Donna's Law

The majority of firearm deaths in the United States result from suicide. In 2024, almost 44,000 people died from "gun-related injuries," 62% of which were suicides.[1] Moreover, a June 2020 Stanford University study of 26 million people "found that the suicide rate of gun owners compared with nonowners was more than three times as high among men and seven times as high among women."[2]

On June 26, 2018, Donna Nathan purchased a revolver close to her home in New Orleans and then proceeded to nearby park where she died by suicide.[3] Ms. Nathan had voluntarily hospitalized herself three times in 2018 because of the bipolar disorder and depression that she had battled for three decades.[4] After Donna's death, her daughter, Katrina Brees, posted on Facebook:

> *I wish my mom could have registered herself as being unfit to buy a gun. She would have signed it years ago to protect herself and our family.*[5]

Katrina worked with University of Alabama law school professor Fredrick Vars to design Donna's Law to institute a voluntary do not sell firearms mechanism to help address the firearm suicide problem. The model law was inspired by "no gambling" lists through which people can voluntarily have themselves barred from casinos that has helped some people with gambling issues.[6] Katrina and Frederick then set out to get as many states as possible to pass state level Donna's Laws. At present, WA, UT, VA, DE and CO have enacted versions of Donna's Law.

Senator Shaheen's Donna's Law creates a federal voluntary process for people to add themselves to a do not sell list (known in the bill as the Voluntary Purchase Delay Database), and when licensed importers, licensed manufacturers, or licensed dealers run background checks in National Instant Criminal Background Check System (NICS) a check will also be run against the Voluntary Purchase Delay Database. If the background check returns a Denied from the Database, then it would be illegal to transfer a firearm to a person. Moreover, it would also be illegal for any person to transfer a firearm to a person in the Database if she knows or has reasonable cause to believe that such person is in the Database.

The Department of Justice (DOJ) must establish a secure online platform separate from National Instant Criminal Background Check System (NICS), that will, among other things, allow people to add themselves to the Database, prevent unauthorized disclosure of the identity of or information about people who have added themselves to the Database and permit people who add themselves to list five email addresses for people who shall be notified if the person tries to purchase a firearm or removes herself from the list. DOJ must also establish two processes by which people who added themselves to the Database can remove themselves from the Database. The first process must take no longer than 21 days, and the second is an expedited process "that ensures to the greatest extent possible that the individual does not pose substantial risk of harm to self or others" per criteria DOJ must develop with stakeholder input.

DOJ can only use the information in the Database to determine a person's eligibility to receive firearms. And, DOJ may not release information about people who have been or are in the Database for the purpose of determining the eligibility of that individual for employment or for a benefit or service. Moreover, potential employment, benefits or service cannot be conditioned on a

person adding himself to the Database. In the same vein, a person's addition to or removal from the Database is inadmissible as evidence except in prosecuting an illegal transfer of firearms to a person in the Database or a cause of action brought by a person illegally denied a firearm.

DOJ must lead "a national public-private partnership for an education campaign to raise awareness of the Voluntary Purchase Delay Database" in consultation with the Centers for Disease Control and Prevention, the National Center for Injury Prevention and Control, the National Institute of Mental Health, the National Suicide Prevention Lifeline, the Substance Abuse and Mental Health Services Administration, the Division of Behavioral Health of the Indian Health Service, and the Department of Veterans Affairs.

In the 117th Congress, Representatives Jayapal and Curtis introduced a bill titled "The Preventing Suicide Through Voluntary Firearm Purchase Delay Act" (H.R.8361) that is a forerunner to Senator Shaheen's Donna's Law that has been updated based on technical assistance from DOJ and Professor Vars.[7] In December 2022, the House Judiciary Committee marked up and reported out the bill.[8]

Donna's Law is supported by:

- National Alliance on Mental Illness (NAMI)
- American Foundation for Suicide Prevention
- American Psychiatrist Association
- Brady
- Giffords

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[1] Gramlich, John, "What the data says about gun deaths in the U.S.," *Pew Research Center*, April 28, 2026, https://www.pewresearch.org/short-reads/2026/04/28/what-the-data-says-about-gun-deaths-in-the-us/.
[2] Vars and Ayres.
[3] Aning, Agya K., "To Prevent Suicide, States Want to Let People Ban Themselves From Buying Guns," *The Trace*, November 12, 2024, https://www.thetrace.org/2024/11/donnas-law-suicide-prevention-gun-buying/.
[4] Vars, Frederick and Ayres, Ian, "Suicide Accounts for Most Gun Deaths. A Libertarian Approach Could Help.," *The Wall Street Journal*, https://www.wsj.com/us-news/suicide-accounts-for-most-gun-deaths-a-libertarian-approach-could-help-11602717798.
[5] Brees, Katrina, "My Mom Died By Suicide. If This One Thing Had Been Different, I Believe She'd Still Be With Us," *Donna's Law for Suicide Prevention*, November 11, 2022, https://www.donnaslaw.com/post/huffington-post.
[6] Mascia, Jennifer, "Can You Ban Yourself From Buying Guns?," *The Trace*, October 29, 2021, https://www.thetrace.org/2021/10/gun-background-check-mental-health-suicide-risk/.
[7] https://www.congress.gov/bill/117th-congress/house-bill/8361.
[8] https://www.congress.gov/event/117th-congress/house-event/115230.