

1) EXECUTIVE SUMMARY

This Amendment makes four main recommendations:

1a) A Self-Protection First-Firearm Tax Credit ('tax credit') of \$211

Any adult who has never bought a gun before, who lives in a household owning no guns, can receive a \$211 tax credit for purchasing a first firearm for self defense. Due to more households owning guns for the first time, due to the tax credit, crime reduces, as per Lott ("*More Guns, Less Crime*," 1998-2010). The tax credit is more than fully paid for by the following excise tax.

1b) An Excise Tax for each Firearm of \$43.76/year

The annual revenue from a \$43.76/firearm tax would exactly cover the estimated taxpayer cost of gun-violence, not including illegal-gun violence cost and tax-credit returns. Table 1 shows the derivation of the tax values from public data sources, with full explanation in Appendix A.

[a.] Annual taxpayer cost of gun violence ^[1]	\$18,078,470,520
[b.] Deduction for incidents with illegal firearms ^[1]	\$3,615,694,104
[c.] Taxpayer cost, gun-violence with registered firearms (a - b)	\$13,747,886,327
[d.] # Households ^[2]	119,730,128
[e.] Households with firearms (e * 0.32) ^[1]	38,313,640
[f.] # Firearms per household ^[2]	8.2
[g.] Total firearms (e * f)	314,171,848
[h.] Annual tax / firearm (c / g)	\$43.76
[i.] Households without firearms (e * 0.68) ^[1]	81,416,487
[j.] First-gun tax credit (c / i)	\$211.07

Notes: 1. From 'Benthamite' Amendment, Appendix A.
2. From U.S. Census Bureau, 2020.

To stop paying the excise tax, a gun owner simply turns the registered firearm in to the federal gun-buyback program (see Section 3a), reducing the illegal firearm pool.

1c) Excise Tax Adjustment as Gun-Violence Cost Changes

To be effective in further gun violence, the excise tax must go down if gun violence reduces.

Then gun-rights representatives will want to work together with prior opponents on new gun-

control legislation, reducing the excise tax and saving more lives. With reduction in gun

violence, the excise tax can fall until it only pays for the tax credit and/or low-income first-gun

vouchers, or the program can be ended as no longer necessary.

1d) Five NRA enhancements (see Section 3 for details)

(a) **A federal gun buyback program.**

(b) **Low-income rebate vouchers** for those below the poverty line.

(c) **An upgrade to the NICS background check system** for instant deductions at POS, etc.

(d) **Mandatory safety training** or equivalent demonstration of an individual's reliability

(e) **NICS integration** with public-health records to reduce suicides.

Benefits include:

1. **Lower federal and state taxes** (by transferring gun-violence costs from federal and state budgets to be paid instead by income from the gun-violence excise tax. Also, more households are armed, so crime goes down).
2. **More consensus on gun-control legislature** (due to shared interest in reducing the gun-violence tax.)
3. **Reduction in gun violence** (due to more consensus on gun-control legislature, and more households owning guns).
4. **Reduction in domestic abuse** (Abused spouses, for example, would receive federal assistance to purchase their first-ever firearm for self defense, if they move out to live in their own households not owning any guns (for indications of *family vs. stranger* homicide ratios, see Table 6 on page 9).

5. **Increased first-time-buyer gun sales** (helps earn support from the Administration, the NRA, and other representatives of gun owners, manufacturers, and sales too).
6. **Shift of emphasis from selling the most deadly weapons possible.** (Most gun owners already have so many guns, firearm marketing has been trying to sell the most lethal devices they can, rather than simply weapons for self defense they already had. By encouraging new customers, this amendment moves the emphasis on sales back to where it should be, on the basic need of self defense, as well as the pleasures of sports and hunting.)
7. **New niche markets for firearm manufacturers.** (For example, weapons which can only fire less-than-lethal ammunition will appeal first-time buyers taking advantage of the tax credit, but not wanting to own lethal devices.
8. **Good likelihood of Presidential support** (via the first-gun tax credit, and the huge number of guns already in this nation, this amendment helps more people defend themselves from the large number of hostile aggressors who already have armed themselves. Also, see section 2).
9. **Ballot measure avoided for gun-violence tax.** As fewer households own guns than not, a ballot measure would be bound to support this amendment anyway.

2) CIVIL-RIGHTS SUPPORT WITH LOWER TAXES

Poor families are in greater need of self protection than ever, but have trouble affording a gun. The proposed utilitarian methodology described here helps extend the Right to Bear Arms to all. With this amendment, those otherwise too poor to arm themselves in self defense receive rebate vouchers for their first-gun purchase (see subsections 3b~3c). Via the first-gun tax credit, all citizens not currently owning guns obtain the same benefit.

2a) Free self-defense firearms for the poor By recycling firearms purchased in the gun buyback program (see subsection 3a) into a federally certified self-defense firearm inventory, costs may be reduced sufficiently to support *free guns for the poor*. Providing first-gun government rebates for households below the poverty line would also undercut and help eliminate the market for illegal firearms.

2a[i]) The excise tax puts responsibility for protecting other citizens' rights on those who insist on exercising the right to bear arms.

Many citizens who don't own guns are resentful that legal exceptions to gun-control laws are continually being fought, making it likely they'll have to protect themselves by buying guns they don't really want. By putting the responsibility for gun violence on gun owners directly, gun owners will want its representatives to pass effective gun-control laws.

2b) 2nd Amendment rights of those shot to death are insufficiently protected.

It's surprising no one has raised this paradox before, because it's rather obvious once stated.

There is consensus from all three Supreme Court lawyers I've asked that this paradox justifies measures to protect the 2nd-Amendment rights of those who would otherwise be killed. Simply put, killing a man with a gun infringes on the dead man's right to bear arms.

2b[i]) Attorneys have objected that the Bill of Rights only constrains the Government.

But that's not quite true. Authorities such as employers, landlords, etc. can also be sued for violating rights due to their positions of power. When someone shoots a victim to death, they have assumed authority over the victim's very life, thus entitling all such victims to Constitutional-right protection under the 2nd Amendment itself.

2b[ii] A few attorneys have objected that threats are criminal.

Therefore, they say, the shot person has lost rights by breaking the law. However, in the USA, a person is presumed innocent until found guilty by a court. Being dead, the person can't stand trial, can't be found guilty, and therefore is still protected by Constitutional rights. The extent of the protection is really the question, but it's certainly enough for the government to enact laws which reduce gun violence, because the government is then taking authority over aggressors to stop them losing their own rights, among which, are the rights to bear arms.

3) NRA ENHANCEMENTS

3a) Preceding Federal Gun-Buyback Program

Gun owners should be able to remove registered firearms they don't wish to keep from their inventories, so they need not pay the gun excise tax for them.

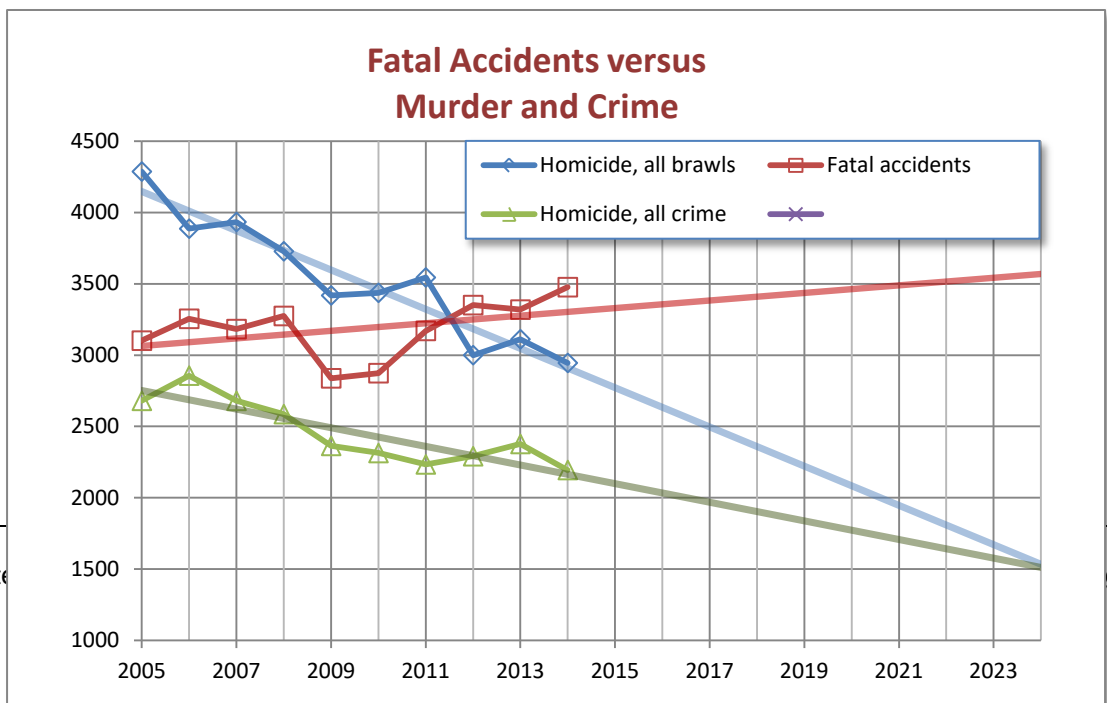
The police, or other organization managing this gun-buyback program, should report the owner registrations for returned firearms to the Social Security Administration, for reduction of the gun excise tax to households. The buyback program would reduce the huge number of guns in the nation, and again could be subsidized by the excise tax.

3b) Federal Low-Income First-Gun Voucher Program Low-income households cannot receive a tax credit to help purchase their first gun, because they don't have sufficient taxes to garner the tax credit. Households with income below the poverty level could at first mail in a voucher after buying their first gun for self protection, A check could be mailed back, paid by income made by the Gun-Violence Tax, after checking against gun registration and tax records.

3c) NICS Upgrade with POS Rebate This amendment includes funds for an upgrade to the NICS Background Check System so that it can be available in all states, reduce suicide by integration with public-health data, and provide instant rebates to low-income households, immediately upon purchasing their first firearm, at Point Of Sale. **Mandatory Safety Training.** Gun purchasers should be required to take federal-approved safety-training courses, unless they produce either records of prior training, or pass an exam for exemption.

3d[i)] Total fatal firearm accidents overtook homicides due to brawls in 2012

The following graph shows the annual number of homicides from the two top categories of firearm fatality reported by the FBI, 'brawls' and 'crime,' as well as the total number of fatal accidents over the same timespan, 2005 to 2014. Fatal accidents were already more than all homicides due to crime, in 2005 (see Appendix A, Section A.3).

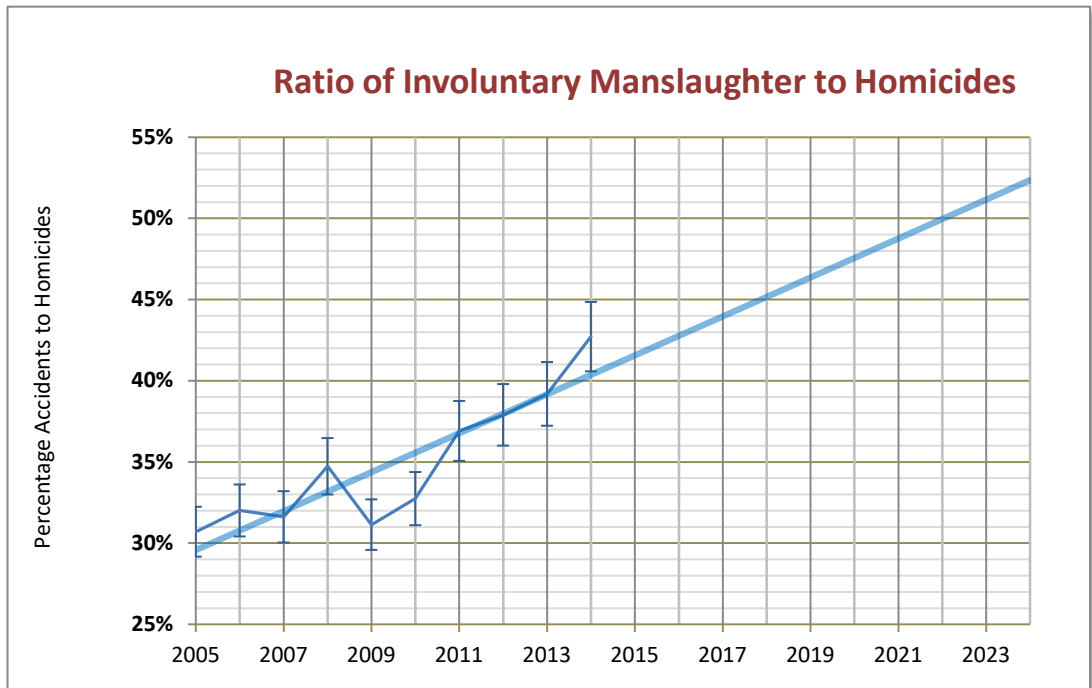


3d[ii]) Fatal firearm accidents far exceed gang homicides & mass shootings.

See Appendix A, Table 6, for data substantiation.

3d[iii]) Fatal accidents from firearms will overtake ALL homicides in 2022.

The following graph adds the total annual homicides to the total fatal accidents and draws them as a ratio for each year, again with a decadal projection. It shows that >50% of the fatalities from the two causes will be due to fatal accidents next year, with a r-squared confidence ratio of 0.80. Due to delays from people not dying right away after being shot near the end of a year, the prediction will not be verifiable until 2024.



3d[iv]) NICS Integration with Public-Health Records. With the proposed NCIS update paid for by this tax, background checks could be expanded to include those at greatest risk of suicide, which is the greatest single cause of firearm fatality. While many mental-health records are private, public health and safety institutions could certainly provide alerts on those at risk to the NICS system.

Appendix A. Data Substantiation

"The 9/16 Report: Firearm Casualties and Solutions" (Meyer, 2016) is the primary data source for this amendment. The 9/16 Report's graphs and tables were drawn from a spreadsheet of >15,000 data points, derived from CDC and DOJ database queries in >100 categories over the most recent 14 years of data at the time of the 9/16 report's release. As a result of this study, the above recommendation for mandatory safety training was found to deserve special consideration.

A.1) GUN-VIOLENCE COST

This analysis determines gun-violence costs from estimates of legal, medical, and other costs from government, private, and University sources, combined with projections of current violence rates drawn from the CDC.

A.1a) Gun-Violence Legal Costs

The National Center for Biotechnology Information (McCollister et al, 2011) compared legal costs from many studies for different kinds of crime. It found legal costs of \$8,982,907 per homicide in 2008 dollars. Table 2 cites it and other high-cost estimates for qualitative assessment, as well as results from prior studies dating back to 1993 (Cohen, 1988; Miller, 1993; Miller, 1996; Aos, 2001; Waters et al, 2011). Due to the high legal

costs, virtually all legal expenditures are for federal and state and attorneys (Howell & Abraham, 2013).

Table 2. Homicide Legal Costs (NCBI)

	Aos <i>et al</i> , 2001	Cohen <i>et al</i> , 2004	Miller <i>et al</i> , 1993	Miller <i>et al</i> , 1996	McCollister, 2011
Murder	\$4,423,614	\$11,350,687	\$4,144,677	\$4,380,559	\$8,982,907
Rape, sexual assault	\$369,739	\$286,277	\$80,403	\$124,419	\$240,776
Assault	\$15,545	\$84,555	\$24,987	\$21,451	\$107,020
Robbery	\$219,286	\$280,237	\$33,036	\$18,591	\$42,310
Arson	-	-	\$41,900	\$53,629	\$21,163
Larceny/Theft	-	-	-	\$529	\$3,532
Motor Vehicle Theft	-	-	-	\$5,720	\$10,772
Burglary	-	\$30,197	-	\$2,145	\$6,462

A.1b) Gun-Violence Medical Costs

Concerning direct hospital costs, the CDC only has fiscal data for 2010, and only reports direct medical costs (not including out-of-hospital costs and nonmedical-related disability payments). Its sum, \$45.2 billion/year, includes hospital costs of \$187 million for fatalities, \$853 million for injuries, and \$44 billion for disability payments due to work loss (see Table 3). The American Health Association reported taxpayers pay an additional \$1.3 billion for lifetime support of injured gun victims (Tabachnick, 2013), Particularly because most firearm fatality victims have low incomes, public federal and state taxes pay between 52% and 85% of medical costs.

Table 3. Firearm Medical Costs, Fatality and Injury, CDC (2010)

Classification	# Events	Average Cost per Casualty			Total Cost			
		Medical	Work Loss	Combined	Medical	Work Loss	Combined	
Fatality	Unintentional	606	\$10,041	\$1,405,782	\$1,415,823	\$6,084,667	\$851,904,108	\$857,988,775
	Suicide	19,392	\$3,616	\$1,084,270	\$1,087,886	\$70,115,264	\$21,026,162,540	\$21,096,277,803
	Homicide	11,078	\$9,519	\$1,651,151	\$1,660,670	\$105,448,871	\$18,291,453,818	\$18,396,902,689

Undetermined	252	\$8,892	\$1,365,508	\$1,374,400	\$2,240,800	\$344,108,061	\$346,348,861
Legal Intervention	344	\$7,835	\$1,572,117	\$1,579,952	\$2,695,440	\$540,808,153	\$543,503,593
Subtotal	31,672				\$186,585,042	\$41,054,436,679	\$41,241,021,722
Injury							
Unintentional	5,956	\$20,894	\$82,069	\$10,2964	\$124,441,766	\$488,803,261	\$613,245,027
Suicide	4,385	\$38,906	\$134,188	\$173,095	\$170,605,408	\$588,423,944	\$759,029,352
Homicide	27,377	\$19,777	\$78,737	\$98,515	\$541,441,923	\$2,155,600,729	\$2,697,042,652
Legal Intervention	848	\$19,319	\$72,373	\$91,692	\$16,376,973	\$61,352,338	\$77,729,311
Subtotal	38,566				\$852,866,069	\$3,294,180,272	\$4,147,046,341
Grand Total					\$1,039,451,111	\$44,348,616,951	\$45,388,068,062

A.1c) Other Gun-Violence Expenses

Those injured by guns often do not die right away, and many more are too incapacitated to work. Due to the State having to pay disability in almost all these cases, work loss is also a significant factor. There are very few sources for this data in the public domain.

The Pacific Institute for Research and Evaluation (PIRE) estimated that the total cost of a single-firearm death in 2010 was ~\$5.1 million, which included \$582,366 in government expenses. That generates a total annual cost of firearm fatalities of \$229 billion, which is more than 17 times that of the entire gun manufacturing-industry's billion annual revenue of \$13.1 billion (Miller 1993, U.S Department of Justice, 1996; Children's Safety Network, 2012; Brown, 2013; Miller, 2015; Moore, 2015). While that may seem high, it estimated the taxpayer share to be only \$582,366 per fatality, substantially lower than the above studies. The PIRE report estimated fatalities only; it did not include medical, legal, and other expenses from firearm injuries (see Table 4).

	Total Costs	Taxpayer Costs
Work loss	\$1,600,000	-
Lost Tax Revenue	-	\$163,488
Medical Care	\$28,741	\$14,311
Mental Health	\$10,663	\$5,442
Emergency Transport	\$544	\$544
Police	\$2,119	\$2,119
Criminal Justice	\$395,211	\$395,211
Insurance Processing	\$2,361	\$1,810
Employer	\$9,980	-

Quality of Life	\$3,100,000	-
Total	\$5,100,000	\$582,366

A.1d) Total Gun-Violence Cost

Combining the above studies provides the estimate of taxpayer cost of gun fatalities and injuries for 2017 shown in Table 5. This finds a total taxpayer burden of \$16 billion, not including successful justified self defense and police action. This figure still exceeds the entire \$13.1 billion revenue of the firearm manufacturing industry in 2017.

Table 5. Projected Cost of Firearm Violence, 2017

	Average per Casualty			# incidents	Total, 2017	
	Medical	Work Loss	Taxpayer Cost		Medical	Taxpayer cost
Fatal accidents	\$10,041	\$1,405,782	\$143,643	3,376	\$33,898,416	\$484,938,109
Fatal Suicide	\$3,616	\$1,084,270	\$110,791	23,232	\$84,006,912	\$2,573,889,742
Fatal Homicide	\$9,519	\$1,651,151	\$168,715	7,397	\$70,412,043	\$1,247,981,964
non-fatal accidents	\$20,894	\$82,069	\$8,386	5,956	\$124,444,664	\$49,945,887
Non-fatal Suicide	\$38,906	\$134,188	\$13,711	4,385	\$170,602,810	\$60,124,181
Non-fatal assault	\$19,777	\$78,737	\$8,045	27,377	\$541,434,929	\$220,257,456
Taxpayer share of medical	(Low 52%, high 85%)			68.5%	\$370,882,926	\$4,637,137,339
Police costs			\$2,119	71,723		\$151,981,037
Legal costs			\$395,211	23,232		\$9,181,541,952
Insurance processing			\$1,810	71,723		\$129,818,630
emergency transport			\$544	71,723		\$39,017,312
Subtotal						\$14,510,379,196
Grand Total	With cumulative inflation since 2010 (10.4%):					\$16,019,458,633

A.2) DERIVING TAX VALUES

To determine the cost per gun-owning household of gun violence, one also needs to know the total of guns, and the number of households owning guns. The analysis is illustrated with 2016 tax estimates.

A.2a) Total Number of Guns A conservative estimate of the total number of guns in the USA is 270 million (Sanchez, 2015). Estimates range up to 350 million. The total number of approved background checks has increased from 8,886,240 in 2005 to 20,877,652 in 2014 (per FBI data), and has been increasing significantly over the last few years.

However, this does not really indicate the total number of guns in ownership, as

purchasers may buy more than one gun for each background check. In 2004, a Gallup poll showed 31% of gun owners have only one gun, and 29% have five or more guns (Carlson, 2004), but the number has been increasing.

A.2b) Total Households with Guns

A recent survey of 4,000 adults found that one third of Americans reported owning a gun (Kalesan et al., 2015; Ehrenfreund and Goldfarb, 2015). Another 2015 study, funded by the National Science Foundation, corroborated the results, specifying that 32% of households own guns, with an average of 8.1 guns (CBS News, 2015; Ingraham, 2015). These trends indicate 8.2 guns in 33% of households for 2017. With 124.2 million households, that places the annual taxpayer cost at \$45 per gun, or \$122 for each tax-paying household.

A.2c) Exclusion of gun-violence costs from illegal firearms

It would be counterproductive to expect that registered gun owners pay for gun violence with illegal guns. A frequent rebuttal of this recommendation is that gun-control legislation won't save any lives, because criminals use illegal guns anyway (Greenberg, 2015). However, the vast majority of firearm fatalities are with legal guns, whatever the case as to the number of crimes committed with illegal guns. The confusion arises because of many reports that most guns used in street crimes are illegal (Fabio, 2016; Ingraham, 2016), not taking into account other forms of firearm casualties. On the other side of the coin, one study indicated there are far less than 30 illegal guns for every 100,000 gun owners in the USA (Sandy Hook Project, 2014). Others indicate that between 3% and 10% of all guns owned by known criminals are illegal (Bureau of Justice Statistics, 2013; Wright et al, 1994; Cook et al, 2015). However, conservatives

continue to complain that the DOJ study is two decades old, and that current supporting estimates are from liberal sources. Therefore, the excise tax is therefore reduced by 20%, doubling the maximum estimate amount of 10% from all sources.

A.2d) Excise tax and tax-credit derivation

The U.S Department of Justice estimated that taxpayers pay 90% of gun-violence costs (1996). This is because most people maimed or killed by guns cannot afford to pay the resulting expenses themselves. Hence per this data, the 2017 taxpayer cost of gun violence was \$14.6 billion. Therefore, assuming gun-violence cost has not increased since, and a 10% overhead for administration, the specific amounts of the gun excise tax and first-gun tax credit are in Table 5:

Annual taxpayer cost of gun violence	\$16,019,458,633
Deduction for incidents with illegal guns	\$3,293,891,727
Adjusted taxpayer cost	\$12,815,566,906
2017 population	328,131,072
Average # residents/household	2.6
# households	124,204,258
Gun Violence Tax Credit	\$101.55
Percentage Households with guns	32%
#guns per household	8.2
Gun Violence Tax per Gun	\$37.53

To project from 2016 to 2020, inflation total firearm cost to by 6.29%, to \$17,184,857,909. Firearm deaths increased from 38,658 to 39,740 over 2016~2018. Assuming linear increase at the same rate of 1.3%/year to 2020, the 2016 estimate therefore increases by 5.2% to \$18,078,470,520, and this is the value used in Table 1 for tax calculations.

A3) DATA TABLES

Table 6 provides a subset of the 15,000 data points built for the 9/16 report.

A3a) Methodology

The CDC WISQARS and WONDER and FBI databases provided the top-level data. For forward projections, the trends were almost perfectly linear over the last decade of known data for larger numbers, so best-fit linear projections were generated from least-square approximations for each annual value, after adjusting for annual population-growth variance around the average 0.87% national population-growth rate. For homicide causes, some FBI breakouts were too small to produce reliable R^2 values, so were aggregated into 8 subgroups, then unsolved cases and suspected felonies for each year were distributed into the 8 subgroups proportionally. The FBI does not provide breakout data on weapon choice by victim relationship, so the FBI's 'homicide by relationship' reports were scaled down by the ratio of those using firearms in the FBI 'weapons-choice' reports. The cases where the victim relationship was known but cause unknown were again distributed into the 8 cause groups proportionally, and the data for three kinship groups—family; friends and acquaintances ('friends'); and strangers—were convoluted with the 8 cause-group data sets to provide indication of the extent strangers are a threat. The table row 'Fatal accidents in self defense' includes acts such as people shooting themselves by mistake with a bedside gun (for data derivation, see Meyer, 2015).

A3b) Gun Safety Data

For accidental deaths, the firearm deaths reported to the CDC which were handed to the FBI and not judged to be homicide are included as involuntary manslaughter and added

to firearm accidents deemed to be undeniably accidents by the CDC. With thanks to Dr. Garen Wintemute for review of gun-safety data (Meyer, 2015).

A.3c) Analytical Data

In Table 6 on the following page, the right-most columns provide:

- **Delta (Δ)** – The average change in value each year for the best-fit linear projection.
- **σ ERR** – The standard error of deviation, indicating the range around the best-fit linear trend in which two thirds of the annual sample values are falling.
- **R²** – The coefficient of determination, a measure of statistical reliability, between 0 and 1. Higher numbers are better. Values below 0.2 are considered unreliable (and are marked in red in color copies of this document).

Appendix B. REFERENCES

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APPENDIX C. About the Author

I am Ernest Meyer (Chico, CA), 59 years old. I studied Philosophy & Psychology at Corpus Christi, Oxford University. For 30 years I worked for companies like Apple, AT&T, Intel, and Oracle in systems engineering specification. I've been working privately in gun-control issues since 2015. In 2016, President Obama quoted me on TV on 'the dead had rights too' (see Obama's YouTube link in the references). Seattle, Los Angeles, and Connecticut have consulted me on their local gun-violence taxes. However, as people can simply buy arms elsewhere, the tax really has to be national, for which reason I formulated this Amendment.