problem and describe the need for and structure of a reporting system. Second, the paradigm and social regulatory policy analysis frameworks are described. Potential mechanisms that could be used to explain reporting system bill outcomes are then derived from the frameworks. Third, methods for analysis are presented. Fourth, the analysis is conducted and key findings are presented. Finally, the findings are used to generate strategy recommendations for aiding the creation of a national firearm injury reporting system.

Background

Despite significant evidence of the high toll that firearm injuries exact from our society, the firearm policy debate has been characterized by deep polarization and mistrust, rather than a fact-based, solution-oriented approach to the problem. Moreover, there is currently not enough information to develop solutions for the multiple facets of the firearm injury problem. Firearm injury researchers have therefore proposed that a national firearm injury reporting system be implemented to provide information that could be used to reduce firearm injuries in a targeted, effective manner² (Teret et al. 1992; Teret 1996; Barber et al 2000; Gotsch et al 2001). This section will discuss the rationale for establishment of a national firearm injury reporting system, existing facts about firearm injuries, the type of information a reporting system would provide, the proposed structure for a reporting system, and existing reporting system efforts.

Rationale for a Reporting System

Two important factors necessitate the implementation and use of a firearm injury reporting system. The first is that firearms will almost certainly remain a factor in the lifestyles of many Americans. Complete prohibition of gun ownership will probably never be politically nor practically feasible in the United States³. Moreover, historical efforts to prohibit dangerous items, such as alcohol and drugs, or purge the nation of “immoral” or risky behavior, such as premarital sex, have been far from successful. Just as individuals vary in their risk levels where

behaviors such as drinking or sex are concerned, gun owners and other citizens likely vary in their risk of being injured by firearms. To accomplish the public health goal of reducing firearm injury incidence, it may most efficient to direct policies at relatively high-risk individuals. The challenge for public health researchers is to determine the risk factors for firearm injury -- behavioral, environmental, or otherwise -- and suggest policies that address them. A reporting system would greatly enhance the ability to meet this challenge.

A second factor that makes a reporting system necessary is the inadequacy of current data sources for resolving important questions about firearm injury. Despite the complexity of firearm injury incidents and consequences, almost all existing data sources collect information about only one aspect of firearm injuries. For example, data sources tend to be either victim or perpetrator-based or collect information only on one type of intent (e.g. crime-related firearm injuries). Examples of existing data sources, as well as the reasons they are inadequate for creating solutions to reduce firearm injury, follow.

- ❑ **Death certificates:** These are an insufficient source of information on their own because they provide very little information on the victim, no information on the perpetrator or circumstances of injury, and very little information on firearm used. Although gun type can be coded for on death certificates as part of the E-code (external cause of death code in the International Statistical Classification of Diseases, Injuries, and Causes of Death, Ninth Revision), gun type is not specified in about 80% of firearm homicides and 66% of firearm suicides and unintentional shootings (Baker 1991). Even if gun type were coded on all death certificates, however, these would still be an insufficient source of information on firearms because specific firearm characteristics would not be recorded.
- ❑ **National Electronic Injury Surveillance System (NEISS):** NEISS is a surveillance system run by the Consumer Product Safety Commission (CPSC). It collects data on injuries due to consumer products from a nationally representative sample of emergency departments. Although it has provided useful estimates of the magnitude of nonfatal firearm injuries treated in emergency rooms nationwide, NEISS has several limitations. Its most significant disadvantage is that it cannot provide representative information at the state or local level (CDC 1999), where policies and programs aimed at reducing firearm injury are more likely to be implemented. In addition, NEISS does not provide adequate information on perpetrators, firearms, or circumstances of injury incidents.
- ❑ **Uniform Crime Reports (UCR):** The UCR is “a cooperative effort of approximately 16,000 city, county, and state law enforcement agencies voluntarily reporting data on crime brought to their attention” (FBI 1988). Local, county, and state law enforcement

agencies collect data on crimes and report it to a centralized database administered by the FBI. The UCR is limited as a data source because it excludes suicides, unintentional deaths, and nonfatal firearm injuries from all causes; misses approximately 10% of homicides (Rokaw et al 1990); and does not collect important data on victims.

- **Individual Studies:** While individual studies can yield important information about the firearm injury problem, they can be expensive and do not usually provide nationally generalizable data. Moreover, they do not provide information on an ongoing basis.

Currently, no data source provides combined information on firearm injury victims, perpetrators, circumstances and firearm characteristics. A national firearm injury reporting system would provide such data on an ongoing basis and on a nationwide scale while still being applicable to state and local levels. The next section will present available information on firearm injuries to further define the problem that a reporting system could help solve.

Epidemiology and Consequences of Firearm Injuries

Fatal Injuries

Firearms are a leading cause of mortality in the United States (McGinnis and Foege 1993). In 1998, a total of 30,708 U.S. residents died of firearm injuries, at a rate of 11.36 persons per 100,000 (Murphy 2000). Of these, 17,424 (56.7%) were suicides, 12,102 (39.4%) were homicides or legal interventions, 866 (2.8%) were unintentional, and 316 (1.0%) were of undetermined intent. The number of firearm injury deaths in 1998 by intent, race, and sex are shown in **Table 1**. There are large age, sex, and racial disparities in death rates from firearms. As with most injuries, firearm injury rates are highest in the young and elderly, and lowest in the middle aged population. The highest firearm death rates in 1998 occurred in the age categories of 25-29 years (28.6 per 100,000), 20-24 years (24.0 per 100,000) and 80-84 year-olds (17.5 per 100,000) (Murphy 2000). Although recent firearm policy has focused mainly on childhood and adolescent injuries, the 15-19 years old age group had only the fourth-highest mortality rate of 16.3 per 100,000 (Murphy 2000). Men are almost 7 times more likely than women to die of firearm injuries (Murphy 2000). Overall, blacks are about twice as likely as whites to be killed

with firearms, although the disparity varies with intent: blacks are more likely than whites to die from firearm-related homicides, while whites are more likely to die of firearm-related suicides (Murphy 2000)⁴. Firearm injury death rates by age, sex, and race are graphed in **Figure 1**.

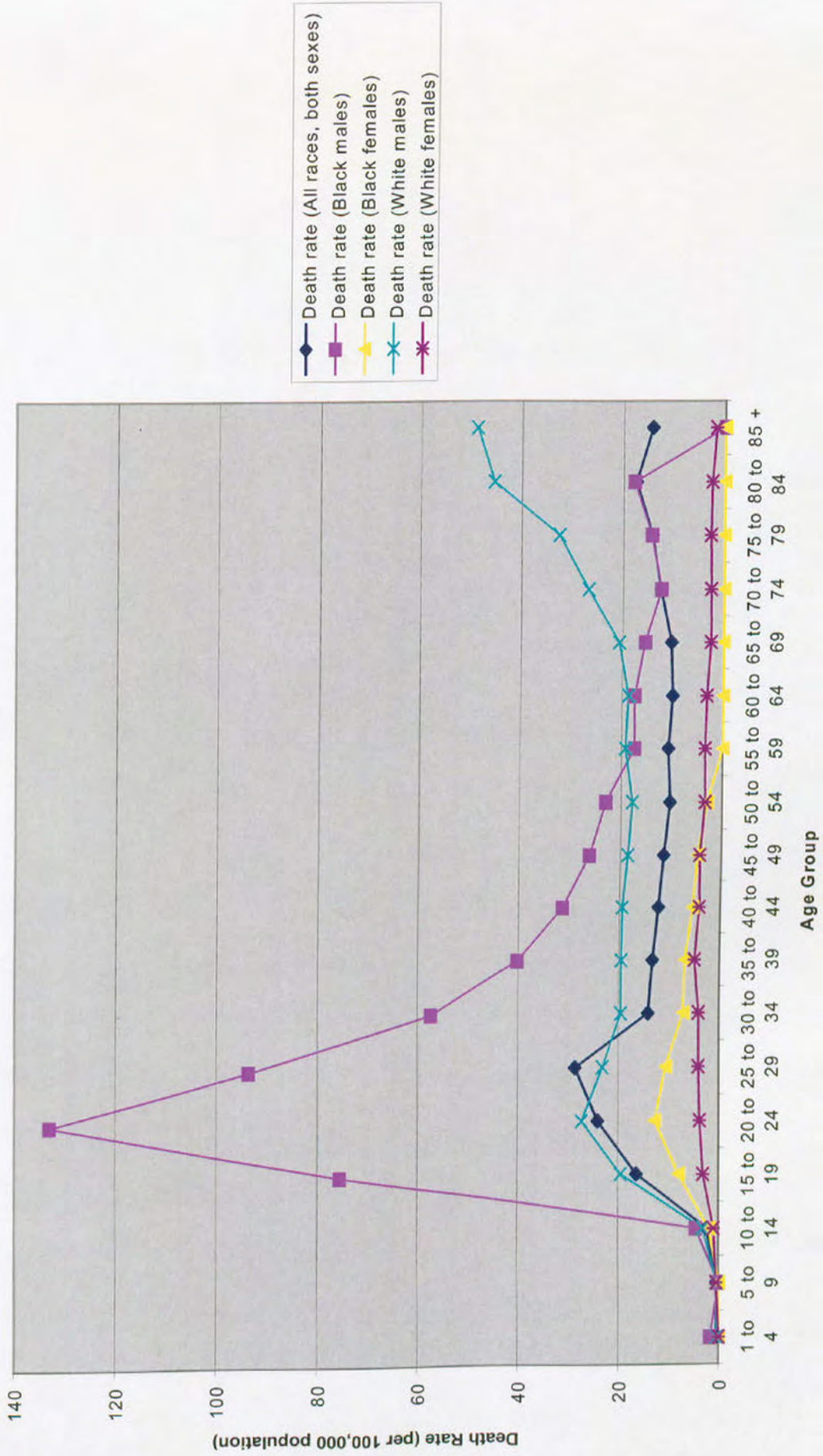
Table 1: Firearm Deaths by Intent, Race, and Sex: United States, 1998 (Murphy 2000)

	All Intent	Homicide/ legal intervention	Suicide	Unintentional	Undetermined intent
Total deaths	30,708	12,102 (39.4%)	17,424 (56.7%)	866 (2.8%)	316 (1.0%)
-Male	26,189	10,069	15,104	762	254
-Female	4,519	2,033	2,320	104	62
White	22,480	5,595	15,968	672	245
-Male	19,019	4,397	13,836	594	192
-Female	3,461	1,198	2,132	78	53
Black	7,503	6,157	1,110	174	62
-Male	6,952	5,399	983	154	56
-Female	911	758	127	20	6

Nonfatal injuries

Although much of the national focus on firearms pertains to fatal firearm injuries, nonfatal firearm injuries are also a significant public health problem, occurring at an overall rate 2 to 3 times that of fatal injuries (Annest 1995). An estimated 64,207 people were injured by firearm injury in 1997 in the United States. Of these, 47,453 (73.9%) were caused by assaults or legal interventions, 3.9 times more than the number of fatal assaults⁵. Intentionally self-inflicted injuries accounted for 3,699 (5.8%) of nonfatal injuries, resulting in a nonfatal to fatal injury ratio of 0.2. Finally, 13,055 (20.3%) nonfatal injuries were unintentional, occurring 15 times more often than fatal unintentional injuries (CDC 1999).

Figure 1: Firearm Injury Death Rates by Age, Sex, and Race (United States, 1998)



The ratio of nonfatal to fatal injury clearly differs according to method of injury. For example, the percentage of intentionally self-inflicted nonfatal injuries is quite low compared to the percentage of intentionally self-inflicted fatal injuries because of the extreme lethality of firearms as a suicide method. However, existing research gives us little insight into the causes for these differences (other than the obvious example of suicide), and policy has yet to begin addressing them.

Trends

The rate of both fatal and nonfatal firearm injuries has decreased in the last several years. Fatal injuries have been consistently decreasing since 1993, with rates falling 22.4% between 1993 and 1998 (Murphy 2000). Nonfatal firearm injuries have decreased by an estimated 40.7% since 1993, when an estimated 99,025 people sustained nonfatal firearm injuries (Annest 1995). This decline is consistent with a 21% decrease in violent crime that occurred during the same time period (Rand 1998). Not all of the decrease in injuries, however, is due to a decline in crime: data from NEISS suggest that the rate of unintentional, nonfatal firearm injuries treated in emergency departments has also decreased since 1993.

As with many social trends, the specific reasons for the decline in firearm injuries are disputable and not well understood. For example, factors contributing to the decline in criminal firearm injuries (e.g. assaults or homicides) could be closely related to the factors contributing to the decline in overall crime, but agreement as to the nature of these factors is far from unanimous. Reasons for the decline in crime range from the improved economy in the 1990s to harsher criminal penalties. However, the factors responsible for the decrease in violent firearm injuries are unlikely to explain decreases in unintentional injuries. Reasons for this decrease could include increased safety training courses or laws requiring firearm owners to store their weapons in a manner inaccessible to children. Clearly, this discussion plays out in the political realm: for instance, both advocates of the Brady Law and advocates of reduced restrictions on

concealed-carry weapons claimed responsibility for the decline in the homicide rate between 1991 and 1998 (Vizzard 2000). Without more evaluation and better information about risk factors for specific types of injuries, the reasons for the decrease are difficult to isolate.

Although the recent decline in firearm injuries is encouraging, the issue cannot be abandoned, for several reasons. First, the factors thought to be influencing the rate of firearm injuries have not been well examined and are subject to change. Second, firearm injuries continue to represent a significant problem even at their current magnitude. Third, the extent of the firearm injury problem has not yet been fully assessed. Fourth, the United States has witnessed a persistently high rate of firearm injuries for several decades, despite fluctuations in exogenous conditions. Since 1979, there have consistently been over 30,000 firearm deaths per year in the United States⁶. This rate is far higher than the rate of firearm-related deaths in any other industrialized nation.

Consequences of Firearm Injuries

In addition to causing significant pain and suffering for victims and families, firearm injuries exact a high cost from society, whether on the level of health care costs, lost productivity, or psychological impact on people close to the victim. Estimates of firearm-related medical costs range from approximately \$13,000 to \$17,000 per case (Kizer 1995; Wintemute 1992; Cook 1999). Total lifetime medical costs have been estimated at \$2.3 billion per year (Cook 1999), and lifetime costs including lost productivity have been estimated at \$20.4 billion per year (Max 1993). The public is estimated to pay between half and 80% of all costs for firearm injuries (Cook 1999, Max 1993).

Firearm injuries may also be a significant source of disability in the United States, although information on the prevalence, severity, and long-term outcomes of firearm-related disability is minimal. Firearm injuries are the second leading cause of spinal cord injuries in the United States (SCIIN 2000). It is estimated that 20,000 people a year are left paralyzed by

handgun injuries, with resulting lifetime medical costs comparable to those of the polio epidemic in the 1950s (American Academy of Pediatrics 2000). Unlike the polio epidemic, however, disability due to firearm injury has so far remained largely hidden from public and policy attention. A firearm injury reporting system would be able to provide crucial information on disability related to firearm injuries.

A final measure of firearm injury's toll on society is the lost productivity caused by firearm-related death and disability. In 1991, firearms were the fourth leading cause of Years of Potential Life Lost Under Age 65 (YPLL-65) in the United States⁷ (CDC 1994). In addition to providing a measure of societal cost, this figure indicates the disproportionate impact of firearm injuries on younger Americans. Firearm-related YPLL-65 increased 13.6% between 1980 and 1991, an indication that firearms are claiming younger lives than before (CDC 1994).

Existing information about the incidence and consequences of fatal and nonfatal firearm injuries indicates a substantial public health problem. However, there are numerous gaps in this information, including a lack of information on nonfatal injuries, firearm-related disability, and the firearms involved in injuries. A firearm injury reporting system could provide the type of information needed to address the firearm injury burden.

Type of Information Needed

Firearm injuries occur as a result of numerous environmental, personal, and social factors. These may include presence of a firearm, careless handling, alcohol or drug use, residing in high-crime areas, abusive relationships, or other factors. Injury incidents vary by location, time of day and year, and number of people involved. Victims vary in the severity of their injuries, use of medical services, and risk of being shot again. Data on a variety of factors and from a variety of sources is therefore necessary to fully characterize the firearm injury problem. Firearm injury researchers have specified that at a minimum, the following type of information on firearm fatalities is needed (Teret et al, 1992)⁸:

- ❑ Firearm characteristics: Type, make, model, caliber, and serial number
- ❑ Intent of injury: Homicide, suicide, unintended, or undetermined
- ❑ Victim information: Age, race, sex, drug/alcohol involvement
- ❑ Shooter information: Age, race, sex, relationship to victim, drug/alcohol involvement, prior criminal offense and/or victim status (e.g. whether shot before)
- ❑ Circumstances of shooting: Date, time, type of location, whether crime-related
- ❑ Involvement of emergency medical services

Other useful information on firearm injuries would include:

- ❑ Nature of injury (e.g. injury severity score, anatomical location, number of injuries on body)
- ❑ Medical services used (e.g. length of stay, costs, whether readmitted)
- ❑ Insurance status of victim
- ❑ Origin of firearm (e.g. obtained from acquaintance/family member, stolen, bought legally or illegally)
- ❑ Ammunition characteristics
- ❑ Firearm safety features (e.g. trigger lock, magazine disconnect, loaded chamber indicator)

Examples of questions that could be answered with this information include the following:

- ❑ What are key risk factors associated with becoming a victim or perpetrator of firearm injury?⁹
- ❑ How can we account for differences in firearm injury rates among demographic groups?
- ❑ Which types of firearms or ammunition are more likely to cause severe injury or death?
- ❑ How often are alcohol and drugs involved in firearm injuries? Does their involvement differ with intent of shooting?
- ❑ Are firearm safety features effective in preventing injuries? If so, which types?
- ❑ From where and whom are firearms most likely to be obtained? How does this vary with factors such as age of shooter or intent of shooting?

A firearm injury reporting system as described above would be unique in its capability to provide information about both victims and perpetrators of specific firearm injury incidents. Moreover, this information would be combined with key information about the firearm involved. This type of system would also provide for an ongoing analysis of firearm injuries in the face of changing gun policies, demographics, and a changing gun market. A similar reporting system for motor vehicle deaths, the Fatality Analysis Reporting System (FARS), has been instrumental in reducing highway fatalities through mechanisms such as increasing seatbelt and child restraint laws, improving highway design, and targeting alcohol involvement in highway fatalities.

Ultimately, researchers and policymakers could use data from the reporting system to reduce firearm injury incidence in the same way that data from FARS has been used to reduce vehicle-related fatalities.

Reporting System Structure

A national firearm injury reporting system as envisioned by firearm injury researchers would be “coordinated and funded at the national level” (Barber et al 2000) by a federal agency such as the Centers for Disease Control (CDC) (Teret et al 1992). Data would be collected at the local and state levels and reported to the federal agency, as it is with the Fatality Analysis Reporting System (FARS), administered by the National Highway Traffic Safety Administration. This structure would allow for data to be used by specific states and localities, where much of firearm policy is made (Barber et al 2000). At the same time, researchers would be able to obtain uniform, detailed data to better inform policymaking at the national level.

Data on fatal and nonfatal firearm injuries would stem from different sources. Data on fatal injuries would be obtained primarily from medical examiners or coroners, police reports, and crime labs, although additional data on individuals who received medical services before dying could be obtained from medical records. Data on nonfatal injuries would be obtained from medical sources such as trauma registry records or hospital discharge information and from local law enforcement agencies. Data from the medical records, medical examiner, and law enforcement agencies would then be linked using unique identifiers to create a complete record of the shooting incident. Once the data were assembled, unique identifiers would be removed to protect the privacy of the individuals involved. The advantage of this type of structure is that most of the relevant data is already collected. Because it is kept in different locations and on incompatible computer systems, the challenge for data collectors is mainly one of standardization and coordination. Other challenges include maintaining the confidentiality of private medical records, establishing trust between law enforcement and health professionals, and obtaining

specific types of information (e.g. drug involvement). While serious, however, these challenges to reporting system implementation are outside the scope of this paper.

Existing Reporting System Efforts

Since 1994, several states and metropolitan areas have been pilot testing reporting systems for firearm fatalities in their areas. Although the CDC originally funded this effort, the gun lobby caused CDC funding for gun research to be withdrawn in 1997, and several private foundations stepped in to maintain the effort¹⁰. The current pilot system, supported by the private foundations instead of the CDC, is a joint effort by the National Firearm Injury Statistics System (NFISS) at Harvard University and the Medical College of Wisconsin. This system collected data on firearm fatalities in 6 states and several metropolitan areas during the year 2000; ultimately, the researchers hope to collect data on nonfatal firearm injuries as well (Barber et al 2000).

The recent pilot efforts are a promising beginning to a national reporting system in that they can demonstrate the usefulness and feasibility of its implementation. However, these efforts alone will not provide the needed impetus for the establishment of a national reporting system. For a national reporting system to be implemented in the way firearm injury researchers have envisioned (e.g. in a federal agency) authorization and ongoing support must come from Congress, for several reasons.

First, for a reporting system to be coordinated and funded by a federal agency, Congress would need to authorize and appropriate funds. Congressional authorization is especially necessary to house a reporting system in a federal agency because of the 1997 decision to remove CDC funding for firearm injury research and prohibit the CDC from using its other funds for this purpose¹¹. If the reporting system were to be housed in the CDC, Congress would need to rescind this prohibition; in addition, it would need to appropriate funds for a reporting system, which would not necessarily occur as a result of authorization.

Second, in the absence of Congressional authorization and funding of a reporting system, the current pilot efforts would remain dependent on funding from private foundations. Foundation support was “a temporary measure to support surveillance efforts” (Barber et al 2000), and would not be likely to continue for the length of time necessary for the system to have a real impact on firearm policy. Moreover, foundations might not be willing to support reporting system efforts in all 50 states, at a potential cost of at least \$3.5 to \$12 million annually. It should be noted that, given enough money from the private sector, a reporting system could be sustainable over time within a setting similar to its current one (e.g. coordinated by higher education institutions with data collection occurring in states/metropolitan areas). However, even with full funding, university researchers would not necessarily be able to persuade all 50 states to implement a reporting system; a federal requirement or strong incentives from the federal government would probably be necessary to accomplish this goal.

There have been efforts to authorize a reporting system in Congress, with fifteen bills introduced between 1992 and 2000 (**Table 2**)¹². The Appendix lists the reporting system bills introduced since 1992, key reporting system features, other bill content, sponsors, number of cosponsors, assigned committees, and outcomes¹³. While the bills have varied in a number of ways, none have ever passed through committee

Table 2: Number of Reporting System Bills Introduced in Congress, pre-1992 to 2000

Year	# Reporting System Bills (House)	# Reporting System Bills (Senate)	Total
1973-1991	0	0	0
1992	0	1	1
1993	1	1	2
1994	1	0	1
1995	1	0	1
1996	1	0	0

1997	0	1	1
1998	2	1	3
1999	3	1	4
2000	1	1	2
Total	9	6	15

The next section will introduce two frameworks that lead to potential explanations for the committees' failure to pass these bills.

Frameworks

This section will describe the firearm policy paradigm and social regulatory policy analysis frameworks, which can be used to understand reporting system legislation outcomes. First, the firearm policy paradigm and social regulatory policy analysis frameworks will be described as they relate to firearm policy in general. Then, within the description of the social regulatory policy analysis framework, potential mechanisms that use both frameworks to understand reporting system bill outcomes will be proposed. Finally, several mechanisms will be selected for evaluation. The Methods section will then describe how the plausibility of these mechanisms will be assessed.

Firearm Policy Paradigms

The language and paradigms used in framing a problem impact both the content of proposed solutions and the likelihood that particular solutions will pass. For example, proposed solutions to the drug problem in the United States depend on whether the problem is framed within a crime or medical/health paradigm. As a result, the implementation of treatment-oriented solution is less likely if drug abuse is viewed as a criminal activity rather than a health problem. Gun regulation has historically also been viewed in several predominant paradigms, and much conflict in firearm politics is over how the problem should be framed: "In the case of gun control, the battle has been for control of the language and focus of cultural paradigms" (Vizzard 1999, p. 137). It is thus reasonable to suspect that the dominant paradigms in firearm policy could impact

the types of policies proposed and enacted. Therefore, one potential explanation for the failure of Congress to authorize a firearm injury reporting system is that the public health paradigm for viewing firearm policy has not become widely accepted enough to become a strong driving force for passage of a reporting system bill.

Paradigms in which the firearm problem has been viewed include 1) crime control, 2) sovereignty, 3) culture, 4) political symbolism, and 5) public health. The crime control paradigm has been one of the most dominant in firearm policy: it frames the firearm problem as a crime issue, leading to solutions that target criminal use of firearms. The sovereignty paradigm characterizes the firearm issue as a battle between individual rights and state authority. The culture paradigm frames the firearm issue as a “conflict between cosmopolitans and traditionalists” (Vizzard 1999, p. 139). In this paradigm, the “cosmopolitan” view stems from people who have little experience with and see little use for guns, and are relatively comfortable with collective authority; the “traditionalist” view is associated with people for whom firearms are part of a lifestyle and who have relatively little trust for state authority. In the political symbolism model, gun control is a “symbolic mechanism for attracting and holding voter loyalty” (Vizzard 2000, p. 11). In this case, each political party comes to be associated with a particular position on the firearm issue; this has clearly occurred in the last couple of decades, as most Democrats became gun control advocates and Republicans became champions of the gun lobby.

The public health paradigm, “clearly modeled on the experience with tobacco, seat belts, and motorcycle helmets”, applies the language and methods of public health to firearms and firearm injuries (Vizzard 1999, p. 139). This framework shifts discussion of the firearm problem from the individual to the collective realm, and from a language of “rights” or “crime control” to one of injury reduction and cost-benefit analysis. Given the importance of ongoing data

collection and analysis to public health, a firearm injury reporting system would be a key component of the public health approach to reducing firearm injuries.

Social Regulatory Policy Analysis

The policy dynamics of the firearm debate are another explanation for the failure of reporting system bills in Congress. Social regulatory policy analysis has been used as a model for explaining the dynamics of firearm policy (Spitzer 1998). According to this model, social regulatory policies – policies that “apply governmental authority in a direct and immediate way to shape individual actions” – have policy elements that manifest through political institutions in predictable ways (Spitzer 1998, p. 15). Social regulatory issues other than firearm policy include abortion, illicit drug policy, pornography, and school prayer. The political institutions examined by the model are the courts, interest groups, presidential leadership, political parties, Congress, public opinion, government agencies, and federalism. The debate surrounding social regulatory policies is more controversial than that over broad economic policies (e.g. tax codes) because these policies seek to regulate individual behavior and because a moral element is often involved. It should be noted that reporting system legislation is not, in and of itself, a social regulatory policy, since a reporting system would not directly regulate individual behavior. However, since it could be used to generate social regulatory policies and since firearm injury research has already been debated in the firearm policy arena, it is appropriate to apply the social regulatory framework to reporting system legislation.

Courts

In the social regulatory policy analysis model, the courts are predicted to be a primary source of definition and change for social regulatory policy issues; in other words, they set boundaries and are a key source of guidance for legislation on social regulatory issues. For example, the courts have clearly played this role in the abortion issue, where policies are often debated and challenged through the courts. The courts have also played a defining role in

firearm policy through consistent rulings that firearm regulation is constitutional¹⁴. The courts have thus essentially resolved the constitutional issue, making further court involvement in firearm policy unlikely.

The social regulatory model would predict that, although a reporting system would not in itself be a firearm regulation, the constitutionality of regulations that could ensue from a reporting system has been affirmed. Therefore, the constitutionality of a reporting system is not likely to be a significant factor in passage of reporting system bills, at least as far as the Second Amendment is concerned. Although one potential area of court involvement in reporting system policy could relate to the constitutionality of the federal government requiring that states or localities participate in a reporting system, it was beyond the scope of this thesis to address this issue. However, there would be ways to structure reporting system legislation such that states would not be required to participate (e.g. through the provision of grants).

It is difficult to propose a plausible mechanism describing the impact of firearm policy paradigms, as manifested through the courts, on reporting system bill outcomes. A pre-existing legal basis (e.g. a Constitutional amendment), rather than a particular conceptualization of an issue, is necessary for court involvement in a policy area. Therefore, the courts are probably more likely to impact paradigms than are paradigms to impact the courts.

Interest Groups

According to the social regulatory policy framework, interest groups¹⁵ are expected to be polarized and unwilling to compromise on their positions. For example, in the social regulatory area of abortion, neither side is willing to concede any points or policy advantages to the other. Firearm policy interest groups have also fit this model fairly well, although anti-gun control groups such as the NRA have generally taken a more extreme stance than pro-gun control groups. For example, since the NRA was taken over by an extremist faction in the 1970s, it has refused

to compromise even on issues such as regulating armor-piercing ammunition (“cop-killer bullets”), and leaders considered too moderate have been forced out of the organization¹⁶. The NRA remains under pressure to maintain an extreme position for several reasons: militant factions could defect if they perceived a weakened stance; without extremist propaganda, moderate members could perceive a reduced threat to gun owners’ rights and thus a reduced need to remain in the organization; and other anti-gun control organizations, such as the Second Amendment Foundation, Gun Owners of America, and the Citizens’ Committee for the Right to Keep and Bear Arms, pressure the NRA to remain militant (Spitzer 1998).

In contrast to anti-gun control interests, the dominant control advocacy groups have taken a more moderate stance. This moderate viewpoint could partially be due to the history of the most predominant pro-gun control group, Handgun Control Incorporated (HCI), whose leadership has been “predominantly drawn from the ranks of moderate Republicans” (Spitzer 1998). HCI was founded in 1974 by a Republican whose son had been murdered, gained a great deal of support after the 1980 murder of John Lennon, and since 1989 has been led by Sarah Brady, the wife of Ronald Reagan’s press secretary, James Brady (Spitzer 1998). James Brady was shot and paralyzed in the 1981 assassination attempt on the president. Since the early 1980s, HCI has avoided advocating control policies considered the most extreme, such as a handgun ban. Other more recently formed advocacy groups, such as the Bell Campaign and the Million Mom March, have also called for moderate, “common sense” policies such as firearm licensing and registration. Despite the moderate stance of many pro-gun control groups, more extreme groups exist: for example, the Coalition to End Handgun Violence and the Violence Policy Center advocate a complete ban on handguns, and have been critical of HCI.

Despite the moderate stance of many pro-gun control groups, interest groups have participated in a cycle of “outrage, action, and reaction” throughout the history of the firearm policy debate, making mutual compromise impossible (Spitzer 1998). In this cycle, pro-gun

control groups have taken advantage of popular outrage stemming from crisis events, promoting a symbolic, incremental policy addressing that event. As a result, a watered-down version of that policy is often enacted (the action stage). Finally, anti-gun control groups react to the efforts at new legislation, often claiming that the legislation is the first step on a slippery slope to a complete ban on firearms. The overall result is that very little meaningful firearm regulation is ever passed.

The social regulatory features of interest groups could thus impact passage of a reporting system bill because anti-gun control interests tend to oppose any legislation they perceive as leading to increased firearm regulation. On the other hand, the historical tendency of pro-gun control interests to seek the enactment of symbolic policies in response to crisis events could also preclude passage of a reporting system, because a reporting system clearly does not fit into this category. In addition, while it would be very easy for anti-gun control interests to galvanize their constituents based on any perceived threat to firearm ownership, pro-gun control interests would likely have a more difficult time raising support based on a non-symbolic, technical issue such as firearm injury surveillance.

Firearm policy paradigms could potentially be manifested via the language and paradigms used by interest groups. Interest group language and presence could impact Congress through the bills supported by interest groups and the success of their lobbying efforts. Interest groups can also use paradigms to impact other factors, such as public opinion: indeed, interest groups have been very important in developing the public's perceptions of the firearm problem (Vizzard 2000), which can then impact Congress directly. Conversely, public opinion can impact the formation and success of interest groups. Clearly, the impact of interest groups on Congress also depends on their size and political power, which could depend on when they were founded or the capability of their management. For example, interest groups using public health language have only recently begun to appear, whereas those using the sovereignty or crime paradigms have

existed for much longer. In addition, external factors such as the sudden opening of a policy window could impact bill outcomes.

President

In contrast to the active role taken by interest groups, the role of the president in firearm policy is fairly weak, with the president's power taking a backseat to policy battles in Congress. It is particularly difficult for presidents to influence social regulatory issues, as opposed to other types of policy (Spitzer, 1983). For example, despite support for strong firearm regulation (e.g. licensing and registration) from the Johnson administration, the final version of the Gun Control Act of 1968 was modest. In addition, although President Bill Clinton supported both an assault weapons ban and the Brady Bill, these had already gained political momentum before he declared support.

Given the social regulatory feature of a symbolic and fairly weak presidential role in firearm policy, the social regulatory policy analysis framework would predict that even a president supportive of firearm regulation would be unlikely to specifically support reporting system legislation. This prediction is due to the fact that reporting system legislation is not symbolic and thus would earn a president very little political capital. In addition, the president's weak role compared to Congress would likely preclude him from successfully pressuring the legislature to pass reporting system legislation unless there was already a great deal of political pressure for such legislation. However, such pressure would be unlikely to materialize. Finally, a president who did not support firearm regulation would not be expected to support reporting system legislation.

Although the institutional features of the presidency might preclude it from impacting reporting system legislation, firearm policy paradigms might still play a role within the presidency, because the president's personal views on the firearm problem could affect the types of policies he supported. For example, a president who viewed the problem within the

sovereignty paradigm would not make an effort to support public health policies. In addition, given the symbolic nature of the presidency, he might be expected to agree with the culture's dominant paradigms (e.g. crime or sovereignty).

Political Parties

The role of political parties in the social regulatory policy model is quite similar to their role in the paradigm framework. In the social regulatory policy model, political parties use differences in their policy positions to gain the support of constituents. This model applies quite clearly to social regulatory issues such as abortion, where Democrats are generally expected to uphold abortion rights, whereas Republicans are, on the whole, expected to restrict abortion rights and access. The political parties have also demonstrated this pattern in firearm policy: Democrats tend to support firearm regulation, while Republicans have become known for opposing gun control. It should be noted that the lines are not always clearly drawn: for example, many Southern Democrats, such as Jack Brooks of Texas (chair of the House Judiciary Committee from 1987 to 1994) have been highly opposed to firearm regulation. Other important breaks with party lines have occurred, such as when Henry Hyde (R-IL) (chair of the Judiciary Committee from 1995 to 2000) supported the 1994 assault weapons ban.

The institutional features of political parties have clear implications for a reporting system. If it is assumed that legislators opposed to gun control would also oppose a reporting system, it should be difficult to pass a reporting system bill while Congress is under the control of Republicans. However, breaks with party positions could potentially aid or preclude passage of reporting system legislation. As with the presidency, political parties would be expected to use dominant paradigms in their platforms to gain public support.

Public Opinion

In the social regulatory policy model, public opinion tends to be play into the cycle of "outrage, action, and reaction" discussed above, with support for firearm regulation increasing as

a result of crisis events (e.g. assassinations, school shootings) and waning with time. Therefore, support for regulation tends to be sporadic. In addition, individuals not directly affected by the policies can be difficult to mobilize.

The key consequences of these features are that organized interests are more successful than the public at influencing firearm policy outcomes, and it is difficult to hold the public's attention long enough to pass the policy it generally agrees with. Therefore, despite consistently high public support for a range of gun control measures over the last several decades, these laws have not been passed. For example, Americans have consistently supported firearm registration throughout the 20th century, but no registration system bills have passed. Since 1938, support for handgun registration in the U.S. has ranged from 66% to 84%; the highest level of opposition for handgun registration has ranged from 16% to 30% (Gallup 2000)¹⁷.

The above institutional features suggest that even if public support for a reporting system could be generated, this support would not be likely to result in passage of reporting system legislation. Moreover, support for such a system would be extremely difficult to muster, given the system's technical nature, lack of symbolism, and the fact that it is not a clear response to a particular crisis event. The paradigm framework can add to the social regulatory policy explanation for why it would be difficult to convince the public of the importance of a reporting system.

The American public generally has a weak sense of public health paradigm, and instead views the gun issue through the lens of both the sovereignty and crime paradigms. Many Americans believe that the Second Amendment provides an individual right to own guns: in a 1993 poll, 46% of Americans agreed that "strict gun control laws violate the Constitution" (Gallup 1993). However, Americans have consistently indicated high levels of support for stricter gun regulations; their general support of gun control is tied to the fear of crime (Spitzer 1998). Public attention throughout history has focused on high-profile criminal uses of firearms:

in the 1930s, the focus was on gangsters' use of firearms, while the public today focuses on school shootings and other mass shootings. As an example of how the public responds to crisis events, consider that in 2000, 1/3 of Americans thought a Columbine-like incident could happen in their communities (Gallup, April 2000). However, most other types of shootings, with the possible exception of unintentional shootings of children, have tended to remain out of the public eye. The most recent legislative initiatives with widespread public support all involved the crime paradigm: these included a ban on assault weapons, the Brady Bill, and November 2000 ballot initiatives in California and Oregon closing the gun show loophole in those states.

Whether the public health paradigm could become dominant in public discourse is questionable. The public might be amenable to accepting certain policies stemming from a public health standpoint; despite its apparent focus on crime-related gun legislation, in 1994, only 34% of Americans believed that gun control laws would reduce violent crime (Berke 1994). On the other hand, in 1999, 85% of Americans said they would favor a requirement to include safety locks or trigger guards with all new handguns (Gallup 2000). While the latter policy may not reduce firearm injury rates tremendously, it is decidedly a public health measure, drawn from the consumer product safety philosophy.

On the other hand, there are obstacles to the public's acceptance and use of the public health paradigm. One is the deeply entrenched nature of other paradigms in the American mindset, and the fact that the public health paradigm has emerged relatively recently, giving other paradigms a significant time and popularity advantage. Another is the nature of public health itself: public health approaches can be complex, and can thus be difficult to promote. The American Public Health Association (APHA) has found that the public does not understand even the basic concept of public health, adding to the challenge of "converting" the public to see firearm policy from an injury and risk reduction standpoint (Degutis 2001). Moreover, the concept of prevention is also difficult to advance in a culture where reactive treatment is usually

favored over preventive measures. In conclusion, then, it appears that the public is not amenable to the public health viewpoint, and would not be easily motivated to support a reporting system. Even if it could be, however, the institutional qualities of public opinion with respect to firearm policy would likely prevent public support from having much of an impact.

Congress

The political dynamics of social regulatory policies – particularly the influences of interest groups – converge on Congress, which plays a “highly visible role in social regulatory policy... serving as a primary focal point for national policy conflict” (Spitzer 1998, p. 103). According to the social regulatory policy model, Congress tends to support the status quo and resists experimentation. A number of factors may contribute to its inertia, including institutional features such as Congressional leadership, committee leadership, partisan composition, and voting preferences, the opinions and power of other key members, actual bills introduced, and outside influences such as interest group power or weakness. In addition, the polarized nature of the firearm policy debate, the “outrage, action, and reaction” cycle, and the time and political investment needed to pass *any* policy in this environment may all lead to reactive policymaking, rather than proactive experimentation with policy options. As discussed above, the president and general public opinion have limited influence in the realm of firearm policy. However, the public may be able to influence Congress through interest groups, and the constituencies of key members may carry additional weight.

The institutional features of Congress would be expected to influence reporting system outcomes in the same general manner as they influence firearm policy. However, the tendencies of Congress to support the status quo and resist experimentation could especially reduce the chances for passage of a reporting system bill. This is because the reporting system concept requires a change in mindset about the firearm injury problem, and because its purpose is to provide data for experimental, incremental firearm regulation. Several potential mechanisms by

which the key institutional features of Congress may impact reporting system outcomes are now proposed. Although numerous factors can influence Congressional decision-making, the mechanisms proposed here relate specifically to the committees involved in reporting system legislation because none of the reporting system bills have passed through committee.

In the first mechanism, the leaders (e.g. chair and ranking minority member (RMM)) – of the committees to which a bill is assigned would be expected to impact a bill via their general power over the committee. This could impact the bill's chance for passage out of the committee or how the bill content is changed (during committee mark-up process). Therefore, committee leaders opposed to reporting system legislation could be responsible for the failure of reporting system bills to pass out of their committees, or if the reporting system proposal is part of a larger bill, could work to have the proposal removed from the bill. In addition, powerful committee leaders could impact bill outcomes by attempting to expand their committee jurisdictions and/or bring bills of political interest to them into their committees. For instance, the leader of a crime committee could obtain jurisdiction over a reporting system bill by claiming that it falls under the jurisdiction of firearm control, while the leader of a health committee could obtain jurisdiction by citing the fact that a reporting system is a public health measure. However, this paper focuses on decisions made within committees rather than the mechanisms by which bills are assigned to committees.

A second mechanism by which committee features could influence legislative outcomes is via their partisan composition. As both the paradigm and social regulatory policy frameworks indicate, firearm policy has become a highly partisan issue, with both parties using their positions on the issue to political advantage. Since Republicans tend to be opposed to firearm regulation, a Republican majority on a committee could preclude passage of reporting system legislation. However, deviation of key members from the partisan position could also impact legislation.

Firearm policy paradigms could also impact Congressional decisions, both directly and indirectly. One potential direct mechanism by which paradigms could impact reporting system bill outcomes is via committee voting preferences. On the whole, a committee with jurisdiction over health-related topics might be more amenable to the public health viewpoint, and hence more amenable to voting for a reporting system. Conversely, a committee with jurisdiction over criminal justice might be less amenable to the public health viewpoint, and thus less likely to vote for a reporting system.

Paradigms could indirectly impact Congress via the presence and lobbying power of interest groups devoted to public health measures for firearm injury reduction. As discussed above, public opinion about firearm policy is not as important an indirect influence on Congress as are interest groups. Interest groups can impact Congress in a number of ways, such as by lobbying for bills they favor or contributing campaign funds to members of Congress. With respect to the latter mechanism, however, it is difficult to determine the line of causality: in other words, whether interest groups donate money to legislators they would like to convince (e.g., donating before a vote has taken place) or to legislators they would like to reward (e.g. after the legislator has already voted for their position) (Schlesinger 2000). It is likely that interest group contributions reflect a combination of both.

Federal agencies

The social regulatory policy analysis framework predicts that federal agencies involved in social regulatory policy issues tend to have an extremely limited role in changing the course of these policies and tend to be highly vulnerable to political events. In the case of firearm policy, the most relevant agency has been the Bureau of Alcohol, Tobacco, and Firearms (ATF). ATF has long been the target of political action by anti-gun control interests, and is essentially paralyzed in its ability to impact firearm policy. Indeed, some legislators and presidents have attempted to completely eliminate ATF (Martinek et al 1998). In addition, an analysis of ATF

funding showed that it is the weakest of the federal law enforcement agencies; between 1970 and 1995, ATF's budget grew by 692%, while the other law enforcement agencies (Federal Bureau of Investigations, Drug Enforcement Agency, Secret Service, Immigration, and Customs) had budget growth ranging from 860% to 3,233% (Martinek et al 1998). ATF has not been the only agency targeted by the gun lobby, however: anti-gun control forces successfully managed to prevent the Consumer Product Safety Commission (CPSC) from regulating firearms as a consumer product, in addition to lobbying for curtailed CDC funding for firearm injury research.

The vulnerability of federal agencies with respect to firearm policy could be expected to negatively impact the chances for passage of reporting system legislation. For example, bills specifying a particularly vulnerable or unpopular agency such as ATF might be unlikely to pass. Paradigms could influence reporting system outcomes by influencing the agency designated in a bill, and hence the chance for the bill's passage. For example, a higher level of acceptance of the public health paradigm could lead to increased designation of health agencies (e.g. CDC) as opposed to law enforcement agencies (e.g. ATF) in bills introduced. The agency designated could, in turn, influence the bill's chance of passage: legislators favoring the crime paradigm might favor placing a reporting system in ATF, whereas legislators favoring the public health paradigm might favor housing a reporting system in the CDC or other health-related agency. It should, of course, be noted that bill features other than the agency designated could impact whether a legislator voted for it or not. In particular, if the reporting system proposal was part of a larger bill, the other features of the bill could be even more important to voting decisions than the agency designated. For example, a bill banning handguns would not pass, regardless of the agency it designated; by contrast, a bill providing for a more politically popular measure (e.g., increased juvenile detention time for teenagers in possession of a handgun) might pass, again regardless of the agency designated.

Federalism

A final policy element that could impact passage of a reporting system bill is the role of federalism in firearm policy. The institution of federalism leads to autonomy in state and local lawmaking, despite the presence of federal laws. For example, state Medicaid funding for abortion varies by state, despite a longstanding ban on federal Medicaid funding of abortion. In general, most firearm policy has been made at the state and local levels, resulting in numerous laws, but no comprehensive or uniform national policy. Indeed, when the anti-gun control lobby refers to the “over 20,000 gun laws” on the books as proof that no further regulation is needed, they are speaking of state and municipal laws, not federal laws.

Federalism would make both passage and implementation of a reporting system difficult. The federal government would need to use its power to coerce or convince the states to collect and report uniform data elements to a national repository; this need could make reporting system passage quite difficult. While resistance or constitutional problems related to federal government coercion could be overcome by providing grants to states that implemented a system, this approach would not garner participation from as many states. In addition, other factors could make implementation difficult, because a coordinated effort in all 50 states would be needed, and because state politics or lack of appropriate infrastructure could prevent participation. State participation would also be affected by the impact of paradigms. Dominant paradigms almost certainly vary geographically (by region, state and locality), which could impact the laws passed in different areas. Therefore, areas where the public health paradigm and/or presence are weakest would be less likely to work towards implementing a reporting system, regardless of whether a bill was passed.

Selection of Mechanisms

The previous section explained the potential mechanisms by which the paradigm and social regulatory policy frameworks could be used to understand outcomes of reporting system legislation. It was beyond the scope of this paper to address all the potential mechanisms by

which reporting system bill outcomes could be influenced. Therefore, several mechanisms were selected for analysis based on their potential relevance to Congressional decision-making on reporting system legislation.

Based on above criterion, the mechanisms involving Congress and interest groups were chosen for analysis. Political parties were included as an institution insofar as partisan composition determined Congressional committee voting preferences. The social regulatory features and paradigms related to government agencies were also analyzed. The role of public opinion was eliminated from analysis because its impact on firearm policy appeared minimal compared to the potential impact of other factors. The courts were eliminated from analysis because their decisions on firearm regulation have held for decades, and hence they would not have had a specific role in impacting reporting system legislation. Presidential leadership was eliminated because the President would not be expected to expend political capital on supporting a non-symbolic issue such as reporting system legislation. Finally, federalism was not analyzed in depth because it was deemed to be of less potential importance to Congressional decisions than other factors.

The specific mechanisms chosen for evaluation were as follows. First, within Congress, committee leadership and partisan composition were analyzed for their impact on reporting system outcomes. Second, the mechanisms for direct and indirect impact of dominant paradigms on Congressional decision-making were evaluated; these mechanisms involved overall committee voting preferences and interest group paradigms. Finally, analysis focused on the potential mechanism by which institutional features and paradigms related to federal agencies might impact reporting system bill outcomes. This mechanism involved the designation of federal agencies to house reporting systems and its potential impact on the bill's passage, along with an evaluation of how other bill content might influence bill passage.

Methods

This section will present the methods that were used to evaluate the plausibility of the selected potential mechanisms for impacting reporting system legislation outcomes. Because many of the mechanisms related to gun control votes and reporting system support in relevant committees, they could be grouped together and evaluated with a single analysis. Therefore, mechanisms relating to 1) committee leadership, 2) partisan composition, 3) committee voting preferences, and 4) federal agency designation were evaluated using an analysis of committee members' and leaders' votes on gun control bills and sponsorship of reporting system legislation. The mechanism related to interest group language and paradigms was assessed more qualitatively. The following is a more specific explanation of the methods used to evaluate each mechanism.

Committee leadership

The committee leadership mechanism posited that committee leaders opposed to reporting system legislation could be responsible for the failure of reporting system bills to pass out of their committees. Two methods for evaluating this mechanism were identified. First, committee leaders' votes on key gun control bills between 1992 and 2000 (the years in which reporting system bills were introduced) were analyzed. Because no votes were taken on reporting system legislation, it was assumed that legislators would vote in the same manner on both key gun control bills and reporting system bills. This assumption was deemed justifiable because firearm regulation is so polarized; thus legislators would generally be expected to vote consistently for either the pro-gun control or anti-gun control position. In addition, if a reporting system were perceived to be a potential method for tracing the ownership of legally purchased firearms, anti-gun control legislators would be expected to vote against it (Degutis 2001). Key gun control bills for the years studied were obtained from the Almanac of American Politics (AAP), which lists important votes for each Congress. If the AAP did not list a key gun control vote for a particular year, the Handgun Control, Inc. (HCI) website was consulted. HCI

maintains a record of Congressional members' votes on gun control bills and amendments it considers important, listing votes based on whether a member of Congress voted for or against the position HCI favored (deemed in this report to be the pro-gun control position). For each committee member, a score of 1 was then assigned to votes for the gun control position and 0 to votes against the gun control position. Therefore, members of Congress receiving a score of 1 for a particular year were considered favorably disposed towards a reporting system, whereas members receiving a score of 0 were considered unfavorably disposed towards a reporting system.

Second, to obtain a measure of voting preferences more specific to reporting system legislation, the sponsorship of reporting system bills was evaluated to determine whether any committee leaders had sponsored or co-sponsored reporting system legislation. These results were then considered along with the analysis of gun control votes and general knowledge about the leaders themselves to determine the role of committee leaders in the outcome of the reporting system bills in their committees. Note that if there was no gun control bill for either of these years, and if no reporting system bill was introduced, the analysis was not done for that year.

Based on their gun control voting preferences and support for reporting system bills, committee and subcommittee leaders were identified as being either favorable or unfavorable toward reporting system legislation. If a leader received a zero for a gun control vote in a particular year (e.g. voted against the gun control position), he received a mark of "unfavorable" for that year. By contrast, if he received a 1 for a gun control vote, he was given a mark of "favorable", regardless of whether he supported reporting system legislation in that year (because not sponsoring reporting system legislation was not deemed adequate proof of opposition to such legislation). If there was no gun control vote in a particular year, the leaders' position was marked N/A if there was no reporting system legislation or if they did not (co-) sponsor the legislation; however, they were identified as "favorable" if they (co-) sponsored the legislation.

Partisan composition

According to the partisan composition mechanism, gun control votes on the committees to which reporting system bills were assigned would be split according to partisan affiliation, with Republicans opposing gun control and Democrats supporting it. To assess the plausibility of this mechanism, the same analysis as described above was used. Gun control votes and (co-) sponsorship of the actual reporting system legislation were evaluated, and the partisan affiliation of each member (including the leadership) was assessed.

Committee voting preferences

The proposed “committee voting preferences” mechanism stated that members of health committees would be more likely to accept the public health paradigm than members of crime committees. The specific prediction stemming from this mechanism was that health committees would, overall, be more likely to vote for firearm regulation and sponsor reporting system bills than members of crime committees. This mechanism was assessed by comparing the key gun control votes of members of the criminal justice and health committees to which reporting system bills were assigned. The House Judiciary Committee and Subcommittee on Crime were compared to the House Commerce Committee and Subcommittee on Health and the Environment; the Senate Judiciary Committee and Subcommittee on Youth Violence were compared to the Senate Finance Committee and Subcommittee on Social Security and Family Policy. Again, the vote analysis described above was used to assess this mechanism, with committee differences being assessed via comparison of two ratios: the total number of votes for gun control per number of committee or subcommittee members throughout the time period studied, and the total number of sponsors or co-sponsors per number of committee or subcommittee members throughout the time period studied. If a member abstained from voting, he or she was not counted in the denominator.

Federal agency designation

The “federal agency designation” mechanism stated that the agency designated in a reporting system bill could impact the bill’s level of support. The prediction stemming from this mechanism is that reporting system proposals that would place jurisdiction for system in politically volatile agencies with respect to the gun would have less support than proposals delegating power to more politically stable agencies with respect to the gun issue. Unfortunately, this mechanism is difficult to test, since almost all of the bills designated the Department of the Treasury or the CDC – both volatile agencies with respect to firearm policy – as homes for the reporting system. Although any agency housing a reporting system could theoretically be subject to political attacks, health-related agencies (e.g. CDC, HHS) have endured less political attacks than law enforcement agencies (e.g. ATF). Therefore, health-related agencies were defined as being less politically volatile than law enforcement agencies for this analysis. This mechanism is also difficult to test because legislators opposed to a reporting system would likely oppose it regardless of the agency designated, whereas legislators supporting a reporting system would likely support it regardless of the agency designated¹⁸. Furthermore, other features of the bill could impact whether a legislator voted for it or not. For example, if a reporting system proposal were part of a larger firearm regulation bill, the success of the reporting system proposal would depend on the success of the larger bill; this would depend on the prevailing political environment and features of the other bill content¹⁹. This mechanism was therefore evaluated by comparing support for bills designating various agencies, as measured by number of co-sponsors for the bill, while accounting for any other bill content (defined as significant proposals other than a reporting system).

Interest group paradigms

The final mechanism evaluated, interest group influence on Congress, posited that most firearm policy interest groups do not support the public health paradigm. The plausibility of this mechanism was assessed using a qualitative evaluation of the language used by key interest

groups on either side of the firearm policy debate. It was presumed that a weak presence of interest groups promoting public health measures could negatively impact the chances for a reporting system bill.

Results

Of the mechanisms proposed above, the most plausible were committee leadership, partisan composition, and weakness of the public health paradigm in interest group language. The committee voting preferences mechanism did not appear plausible. Finally, federal agency designation did not appear to be as important as other bill content in determining support for reporting system legislation.

Committee Leadership

This analysis indicated that key leaders unfavorable to firearm regulation could be important obstacles to the passage of reporting system legislation. Tables 3 through 6 list the chairs and ranking minority members (RMMs) of the committees examined, along with an assessment of whether they were generally favorable or unfavorable to firearm regulation. As shown in these tables, both House committees studied had leaders opposed to firearm regulation. In the Judiciary Committee, Jack Brooks (D-TX), chairman until 1994, was strongly opposed to firearm regulation. After his departure, Republicans gained control of the House and Henry Hyde took leadership of the committee. While Hyde broke with his party to support the assault weapons ban in 1994, however, he was generally opposed to firearm regulation.

In the Commerce Committee, Representative John Dingell (D-MI), chairman through 1994, could also have created an obstacle for the passage of reporting system legislation. Contrary to what might have been expected from a Democrat, Dingell voted against the gun control position in almost every instance studied. Dingell's opposition to gun control is well-

known; he was an NRA member for many years and continues to obtain high levels of campaign funding from the gun lobby (Letzler 2001). His opposition to gun control appears to stem from the belief in an unfettered right to bear arms: when the NRA split into two factions, one focusing on recreational use and the other focusing on the right to bear arms, Dingell led the latter faction (Vizzard 2000).

Leaders strongly opposed to gun control could also have impeded reporting system bills in the Senate. Although the Judiciary Committee chair and RMM before 1994 favored firearm regulation, Senator Orrin Hatch (R-UT), who became chairman in 1995, consistently opposed firearm regulation. Prior to that, Hatch had been the RMM of the Youth Violence Committee since 1993, and could have undermined the success of the reporting system bill (S. 32) introduced during that time. Senator Patrick Leahy (D-VT), the Judiciary Committee RMM beginning in 1997, was also opposed to gun control, which precluded the opportunity for a counterbalancing of Hatch's position. In the Senate Finance Committee, the leadership tended to be divided, with Senator Daniel Patrick Moynihan consistently supporting gun control and reporting system legislation, and the Republican leader opposing it. The subcommittee leaders between 1993 and 1996 appeared to be uniformly opposed to gun control, which could have precluded any reporting system bill's passage out of subcommittee.

Partisan Composition

Partisan composition appears to be a key factor in the voting preferences of committees with respect to firearm regulation. In addition, party membership appears to be a decisive factor in committee members' support of reporting system legislation. As Tables 3-6 show, the proportion of Democrats voting for the gun control legislation examined was consistently higher than the comparable portion of Republicans, an unsurprising result. Democrats were also far more likely to co-sponsor reporting system legislation than Republicans: in fact, no Republicans co-sponsored any of the reporting system bills introduced between 1992 and 2000. Both of the

above results suggest that when Republicans have a majority in Congress, it is more difficult to pass both firearm regulations and reporting system legislation.

Committee voting preferences

The committee voting preferences mechanism posited that health-related committees would be more likely than criminal justice committees to vote for firearm regulation and support reporting system bills. Therefore, criminal justice committees were compared with health-related committees in both the House and Senate²⁰. Because the larger committees are composed of numerous subcommittees, some of which are unrelated to health, the subcommittees were also compared. Of the fifteen reporting system bills introduced in Congress since 1992, seven were assigned to the Crime subcommittee of the House Judiciary Committee, and 4 were assigned to the House Commerce Committee, Subcommittee on Health and the Environment. Of the remaining bills, 4 were assigned to the Senate Judiciary Committee (Subcommittee on Youth Violence) and 3 were assigned to the Senate Finance Committee (Subcommittee on Social Security and Family Policy)²¹. Therefore, a total of 11 bills were assigned to justice-related committees and 7 were assigned to other committees (health or finance)²².

To assess the differences between the two types of committees, two ratios were devised. The first, called the “(sub-) committee gun control ratio”, was defined as the number of pro-gun control votes in that committee between 1992 and 2000, divided by the total number of voting committee members. The second ratio, called “(sub-) committee sponsorship ratio”, was defined as the number of sponsors and cosponsors for reporting system bills in a committee between 1992 and 2000, divided by the total number of committee members who could have sponsored or co-sponsored each bill²³. The purpose of these ratios was to provide a measure for each committee (and subcommittee) of the level of support for firearm regulation and reporting system bills; they are shown in **Table 7**.

Table 3: House Judiciary Committee, Subcommittee on Crime: Leadership, Gun Control Votes, Reporting System Bill Sponsorship, and Ratios

House Judiciary Committee, Subcommittee on Crime	Year	Key gun control bill	Reporting System bill	Leaders favorable/unfavorable	Committee gun control ratio	Committee Sponsorship ratio	Leaders favorable/unfavorable	Subcommittee Gun Control Ratio	Subcommittee Sponsorship Ratio
		Key gun control bill	Reporting System bill	Democrats: Committee chair or RMM	Democrats/Republican/Total	Democrats/Republican/Total	Democrats: Subcommittee chair or RMM	Democrats/Republican/Total	Democrat/Republican/Total
1992		H.R. 7 (7-day waiting period for handgun purchase)	None in House	Brooks (D-TX) (Unfavorable) Fish (R-NY) (Favorable)	Democrats (16/21); Republicans (6/14); Total (22/35)	N/A	Schumer (D-NY) (Favorable)	Sensenbrenner (R-WI) (Favorable)	Democrats (8/8); Republicans (1/5); Total (9/13)
1993		N/A	HR 2817 (Firearm Fatality Reporting System Act)	Brooks (N/A) Fish (N/A)	N/A	Democrats (2/21), Republicans (0), Total (2/35)	Schumer (N/A)	Sensenbrenner (N/A)	N/A
1994		H.R. 3527 (Assault weapons ban, passed 5/5/94)		Brooks (Unfavorable) Fish (Unfavorable)	Democrats (19/21); Republicans (1/14); Total (20/35)	Democrats (0), Republicans (0), Total (0/35)	Schumer (Favorable)	Sensenbrenner (Unfavorable)	Democrats (8/8); Republicans (0/5); Total (8/13)
1995		N/A	HR 915 (Firearms Safety and Violence Prevention Act of 1995)	Conyers D-MI (N/A) Hyde (R-IL) (N/A)	N/A	Democrats (2/15); Republicans (0/20); Total (2/35)	Schumer (N/A)	McCollum (R-FL) (N/A)	Democrats (1/5); Republicans (0), Total (1/13)

1996	H.R. 125 (Repeal of assault weapons ban)	HR 4044 (Safe and Responsible Handgun Act of 1996)	Conyers (Favorable)	Hyde (Favorable)	Democrats (13/14); Republicans (0/20); Total (13/34)	Democrats (3/15); Republicans (0); Total (3/35)	Schumer (Favorable)	McCollum (Unfavorable)	Democrats (5/5); Republicans (0/8); Total (5/13)	Democrats (2/5); Republicans (0); Total (2/13)
1997	N/A	None in House	Conyers (N/A)	Hyde (N/A)	N/A	N/A	Schumer (N/A)	McCollum (N/A)	N/A	N/A
1998	N/A	H.R. 4073 (Children's Firearm Injury Surveillance Act of 1998)	Conyers (N/A)	Hyde (N/A)	N/A	Democrats (7/16); Republicans (0/21); Total (7/37)	Schumer (N/A)	McCollum (N/A)	N/A	Democrats (4/5); Republicans (0/8); Total (4/13)
1999	H.R. 2122 (Background Checks and Gun Shows)	1) H.R. 920 (Firearms Safety and Consumer Protection Act of 1999)	Conyers (Favorable)	Hyde (Unfavorable)	Democrats (15/15); Republicans (6/20); Total (31/35)	Democrats (4/16); Republicans (0/21); Total (4/37)	Scott (Favorable)	McCollum (Unfavorable)	Democrats (5/5); Republicans (1/8); Total (6/13)	Democrats (2/5); Republicans (0); Total (2/13)
		2) H.R. 2010 ("To provide for the establishment of a National Firearm Injury Reporting System")				Democrats (1/16); Republicans (0); Total (1/37)				Democrats (1/5); Republicans (0/8); Total (1/13)
		3) H.R. 1342 (Children's Firearm Injury Surveillance Act of 1999)				Democrats (7/16); Republicans (0); Total (7/37)				Democrats (3/5); Republicans (0/8); Total (3/13)

2000	N/A	H.R. 4915 (Handgun Licensing and Record Sale Act of 2000)	Conyers (N/A)	Hyde (N/A)	N/A	Democrats (0); Republicans (0); Total (0/37)	Scott (N/A)	McCollum (N/A)	N/A	Democrats (0/5); Republicans (0/8); Total (0/13)
Committee gun control ratio	0.62	Committee sponsorship ratio	0.080	Subcommittee gun control ratio	0.538	Subcommittee sponsorship ratio	0.11			
(86 pro-gun control votes/ 139 members)		(26 cosponsors/ 325 committee members)		28 pro-gun control votes/52 members		13 co-sponsors/ 117 members				

**Table 4: House Commerce Committee, Subcommittee on Health & Environment:
Leadership, Gun Control Votes, Reporting System Bill Sponsorship, and Ratios**

Year	Key gun control bill	Reporting System bill	Leaders favorable/ unfavorable	Committee gun control ratio	Committee Sponsorship ratio	Leaders favorable/ unfavorable	Subcommittee Gun Control Ratio	Subcommittee Sponsorship Ratio
1992	H.R. 7 (7-day waiting period for handgun purchase)	None in House	Democrats: Committee chair or RMM <i>Dingell (D-MI)</i> (Unfavorable)	Democrats (18/27); Republicans (6/17); Total (24/44)	N/A	Democrats: Subcommittee chair or RMM <i>Waxman</i> (D-CA) (Favorable)	Democrats (10/15); Republicans (2/9); Total (12/26)	Democrat/ Republican/ Total N/A

1993	N/A	HR 2817 (Firearm Fatality Reporting System Act)	Dingell (N/A)	Moorhead (R-CA) (N/A)	N/A	Democrats (0/27), Republicans (0/17), Total (0/44)	Waxman (N/A)	Bliley (R-VA) (N/A)	N/A	Democrats (0/15); Republicans (0/9); Total (0/24)
1994	H.R. 3527 (Assault weapons ban, passed 5/5/94)		Dingell (Unfavorable)	Moorhead (Unfavorable)	Democrats (20/27); Republicans (2/17); Total (22/44)	Democrats (1/44), Republicans (0), Total (1/44)	Waxman (Favorable)	Bliley (Unfavorable)	Democrats (11/15); Republicans (2/9); Total (13/24)	Democrats (1/24); Republicans (0); Total (1/24)
1995	N/A	HR 915 (Firearms Safety and Violence Prevention Act of 1995)	Dingell (N/A)	Bliley (N/A)	N/A	Democrats (2/15), Republicans (0), Total (2/35)	Waxman (N/A)	Bilirakis (R-FL) (N/A)	N/A	Democrats (1/5), Republicans (0), Total (1/13)
1996	H.R. 125 (Repeal of assault weapons ban)	HR 4044 (Safe and Responsible Handgun Act of 1996)	Dingell (Unfavorable)	Bliley (Unfavorable)	Democrats (13/14); Republicans (0/20); Total (13/34)	Democrats (3/15), Republicans (0), Total (3/35)	Waxman (Favorable)	Bilirakis (Unfavorable)	Democrats (5/5); Republicans (0/8); Total (5/13)	Democrats (2/5), Republicans (0), Total (2/13)
1997	N/A	None in House	Dingell (N/A)	Bliley (N/A)	N/A	N/A	Brown (D- OH) (N/A)	Bilirakis (N/A)	N/A	N/A
1998	N/A	H.R. 4073 (Children's Firearm Injury Surveillance Act of 1998)	Dingell (N/A)	Bliley (N/A)	N/A	Democrats (7/16), Republicans (0), Total (7/37)	Brown (N/A)	Bilirakis (Unfavorable)	N/A	Democrats (4/5), Republicans (0), Total (4/13)

Table 5: Senate Judiciary Committee, Subcommittee on Youth Violence: Leadership, Gun Control Votes, Reporting System Bill Sponsorship, and Ratios

Senate Judiciary Committee, Subcommittee on Youth Violence	Key gun control bill	Reporting System bill	Leaders favorable/unfavorable	Committee gun control ratio	Committee Sponsorship ratio	Leaders favorable/unfavorable	Committee gun control ratio	Committee Sponsorship ratio	Leaders favorable/unfavorable	Subcommittee Gun Control Ratio	Subcommittee Sponsorship Ratio
Year	Key gun control bill	Reporting System bill	Leaders favorable/unfavorable	Committee gun control ratio	Committee Sponsorship ratio	Leaders favorable/unfavorable	Committee gun control ratio	Committee Sponsorship ratio	Leaders favorable/unfavorable	Subcommittee Gun Control Ratio	Subcommittee Sponsorship Ratio
1992	N/A	S. 3373 (Bullet Death, Injury, and Family Dissolution Control Act)	Democrats: Committee chair or RMM <i>Biden (D-DE) (N/A)</i>	Democrat/Republican/Total N/A	Democrat/Republican/Total Democrats (0/8), Republicans (0/6), Total (0/14)	Republicans: Committee chair or RMM <i>Kohl (R-WI) (N/A)</i>	Democrat/Republican/Total N/A	Democrat/Republican/Total Democrats (0/8), Republicans (0/6), Total (0/14)	Democrats: Subcommittee chair or RMM <i>Brown (D-CO) (N/A)</i>	Democrat/Republican/Total N/A	Democrat/Republican/Total Democrats (0/2), Republicans (0/1), Total (0/3)
1993	H.R. 1025 (Brady Bill), Final version passed 11/20/93)	S. 32 (Violent Crime Control Act of 1993)	<i>Biden (Favorable)</i>	Democrats (8/10); Republicans (2/8); Total (10/18)	Democrats (1/10), Republicans (0/8), Total (1/18)	<i>Kohl (Favorable)</i>	Democrats (8/10); Republicans (2/8); Total (10/18)	Democrats (1/10), Republicans (0/8), Total (1/18)	<i>Cohen (D-ME) (Favorable)</i>	Democrats (3/3); Republicans (1/2); Total (4/5)	Democrats (0/3), Republicans (0/2), Total (0/5)

1994	Crime Bill, including assault weapons ban (Final Passage, 8/25/94)	None in Senate	Biden (Favorable)	Kohl (Favorable)	Democrats: (10/10); Republicans (2/8); Total (12/18)	N/A	Cohen (Favorable)	Hatch (Unfavorable)	Democrats (3/3); Republicans (1/2); Total (4/5)	N/A
1995	S. AMDT. NO. 4218 (Lautenberg amendment to FY1997 Dept. of Defense Budget; Motion to table)	None in Senate	Biden (Favorable)	Hatch (Unfavorable)	Democrats (5/8); Republicans (0/10); Total (5/18)	N/A	Biden (Favorable)	Thompson (R-TN) (Unfavorable)	Democrats (1/2); Republicans (0/3); Total (1/4)	N/A
1996	N/A	None in Senate	Biden (N/A)	Hatch (N/A)	N/A	N/A	Biden (Favorable)	Thompson (Unfavorable)	N/A	N/A
1997	S. 135 (Violent Crime Control Act of 1997)	S. 135 (Violent Crime Control Act of 1997)	Leahy (D-VT) (N/A)	Hatch (N/A)	N/A	Democrats (0/8), Republicans (0/10), Total (0/18)	Biden (N/A)	Sessions (R-AL) (N/A)	N/A	Democrats (0/4), Republicans (0/5), Total (0/9)

Year	S.AMDT.NO	Leahy (Unfavorable)	Hatch (Unfavorable)	Democrats (6/8); Republicans (0/10); Total (6/18)	Biden (Favorable)	Sessions (Unfavorable)	Democrats (4/4); Republicans (0/5); Total (4/9)	Democrats (1/4), Republicans (0/5), Total (1/9)
1998	S.AMDT.NO 3238 (Craig Amendment to FY1999 Depts. Of Commerce, Justice, State Appropriations (S.2260), Passed 7/21/98)	1) S. 2185 (Children's Firearm Injury Surveillance Act of 1998)		Democrats (2/8), Republicans (0/10), Total (2/18)				
		2) S. 2627 (Firearms Safety and Consumer Protection Act of 1998)		Democrats (1/8), Republicans (0/10), Total (1/18)				Democrats (1/4), Republicans (0/5), Total (1/9)
1999	S.AMDT.350 (Schumer Amendment to S. 254); Motion to table, passed 5/14/99	Leahy (Unfavorable)	Hatch (Unfavorable)	Democrats (8/8); Republicans (0/10); Total (8/18)	Biden (Favorable)	Sessions (Unfavorable)	Democrats (3/3); Republicans (0/4); Total (3/7)	Democrats (0/3), Republicans (0/4), Total (3/4)
		S. 735 (Children's Firearm Injury Surveillance)		Democrats (3/8), Republicans (0/10), Total (3/18)				
2000	N/A	Leahy (Unfavorable)	Hatch (Unfavorable)	N/A	Biden (N/A)	Sessions (N/A)	N/A	Democrats (1/3), Republicans (0/4), Total (1/7)
		S. 2525 (Firearm Licensing and Record Sale Act of 2000)		Democrats (2/8), Republicans (0/10), Total (2/18)				

Table 6: Senate Finance Committee, Subcommittee on Social Security and Family Policy: Leadership, Gun Control Votes, Reporting System Bill Sponsorship, and Ratios

Senate Finance Committee, Subcommittee on Social Security and Family Policy	Key gun control bill	Reporting System bill	Leaders favorable/unfavorable	Committee gun control ratio	Committee Sponsorship ratio	Leaders favorable/unfavorable	Subcommittee Gun Control Ratio	Subcommittee Sponsorship Ratio
Year	Key gun control bill	Reporting System bill	Leaders favorable/unfavorable	Committee gun control ratio	Committee Sponsorship ratio	Leaders favorable/unfavorable	Subcommittee Gun Control Ratio	Subcommittee Sponsorship Ratio
1992	N/A	S. 3373 (Bullet Death, Injury, and Family Dissolution Control Act)	Democrats: Committee chair or RMM Bentsen (D-TX) (N/A)	N/A	Democrat/Republican/Total	Democrats: Subcommittee chair or RMM Moynihan (D-NY) (Favorable)	Democrat/Republican/Total N/A	Democrat/Republican/Total Democrats (1/2), Republicans (0/2), Total (1/4)
1993	H.R. 1025 (Brady Bill), Final version passed 11/20/93)	S. 32 (Violent Crime Control Act of 1993)	Moynihan (Favorable)	Democrats (10/11) Republicans (5/9); Total (15/20)	Democrats (1/11), Republicans (1/9), Total (2/20)	Breaux (D-LA) (Unfavorable)	Democrats (1/2); Republicans (1/2); Total (2/4)	Democrats (1/2), Republicans (0/2), Total (1/4)
1994	Crime Bill, including assault weapons ban (Final Passage, 8/25/94)	None in Senate	Moynihan (Favorable)	Democrats (11/11); Republicans (3/8); Total (14/19)	N/A	Breaux (Unfavorable)	Democrats (2/2); Republicans (0/2); Total (2/4)	N/A

1995	S. AMDT.NO. 4218 (Lautenberg amendment to FY1997 Dept. of Defense Budget; Motion to table)	None in Senate	Moynihan (Favorable)	Packwood (Unfavorable)	Democrats (6/9); Republicans (1/10); Total (7/19)	N/A	Breaux (Unfavorable)	Simpson (R-WY) (Unfavorable)	Democrats (3/4); Republicans (1/3); Total (4/7)	N/A
1996	N/A	None in Senate	Moynihan (N/A)	Packwood (N/A)	N/A	N/A	Breaux (N/A)	Simpson (N/A)	N/A	N/A
1997	N/A	S. 135 (Violent Crime Control Act of 1997)	Moynihan (Favorable)	Roth (R-DE) (N/A)	N/A	Democrats (1/9), Republicans (0/11), Total (1/20)	Breaux (N/A)	Chafee (R-RI) (N/A)	N/A	Democrats (1/4), Republicans (0/4), Total (1/8)
1998	S.AMDT.NO 3238 (Craig Amendment to FY1999 Depts. Of Commerce, Justice, State Appropriations (S.2260), Passed 7/21/98)	1) S. 2185 (Children's Firearm Injury Surveillance Act of 1998)	Moynihan (Favorable)	Roth (Unfavorable)	Democrats (2/9); Republicans (1/11); Total (3/20)	Democrats (1/9), Republicans (0/11), Total (1/20)	Breaux (Unfavorable)	Chafee (Favorable)	Democrats (2/4); Republicans (1/4); Total (3/8)	Democrats (1/4), Republicans (0/4), Total (1/8)

1999	S.AMDT.350 (Schumer Amendment to S. 254); Motion to table, passed 5/14/99		S. 2627 (Firearms Safety and Consumer Protection Act of 1998)	Moynihan (Favorable)	Roth (Unfavorable)	Democrats (7/7); Republicans (1/9); Total (8/16)	Democrats (0/6), Republicans (0/10), Total (0/16)	Breaux (Favorable)	Nickles (R-OK) (Unfavorable)	Democrats (5/5); Republicans (1/6); Total (6/11)	Democrats (0/4), Republicans (0/4), Total (0/8)
2000	N/A		S. 2525 (Firearm Licensing and Record Sale Act of 2000)	Moynihan (N/A)	Roth (N/A)	N/A	Democrats (0/6), Republicans (0/10), Total (0/16)	Breaux (N/A)	Nickles (N/A)	N/A	Democrats (0/5), Republicans (0/9), Total (0/14)
Committee gun control ratio (47 pro-gun control votes/94 members)	0.50	Committee sponsorship ratio (5 cosponsors/131 committee members)	0.038	Subcommittee gun control ratio (17 pro-gun control votes/34 subcommittee members)	0.50	Subcommittee sponsorship ratio (4 co-sponsors/60 subcommittee members)	0.07				

Table 7: Comparison of Committee and Subcommittee Voting Preferences, House and Senate: 1992-2000

Committee	Committee gun control ratio	Committee sponsorship ratio	Subcommittee	Subcommittee gun control ratio	Subcommittee sponsorship ratio
House Judiciary	0.62	0.080	Crime	0.54	0.11
House Commerce	0.53	0.082	Health & Environment	0.07	0.07
Senate Judiciary	0.46	0.074	Youth Violence	0.53	0.16
Senate Finance	0.50	0.038	Social Security and Family Policy	0.50	0.07

According to the calculated ratios, the House Commerce Committee was *less* favorable towards gun control than the Judiciary Committee, although they were similarly disposed toward supporting reporting system legislation. The Judiciary Committee received a total gun control ratio of 0.62 pro-gun control votes per member, as opposed to the Commerce Committee's ratio of 0.53 pro-gun control votes per member. Therefore, on the whole, there were more votes in favor of gun control in the Judiciary Committee than in the Commerce Committee. However, members of both committees appeared equally likely to support reporting system legislation: the Judiciary Committee's sponsorship ratio was 0.80 (co-)sponsors per member, compared to the Commerce Committee's ratio of 0.82 (co-)sponsors per member. The dichotomy between crime and health-related committees was even wider between the Subcommittee on Crime (gun control ratio of 0.54) and the Subcommittee on Health and the Environment (gun control ratio of 0.07), again indicating that members of crime-related committees, contrary to the proposed mechanism, were more likely to support firearm regulation. One potential explanation for this dichotomy is that members of Congress interested in gun control seek out assignments on criminal justice committees.

This analysis bore out an interesting contrast between Senate and House committees. Whereas in the House, the largest dichotomy between committees was related to voting preferences on gun control bills, the biggest difference between Senate committees was related to co-sponsorship of reporting system bills. For example, the Senate Judiciary Committee had a total gun control ratio of 0.46 pro-gun control votes per member, compared to the Finance Committee's ratio of 0.50 pro-gun control votes per member. A much larger difference was found between the sponsorship ratios: whereas the Judiciary Committee had a sponsorship ratio of 0.07 (co-)sponsors per member, the Finance Committee had a sponsorship ratio of 0.038 (co-)sponsors per member. Therefore, the Finance Committee may have been slightly more

favorably disposed towards firearm regulation than the Judiciary Committee, but was far less likely to support reporting system legislation.

In conclusion, the proposal that health-related committees are more favorable to gun control and reporting system legislation appears wrong with regard to both House and Senate committees. Instead, the health-related committees tend to be either similarly or less favorably disposed toward gun control and reporting system regulation than the crime committees.

Federal agency designation

The proposed mechanism involving federal agency designation was that reporting system proposals that designating politically volatile agencies with respect to the gun would have less support than proposals delegating power to more politically stable agencies with respect to the gun issue. Health-related agencies (e.g. CDC, HHS) were defined as being less volatile than law enforcement agencies (e.g. ATF). Of the fifteen reporting system bills introduced since 1992, seven designated the Department of the Treasury, seven designated CDC (2 with sub-designations for the National Center for Injury Prevention and Control), one designated HHS, and one designated NIH.

There were a total of 152 cosponsors for all the bills designating health-related agencies, whereas there were only 62 cosponsors for the bills designating law enforcement-related agencies. To control for the number of bills designating each type of agency, two ratios were calculated: (# cosponsors for health-related agency bills)/(# bills designating health-related agencies), and (# cosponsors for law enforcement-related agency bills)/(# bills designating law enforcement-related agencies). On average, there were 16.9 cosponsors per bill designating a health-related agency, compared to 8.9 cosponsors per bill designating a law enforcement-related agency. From these calculations, then, the agency designated in a reporting system bill appears to have an impact on the number of sponsors received.

However, the above calculations did not account for the other content of reporting system bills. When other bill content was taken into account, it emerged as a potentially far more important factor in determining support for reporting system bills. As seen in Table 7, two of the bills designating health-related committees (H.R. 4073 and H.R. 1342) accounted for 126 of the 152 cosponsors for health-related bills. Removing these two bills from the analysis resulted in an average of 3.7 cosponsors per reporting system bill designating a health-related agency. Moreover, four of the seven remaining bills designating HHS or CDC (and accounting for 16 cosponsors) had essentially the same content as H.R. 4073 and H.R. 1342. An examination of the content of these bills indicated that their focus on firearm injuries in youth could have been largely responsible for the support these bills received. Indeed, there were a total of 142 cosponsors for the four bills focusing on youth firearm injuries (averaging 35.5 cosponsors per bill focusing on youth firearm injuries) compared to 72 cosponsors (averaging 6 cosponsors per bill) for bills not specifying youth firearm injuries.

The high level of support for these bills could have been due to two key factors. The first youth firearm injury bill described here was introduced in 1998, when the political environment had begun to focus on firearm violence in young people as a result of school shootings. Given the reactive nature of firearm policymaking, attention to firearm injuries in youth would be expected to have increased around this time. The second potential explanation for this finding could have been that young people, particularly children, are generally seen as a politically “deserving” group. Therefore, policies aimed at helping this group may be more likely to pass.

Table 8: Impact of Federal Agency Designation and Bill Content on Support for Reporting System Bills

Year	Bill number and title	Agency Designated	Other Major Bill Content	# Cosponsors
1992	S 3373 Bullet Death, Injury, and Family Dissolution Control Act	NIH	Tax certain ammunition	0
1993	S32 Violent Crime Control Act of 1993	CDC/ National Center for Injury Prevention and Control (NCIPC)	Tax certain ammunition	2
1993	HR 2817 Firearm Fatality Reporting System Act	CDC	None	7
1994	HR 4903 Firearms Safety & Violence Prevention Act	Treasury	Increase regulatory power of Treasury	7
1995	HR 915 Firearms Safety and Violence Prevention Act of 1995	Treasury	Increase regulatory power of Treasury	8
1996	HR 4044 Safe and Responsible Handgun Act of 1996	Treasury	-Direct states to establish "Handgun Roster Boards" to regulate handguns	4

1997	S. 135 Violent Crime Control Act of 1997	CDC/ National Center for Injury Prevention and Control (NCIPC)	Tax certain ammunition	0
1998	HR 4073 Children's Firearm Injury Surveillance Act of 1998	HHS and CDC (Note: Surveillance of injuries occurring in under- 21 age group)	-Consumer product regulations -Prohibits transfer of semiautomatic weapons to juveniles -Penalties for unsafe firearm storage	66
1998	S. 2185 Children's Firearm Injury Surveillance Act of 1998	HHS and CDC (Note: Surveillance of injuries occurring in under- 21 age group)	-Consumer product regulations -Prohibits transfer of semiautomatic weapons to juveniles -Penalties for unsafe firearm storage	10
1998	S. 2627 Firearms Safety and Consumer Protection Act of 1998	Treasury	-Increase regulatory power of Treasury	0
1999	H.R. 920 Firearms Safety and Consumer Protection Act of 1999	Treasury	-Increase regulatory power of Treasury	28

<p>1999</p>	<p>H.R. 1342 Children's Firearm Injury Surveillance Act of 1999</p>	<p>HHS and CDC (Note: Surveillance of injuries occurring in under-21 age group)</p>	<p>-Same as H.R. 4073, PLUS -Provides grants for childhood education on gun violence -Increases number of cities/counties participating in Youth Crime Gun Interdiction Initiative</p>	<p>60</p>
<p>1999</p>	<p>S. 735 Children's Firearm Injury Surveillance</p>	<p>HHS and CDC (Note: Surveillance of injuries occurring in under-21 age group)</p>	<p>-Same as H.R. 4073, PLUS -Provides grants for childhood education on gun violence -Increases number of cities/counties participating in Youth Crime Gun Interdiction Initiative</p>	<p>6</p>
<p>1999</p>	<p>H.R. 2010 "To provide for the establishment of a National Firearm Injury Reporting System..."</p>	<p>HHS</p>	<p>None</p>	<p>1</p>
<p>2000</p>	<p>H.R. 4915 Handgun Licensing and Record Sale Act of 2000</p>	<p>Treasury</p>	<p>Requires license to own & sell firearm</p>	<p>12</p>
<p>2000</p>	<p>S. 2525 Firearm Licensing and Record Sale Act of 2000</p>	<p>Treasury</p>	<p>Requires license to own & sell firearm</p>	<p>3</p>

Interest Group Paradigms

The mechanism related to interest groups was that the language and paradigms used by firearm policy interest groups could impact the chances for passage of a reporting system bill. The crime control and sovereignty paradigms are both reflected in the language of firearm policy interest groups. The gun lobby consistently invokes the sovereignty and self-defense (e.g. crime) paradigms to oppose any firearm regulation. Ironically, while the NRA has ceased to oppose firearm regulations in court on Second Amendment grounds, it continues to promote the view that the Second Amendment guarantees the right to bear arms, and that there is a basic right to self-defense. For example, in the March 2001 "President's Column" on the NRA website, Charlton Heston writes, "The right to keep and bear arms may be our Second Amendment as Americans, but you can bet on this: It's our first freedom as humans" (Heston 2000). He continues, "All people have an unalienable right to defend their lives and their liberty from whomever would harm them, and with whatever means necessary." The NRA has also created a new publication, *America's 1st Freedom*, whose "mission is to deliver professional, compelling, accurate, timely, hard-hitting journalism that tells the truth about the threats to our Second Amendment rights" (NRA 2000). Clearly, then, the NRA is intent on promoting the sovereignty paradigm among its members.

In addition to promoting the sovereignty paradigm, the gun lobby has consciously opposed public health efforts to research and solve the firearm injury problem. Although gun control opponents have not yet presented an alternative to the public health paradigm, "the public health community has become the focal point of [gun control opponents'] fears and hostility" (Vizzard 2000, p. 10). Public health research on firearm injuries has been attacked by a threatened gun lobby, which in 1997 succeeded in convincing Congress that the firearm injury research funded by the CDC was politically motivated and biased toward gun control. As a

result of the gun lobby's efforts, Congress removed CDC funding for firearm injury research and prevented the CDC from funding or conducting any further research on the topic.

The gun control lobby has tended to focus primarily on the crime paradigm: although it has recently begun to shift to the use of public health language, it continues to advocate for policies based on controlling crime. This group has historically advanced its position through crime-related issues such as banning "cop-killer" bullets, banning assault weapons, or doing criminal background checks on firearm buyers. The crime-related focus of gun control advocates may be changing with the entry of more purely health-related advocacy groups such as Physicians for Social Responsibility (PSR) into the policy debate, and with a more recent focus on preventing unintentional childhood firearm injuries. While PSR advocates for crime-related policies – its latest campaign has been focused on closing the "gun show loophole" – it also aims to advance public health-related measures. For example, PSR is also seeking to raise awareness of the risk of having firearms in the home, and its First Monday 2000 campaign included a documentary that featured firearm suicide, homicide, and unintentional deaths²⁴.

The paradigms used by interest groups could impact the passage of a reporting system bill because the policy process responds better to organized interest groups than to general public opinion. If enough legislators could be convinced that the public health paradigm could be effectively applied to the gun problem, public-health oriented measures such as a reporting system might be more likely to be proposed and to pass. As already mentioned, the gun lobby uses the crime or sovereignty paradigms to advance its views, and is threatened by the public health paradigm. The crime paradigm precludes the perceived need for passage of a reporting system by narrowly defining the problem and restricting available policy options to those that affect criminals. The sovereignty paradigm also precludes the perceived need for a reporting system, because if individuals have an absolute right to gun ownership, no regulation is acceptable; thus there is no need to do research to create regulatory solutions. In addition to

using paradigms that preclude a public health solution, the gun lobby has succeeded in convincing Congress to revoke funds from public health efforts to solve the firearm problem. Therefore, the gun lobby is a distinct barrier to advancing the public health paradigm among legislators.

By contrast, the gun control lobby could succeed in convincing some lawmakers that firearm injuries should be viewed as a public health problem, especially if interest groups devoted solely to this view grow in strength and number. Indeed, there may be room in the policy arena for a new paradigm: a recent *New York Times* report on the politics of gun control stated that some legislators in Washington are “calling for a less confrontational, more bipartisan – and perhaps more incremental – approach” to the firearm issue (Dao 2001). Interest groups that seek to reduce the incidence of firearm injuries could fill this niche and convince lawmakers that the public health approach is probably the best mechanism currently available to reduce firearm injuries. Lawmakers educated in and accepting of the public health approach would presumably be more likely to push for passage of a reporting system.

Strategy Recommendations

Given the above findings, two categories of strategy recommendations that would facilitate the establishment of a reporting system were identified. The first of these categories would involve a government approach (e.g. pursue Congressional authorization of a reporting system and appropriation of the necessary funds). Strategies within this category could include: 1) Increasing committee members’ support for reporting system legislation, particularly in committees where the leadership is opposed to firearm regulation; 2) Pursuing a bipartisan approach to reporting system bills; 3) Attaching reporting system proposals to bills with politically popular content; and 4) Continuing the growth of interest groups promoting the public health paradigm. The second approach identified would involve pursuing non-governmental

strategies for supporting and coordinating a reporting system. Recommendations stemming from the findings in this thesis will now be proposed.

Government approach

The first strategy recommendation stems from the finding that key committee leadership could have been responsible for blocking the progress of reporting system bills. Most of the committees analyzed here had key leadership opposed to firearm regulation, thus the leadership of these committees would need to be addressed in some way in order to ensure the passage of a reporting system. One way to do this would be to attempt to get reporting system bills assigned to committees without leaders opposed to firearm regulation. However, this strategy would be very difficult, given the limited amount of control that outside advocates or non-leading members of Congress have over the committee assignment process. An additional way to address the opposition of key leaders would be to identify other committee members with key political influence to gain their support; additionally, advocates for a reporting system could attempt to increase the number of committee members who support a reporting system. This strategy could increase the success of reporting system bills by creating pressure on the leadership, increasing a bill's chance of passage if it came to a vote, and building support among potential future committee leaders.

The second finding in this thesis was that gun control votes and reporting system support are generally divided among partisan lines. However, despite the strong party divisions in gun control voting patterns and reporting system proposals that were evident from this analysis, it might be possible to persuade certain Republicans to support reporting system legislation (or firearm regulation containing a reporting system proposal). Committee members did not always adhere to the traditional partisan divisions with respect to their voting and co-sponsorship preferences. Indeed, as mentioned above, important Democrats such as John Dingell and Jack Brooks were likely important obstacles to the passage of reporting system legislation.

Conversely, Republicans sometimes broke with party lines to vote for firearm regulation: for example, support from Henry Hyde was helpful in passing the assault weapons ban in 1994.

The second policy recommendation is thus to pursue bipartisan support for reporting system legislation, and/or attach reporting system proposals to bills that could attract bipartisan support. The current Congressional makeup, with evenly divided control of committees, could present an important opportunity for bipartisan efforts. The “cost-benefit” language of the public health paradigm could prove useful here. One challenge with pursuing bipartisan efforts in the next several years is that, despite the potential advantages of a nearly evenly divided Congress, it could be extremely difficult to pass any firearm regulation under the current administration. It would nonetheless be worthwhile to cultivate bipartisan working relationships in preparation for future administrations that could potentially be more receptive to firearm regulation. An additional limitation with persuading Republicans to support a reporting system is that policymaking in this area tends to be reactive to crisis events. However, advocates could use these events to their advantage by being prepared should another event occur. Unfortunately, this particular recommendation is rather cynical in its assumption that future crisis events will occur. However, as distressing as they may be, such events appear to be inevitable in the current climate, and policy entrepreneurs should take advantage of the opportunities they provide.

The third key finding of this thesis was that reporting system bills with a focus on firearm injuries in young people garnered more support than other bills. This finding makes sense in light of both the perceived “political deservingness” of young people, particularly children, and the media attention surrounding youth violence. The recommendation stemming from this finding is thus to attach proposals for reporting systems to bills with politically attractive content. As above, this strategy could be aided by having a reporting system proposal ready to attach to a bill proposed following a crisis event.

One limitation of this strategy is that the success of the reporting system proposal would depend on the success of the other legislation. Given the relative infrequency with which firearm regulation passes in the U.S., this strategy may have great chance for success. Another limitation is that gun control opponents could be aware of this strategy, and take measures either to prevent the proposal from being approved, or to prevent the implementation of the reporting system (e.g. by preventing appropriations). Finally, while a general focus on reducing firearm injuries or deaths in young age groups is an important goal, enacting a reporting system only for youth firearm injuries would not fully address the scope of the firearm problem. Although the incidence of firearm injury in young people is high, many firearm injuries also occur during adulthood; in addition, such a system might impede the study of long-term outcomes of firearm injuries. Furthermore, the passage of incremental legislation has the general danger of eliminating the perceived need or desire for more comprehensive legislation. For example, the Medicare program, which was intended as an initial, incremental step toward a national health insurance program, has not been expanded outside its original “politically deserving” population, the elderly. Ironically, the reporting system proposals that garnered the most support would have enacted a reporting system only for youth injuries (injuries in those aged 21 years and under). Therefore, it might be worthwhile to pursue a strategy that would attach a proposal for a comprehensive reporting system (e.g., reporting fatal and nonfatal injuries in all age groups) to legislation with high political appeal.

The fourth strategy recommendation, stemming from the finding that interest group language and paradigms could impact the chances for passage of reporting system legislation, is to strengthen the presence of interest groups promoting the public health paradigm and advocating for public health approaches such as surveillance. Strengthening the presence of these groups is especially important because of the need to create an environment receptive both to the public health approach and to using currently available information and facts generated by

a reporting system. Clearly, some interest groups (e.g., PSR and HCI) are already attempting to broaden their influence and introduce public health concepts into policy discourse. Therefore, the following section will delineate two practical steps that could assist in the growth of public health interest groups and acceptance of the public health paradigm. These steps include developing key allies and organizing and training the health community.

Given the difficulties of mobilizing individuals on the behalf of firearm injury victims, it would be worthwhile to consider working with allies to accomplish the goal of interest group growth. For example, advocates for the disabled, particularly those with spinal cord injuries (SCIs), could be important allies. Firearm injuries are the second highest cause of SCIs, and disability advocates in general are already well organized and adept at creating policy change; spinal cord injuries, in particular, are a major cause of disability and have an organized constituency. In addition, those disabled by firearms can tell their own stories, which could both motivate policymakers to study the issue more and increase their awareness of disability from firearms. The above strategy has several limitations, however. For instance, the disabled community might be more focused on finding cures (e.g. for spinal cord injuries) and changing the environment for disabled individuals (e.g. making more buildings accessible to the disabled). In addition, people disabled by firearm injuries may be more difficult to find and mobilize than those injured in auto crashes, for example. Finally, individuals disabled with their own firearms (e.g. at home or through hunting accidents) may be unwilling to mobilize in any way that might cause their firearms to be removed.

Another strategy for increasing the presence of public health interests could be to increase education within the health community around the issue of firearm injuries. PSR is already attempting to do this with a campaign to educate public health students and medical practitioners about the hazards posed by firearms in the home. A more long-term strategy could be to incorporate more injury knowledge and injury prevention courses in public health and

medical curriculums. If the medical and public health communities are to become leaders on the issue of firearm injuries, students must first be made aware that firearm injuries are a significant public health problem; in addition, they must be taught methods of injury prevention.

The government approach has several important limitations. In particular, funds for the reporting system must continue to be appropriated each year, thus facing regular political obstacles. Maintaining a reporting system would therefore require sustained efforts on the part of advocates for a reporting system. An additional limitation to the government approach is that any federal agency housing the reporting system would likely be subject to political attacks, potentially endangering the stability of the reporting system. As previously mentioned, anti-gun control interests targeted the CDC in the late 1990s for conducting research on firearm injuries, resulting in reduced funding and a restriction on the type of research the agency could conduct. This example suggests that the gun lobby will detect and oppose any activity it perceives as promoting firearm regulation; consequently, no agency is necessarily "safe" from anti-gun control activities²⁵. The implication for a reporting system is that, even if one were to be authorized by Congress, implementation would present a serious problem. Anti-gun control interests would not give up once a reporting system was established in an agency; indeed, as we have seen with RU-486, interests opposed to a policy will continue to target an agency even in the presence of strong scientific evidence supporting that policy. Therefore, the CDC, which is the most likely candidate for housing a reporting system, would at best be an unstable residence for the reporting system. Other agencies, such as the NIH, would not necessarily prove to be any more stable.

Private Sector Approach

Given the challenges inherent in the government approach, it would be worthwhile to consider utilizing the private sector for establishing a reporting system. The other strategic approach, therefore, is to pursue non-governmental support for reporting system establishment.

Private funds (from foundations) are currently being used to support a reporting system pilot effort in several states, coordinated by two private universities. While this funding is expected to be temporary, it might be possible to pursue longer-term funding for a reporting system from foundations or wealthy individuals with a specific interest in firearm injury reduction (Weed 2001). Funding could be in the form of an endowment fund to ensure long-term support for a reporting system.

A non-governmental approach also has limitations, particularly with respect to the difficulty of motivating all 50 states to participate and the challenge of obtaining long-term funding from private sources. However, state motivation and funding stability are also problematic in the government approach; moreover, creative approaches to private funding could address these limitations. For example, a reporting system foundation could provide funds for educating state and local lawmakers about the potential benefits to be derived from a reporting system within their states. An additional limitation with pursuing a strictly private sector approach is that it would not help to create a political environment receptive to the public health approach. By comparison, advocacy for a reporting system could help to educate policymakers about the public health approach; in addition, it might impart those who support a reporting system with a vested interest in using the information it provides.

Both the government and private sector strategies should be considered in light of their relative advantages and disadvantages, the current political environment, and the availability of private support and funding for firearm injury surveillance.

Limitations

This thesis has several key limitations. First, since there was not a major gun control bill each year, it was not possible to conduct a complete vote analysis for each year in which a reporting system bill was introduced (1992-2000). However, this limitation could be accounted for by the fact that the time period under consideration was relatively brief. In addition, it was

politically fairly uniform in terms of elected officials (Congress was Republican controlled after 1994, with Bill Clinton in office for the entire period). Finally, this limitation was partially mitigated by the analysis of reporting system bill sponsorship, which provided an indication of committee members' views on gun control.

Another limitation is that no vote analysis was conducted for anti-gun control bills (e.g., bills asserting the unfettered right to bear arms). This analysis could have provided additional information on the barriers to reporting system legislation by indicating how strongly legislators on the relevant committees were opposed to firearm regulation. Further research on this topic might be helpful in identifying additional legislators who might pose obstacles to the passage of reporting system legislation.

In addition, this paper did not evaluate any other committees to which reporting system bills *could* have been sent²⁶. It also did not identify the committees to which other sponsors of the reporting system bills were assigned (e.g., sponsors who were not members of the committees considering reporting system bills). Both of these methods could have assisted in the identification of committees and subcommittees that could be more likely to pass reporting system legislation. However, it could have been difficult to derive meaningful strategy recommendations from such an analysis, given that committee assignments depend on a committee's jurisdiction as well as the decisions of leaders in both houses of Congress.

Finally, the impact of House and Senate leadership was not considered in this thesis. While they could play an important role in a bill's outcome (e.g. by assigning it to an inhospitable committee), it was outside the reach of this paper to consider the factors that could have led to committee assignments. Rather, because none of the reporting system bills were reported out of committee, this paper aimed to examine the political environment *within* committees. Future analysis could consider the role of more factors outside committees in determining reporting system outcomes.

Conclusion

This thesis has evaluated the reasons for Congressional failure to authorize a national firearm injury reporting system and has developed strategy recommendations for aiding the creation of such a system. Key findings were that anti-gun control committee leaders, partisan politics, and the relative weakness of the public health paradigm in interest group discourse have all been potential impediments to the passage of firearm injury reporting system bills. Contrary to what was expected, criminal justice committees appeared more favorably disposed towards gun control than health-related committees. Finally, the federal agency designated did not appear to impact support for reporting systems, although reporting system proposals attached to bills with politically attractive content garnered more support than other proposals.

The first category of recommendations stemming from these findings is to continue pursuing a government-run reporting system authorized by and funded through Congress. Strategies consistent with the government approach include 1) Increasing committee members' support for reporting system legislation, 2) Pursuing a bipartisan approach to reporting system bills; 3) Attaching reporting system proposals to bills with politically popular content; and 4) Continuing the efforts of interest groups promoting the public health paradigm. However, this approach has two fundamental problems: the need for regular re-appropriation of funds from Congress and the vulnerability of federal agencies involved in social regulatory policy areas. Therefore, a single legislative success would not be sufficient to ensure the continued funding and maintenance of a firearm injury reporting system. An alternative strategy recommendation, therefore, was to pursue private funding of a reporting system that could be run at the state and local level and coordinated by higher education institutions. This strategy would also have limitations, particularly with respect to motivation of states to participate in the reporting system, as well as the need for long-term funding and coordination through private means. However, it

would also allow for operation of the reporting system in an environment far more sheltered from political influences than government agencies involved in firearm policy.

For decades, firearm injuries have laid a heavy and sorrowful burden on American society. However, this burden is often addressed in terms of the tragic or sensational shooting of the day, rather than with a systematic, fact-based approach to solving the problem. While a firearm injury reporting system would not, on its own, change this country's traditionally reactive approach to firearm policy, it would provide the information – the tools – that would assist a more rational policy process. Statistics will never allow us to fully understand the depths of physical pain, emotional suffering, and lifetime difficulties suffered by individual victims of firearm injuries and their families. However, not even the most moving of individual stories will lead to lasting solutions to the onerous problem of firearm injuries without good information and a political environment attuned to using it.

Endnotes

¹ The approximate cost of the national highway fatality reporting system was about \$3.5 million in 1992; since this collects approximately the same type of information as a firearm reporting system would, their costs could be similar (Teret et al 1992). However, H.R. 2010, introduced in June 1999, would have appropriated \$6 million per year for a firearm fatality reporting system. The cost for a reporting system including nonfatal firearm injuries could be at least twice as much; therefore, the estimate was doubled for this paper.

² It should be noted that additional information on firearm injuries would not necessarily depolarize the debate as it currently stands. Given the scant attention currently paid to the breadth and variety of firearm injuries, there is no reason to believe that the situation would improve simply with the availability of additional information, or that the political climate as it stands would allow for the more "targeted" solutions (e.g. incrementalism and experimentation) that are needed to reduce firearm injuries. It is beyond the scope of this thesis to examine how the debate could be depolarized, although some of the strategies for enacting a reporting system could have the added benefit of depolarizing the debate.

³ While this may sound like a cynical assertion, there are a number of factors that point to its reality. First, the political strength of the gun lobby precludes passage of such a drastic measure. Second, even if a ban on firearm ownership were to be passed, the huge number of firearm owners in the U.S. would make implementation of such a law nearly impossible: in 1997, 44 million Americans owned 192 million firearms in 1997 (Spitzer 1998). A complete ban on sales (e.g. ownership of new guns) would likely lead to a black market, whereas retroactively prohibiting ownership would be a logistical impossibility. Third, a ban on selective types of firearms – e.g. handguns – would not prevent individuals from purchasing other types of firearms – e.g. shotguns – and modifying them to make them portable and/or concealable.

⁴ Racial disparities in firearm injury deaths are especially striking if we note that there would be 359,100 firearm deaths per year in the U.S. if all Americans were affected by the same firearm mortality rate as 20 to 24 year-old black males (the group with the highest mortality rate from firearms). By contrast, there would be almost 5 times fewer injuries (73,440) if the death rate for white males in the same age group were extrapolated to the entire U.S. population. These calculations are based on an estimate of the U.S. population as 270 million. Although this situation is unrealistic since the death rates for specific groups are not generalizable to the entire U.S. population, the calculations provide a useful illustration of the egregious racial disparities in death rates from firearms.

⁵ Nonfatal to fatal injury ratios calculated by dividing number of nonfatal injuries for a category in 1997 by number of fatal injuries for a category in 1998.

⁶ To visualize the magnitude of deaths from firearm injuries, consider that approximately 9 times more Americans have died from firearm injuries since 1979 than died in the Vietnam War.

⁷ YPLL-65 is obtained by subtracting a person's age at death from 65, which is assumed to be the age at which most people retire, and hence are no longer productive in the paid workforce.

⁸ This information would also be needed for nonfatal firearm injuries.

⁹ A better understanding of the risk factors for firearm injury is greatly needed. Existing research does not bear out the Hollywood-inspired assumption that only “bad people” (e.g. criminals) use firearms in a dangerous way. A recent example is provided by the March 2001 high school shooting in Santee, CA. The father of the teenaged shooter stored his guns in a locked cabinet, but his son still obtained the firearms. Research on other risk factors that triggered this and other incidents would thus be extremely valuable. Although a reporting system would not collect some of the information relevant to these cases (e.g. parents divorced, history of mental illness, being teased at school, etc), it could both detect differences in the circumstances of shootings and give other researchers (e.g. psychologists) clues as to where to begin their research.

¹⁰ These foundations include the Joyce Foundation, the Open Society Institute, the John D. and Catherine T. MacArthur Foundation, the Annie E. Casey Foundation, the David and Lucile Packard Foundation, and the Irene Diamond Fund (Barber et al 2000)

¹¹ H.R. 3755, the Departments of Labor, Health and Human Services, and Education, Related Agencies Appropriations Act, 1997, stated, “none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used to advocate or promote gun control”. While this language does not explicitly forbid *research*, the reduction of funds was based on the premise that all firearm injury research is inherently biased towards gun control.

¹² Data obtained from a search of bills on the Congressional website (www.congress.gov) using the search terms “gun” or “firearm” for the years 1973 to 1991.

¹³ Not all of the proposed reporting systems are identical to the one described in the “Reporting System Structure” section. For example, some focus only on childhood firearm injuries or fatalities.

¹⁴ See *U.S. v. Cruikshank* (1876), *Presser v. Illinois* (1886), *Miller v. Texas* (1894), *Robertson v. Baldwin* (1897), and *U.S. v. Miller* (1939). Since *U.S. v. Miller*, there have been 18 other cases in which Federal appeals courts have held that the Second Amendment refers to the protection of state militias, rather than the individual right to own firearms; the U.S. Supreme Court has refused to consider all six appeals made on these 18 cases, allowing lower court rulings to stand (Spitzer 1998).

¹⁵ Spitzer refers to interest groups as “single-issue groups”.

¹⁶ For example, in 1982, Warren Cassidy became the head of the NRA’s Institute for Legislative Action (ILA), but was replaced by Wayne LaPierre because his moderate stance was considered too weak (Spitzer 1998).

¹⁷ Spitzer explains the disjunction between public opinion and policy enactment of firearm regulation in two ways. The first explanation he offers is the general difficulty of “translating social regulatory policy preferences into policy enactments”, and the fact that it is much easier to block policy than to enact it. The second reason offered is that organized interest groups are more capable of affecting policy outcomes than disorganized public opinion. Therefore, the

highly organized gun lobby has been able to prevent passage of much gun legislation supported by the public (Spitzer 1998).

¹⁸ This statement requires qualification, however: even if legislators supported a reporting system in principle, they might not support a specific proposal if they considered the designated agency too unstable for long-term success of the system.

¹⁹ For instance, if the other bill content had extremely strict regulatory proposals, it would be less likely to pass than a bill with politically symbolic or popular proposals (e.g. school shooting prevention).

²¹ At least one of these bills, S. 3373 (the "Bullet Death, Injury, and Family Dissolution Control Act") was assigned to the Senate Finance Committee's Subcommittee on Social Security and Family Policy. Information was not available on the subcommittee assignments, if any, of the other two bills assigned to the Senate Finance Committee. However, both of these bills (S. 32, 1993 and S. 135, 1997) had the same content as S. 3373, and were both introduced by Senator Daniel Patrick Moynihan. Therefore, it was assumed that these two bills had also been assigned to the Subcommittee on Social Security and Family Policy.

²² There were more committee assignments than bills because some bills were assigned to several committees.

²³ To avoid underestimating a committee's sponsorship ratio, committee members were counted twice if there was more than one reporting system bill introduced in the relevant time period. (For example, if there were 2 reporting system bills introduced in the same year with 5 sponsors for each bill and 30 committee members, the sponsorship ratio was 10 divided by 60, or 0.17 cosponsors per member).

²⁴ The First Monday campaign, so named because it takes place on the first meeting day of the Supreme Court, has traditionally been organized by the Alliance for Justice and focuses on a specific social policy issue. For the First Monday 2000 campaign, the Alliance for Justice and PSR joined their efforts to promote awareness of the firearm problem and advocate for firearm control policies.

²⁵ The vulnerability of agencies involved in social regulatory policy issues is clear upon examination of recent examples involving the FDA and the NIH. While these highly scientific agencies might be expected to be immune to political battering, political forces have lambasted decision-making in both agencies. The FDA's decision to approve RU-486 has been challenged by political forces acting in the name of science, while the NIH has been hampered in its efforts to conduct research with embryonic stem cells. Although these examples pertain to the abortion debate, it is clear that agency vulnerability also applies to firearm policy.

²⁶ In the Senate, these could include the Appropriations Committee, Subcommittee on Labor, Health and Human Services, and Education; the Senate Finance Subcommittee on Health Care; the Senate Committee on Labor and Human Resources, Subcommittee on Public Health and Safety, and the Subcommittee on Children and Families. In the House, an alternative committee could be the Appropriations Committee's Subcommittee on Labor, Health & Human Services, and Education.



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APPENDIX

Reporting System Bills, 1992-2000

Congress	Date Introduced	Bill number and title	Reporting System Features	Other bill content	Sponsor	Co-sponsors	Committee	Outcome
102 nd	10/8/1992	S 3373 Bullet Death, Injury, and Family Dissolution Control Act	-Establishes National Center for Bullet Death and Injury Control in NIH -Research on injury/death/family dissolution due to bullet-related violence	-Increases excise tax on .25 and .32 caliber and 9 mm ammunition	Sen. Moynihan	0	Senate Finance/ SC on Social Security and Family Policy	Died
103 rd	1/21/1993	S32 Violent Crime Control Act of 1993	-Establish Bullet Death and Injury Control Program within CDC's NCIPC -Comprehensive research on bullet-related death/injury	-Increases excise tax on .25 and .32 caliber and 9 mm ammunition	Sen. Moynihan	2	Senate Finance	Died
	7/30/1993	HR 2817 Firearm Fatality Reporting System Act	-Create Firearm Fatality Reporting System coordinated by CDC -State-based, national scope reporting system on firearm fatalities	-None	Rep. Schroeder	7	House Energy and Commerce/ SC on Health and Environment	Died
	8/4/1994	HR 4903 Firearms Safety & Violence Prevention Act	-Create Firearms Violence Information Clearinghouse in Treasury (ATF) -Research causes and prevention of death and injury associated with firearms	-Increases regulatory power of Treasury -Increases requirements on firearm manufacturers	Rep. Owens	7	House Judiciary/ SC on Crime and Criminal Justice	Died

104 th	2/13/1995	HR 915 Firearms Safety and Violence Prevention Act of 1995	-Establish Firearms Violence Information Clearinghouse in Treasury (ATF) -Research on causes, prevention, costs, safety, other topics	-Increases regulatory power of Treasury -Increases requirements on firearm manufacturers	Rep. Owens	8	House Judiciary/ SC on Crime	Died
105 th	9/10/1996	HR 4044 Safe and Responsible Handgun Act of 1996	Directs Secretary of Treasury to devise a national firearm injury reporting system	-Directs states to establish "Handgun Roster Boards" to regulate handguns	Rep. Schumer	4	House Judiciary/ SC on Crime	Died
105 th	1/21/1997	S. 135 Violent Crime Control Act of 1997	Establish Bullet Death and Injury Control Program within CDC's NCIPC	-Increases excise tax on .25 and .32 caliber and 9 mm ammunition -Increases record- keeping requirements for ammunition	Sen. Moynihan	0	Senate Finance	Died
105 th	1998 Children's Firearm Injury Surveillance Act of 1998	HR 4073	Grants to states for surveillance of fatal & nonfatal firearm injuries in people less than 21 yrs. - via HHS and CDC	-Prohibits manufacture or importation of unsafe handguns -Directs CPSC to conduct study on handgun	Rep. McCarthy	66	House Judiciary, Commerce, Education/Workforce ; SC on Early Childhood, Youth, Families/ Health and Environment/	Died

				<p>safety -Prohibits transfer of semiautomatic weapons to juveniles -Allows for license revocation of FFL upon willful sale to a minor -Penalties for adults who store firearm unsafely, in presence of juvenile, if juvenile obtains and exhibits or causes harm w/firearm</p>				Telecommunications, Trade, and Consumer Protection/ Crime	
6/17/1998	S. 2185 Children's Firearm Injury Surveillance Act of 1998	Same as H.R. 4073 (Grants to states for surveillance of fatal & nonfatal firearm injuries in people less than 21 yrs. - via HHS and CDC)	<p>-Prohibits manufacture or importation of unsafe handguns -Directs CPSC to conduct study on handgun safety -Prohibits transfer of semiautomatic</p>	Sen. Kennedy	10		Senate Judiciary	Died	

					weapons to juveniles -Allows for license revocation of FFL upon willful sale to a minor -Penalties for adults who store firearm unsafely, in presence of juvenile, if juvenile obtains and exhibits or causes harm w/firearm							
	10/12/1998	S. 2627 Firearms Safety and Consumer Protection Act of 1998	Establish Firearm Injury Information Clearinghouse in Treasury (ATF)	-Increases regulatory power of Treasury -Increases requirements on firearm manufacturers	Sen. Torricelli	0		Senate Judiciary	Died			
106 th	3/2/1999	H.R. 920 Firearms Safety and Consumer Protection Act of 1999	Establishes Firearm Injury Information Clearinghouse in Treasury (ATF) Research on firearm deaths/injuries	-Increases regulatory power of Treasury -Increases requirements on firearm manufacturers	Rep. Patrick Kennedy	28		House Judiciary/ SC on Crime	Died			
	3/25/1999	H.R. 1342	Grants to states for	-Same as H.R.	Rep.	60		House Judiciary,	Died			

		Children's Firearm Injury Surveillance Act of 1999	surveillance of fatal and nonfatal firearm injuries in people less than 21 yrs. - via HHS and CDC	4073, PLUS -Provides grants for childhood education on gun violence -Increases number of cities/counties participating in Youth Crime Gun Interdiction Initiative	McCarthy		Commerce, Education/Workforce ; SC on Early Childhood, Youth, Families/ Health and Environment/ Telecommunications, Trade, and Consumer Protection/ Crime	
3/25/1999	S. 735 Children's Firearm Injury Surveillance	Grants to states for surveillance of fatal and nonfatal firearm injuries in people less than 21 yrs. - via HHS and CDC	-Same as H.R. 4073, PLUS -Provides grants for childhood education on gun violence -Increases number of cities/counties participating in Youth Crime Gun Interdiction Initiative	Sen. Kennedy	6	Senate Judiciary	Died	
6/8/1999	H.R. 2010 "To provide for the establishment of a National Firearm Injury Reporting	Establishes National Firearm Injury Reporting System through HHS Grants to states for surveillance on fatal injuries Authorizes \$6	-None	Rep. Blumenauer	1	House Commerce/ SC on Health & Environment	Died	

		System..."	million/year						
7/20/2000	H.R. 4915 Handgun Licensing and Record Sale Act of 2000	Establish firearm injury information clearinghouse in Treasury (ATF) Studies of firearm deaths/injuries	-Requires license to own & sell firearm -Increases record- keeping requirements of sales	Rep. Meehan	12	House Judiciary/ SC on Crime	Died		
5/9/2000	S. 2525 Firearm Licensing and Record Sale Act of 2000	Same as H.R. 4915 (Establish firearm injury information clearinghouse in Treasury (ATF))	-Requires license to own & sell firearm -Increases record- keeping requirements of sales	Sen. Feinstein	3	Senate Judiciary	Died		





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