

106TH CONGRESS  
1ST SESSION

# H. R. 1342

To protect children from firearms violence.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 1999

Mrs. MCCARTHY of New York introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To protect children from firearms violence.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Children’s Gun Violence Prevention Act of 1999”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—THE CHILDREN’S FIREARM SAFETY ACT OF 1999

Sec. 101. Prohibition on manufacture or importation of unsafe handguns.

Sec. 102. Consumer Product Safety Commission study.

## TITLE II—THE CHILDREN’S FIREARMS AGE LIMIT ACT OF 1999

- Sec. 201. Extension of juvenile handgun ban to semiautomatic assault weapons.  
 Sec. 202. Increased penalty for transferring handgun or semiautomatic assault weapon to juvenile for use in a crime of violence.

## TITLE III—THE CHILDREN’S FIREARM DEALER’S RESPONSIBILITY ACT OF 1999

- Sec. 301. Automatic revocation of license of firearms dealer who willfully sells firearm to a minor.  
 Sec. 302. 2 forms of identification required from firearms purchasers under age 24.  
 Sec. 303. Minimum safety and security standards for gun shops.

## TITLE IV—CHILDREN’S FIREARM ACCESS PREVENTION

- Sec. 401. Children and firearms safety.

## TITLE V—THE CHILDREN’S FIREARM INJURY SURVEILLANCE ACT OF 1999

- Sec. 501. Short title.  
 Sec. 502. Surveillance program regarding injuries to children resulting from firearms.

## TITLE VI—CHILDREN’S GUN VIOLENCE PREVENTION EDUCATION

- Sec. 601. Short title; purposes.  
 Sec. 602. Competitive grants for children’s gun violence prevention education.  
 Sec. 603. Dissemination of information.  
 Sec. 604. Definitions.  
 Sec. 605. Amendment to Safe and Drug-Free Schools and Communities Act of 1994.

## TITLE VII—THE CHILDREN’S FIREARM TRACKING ACT OF 1999

- Sec. 701. Youth Crime Gun Interdiction Initiative.

1           **TITLE I—THE CHILDREN’S**  
 2           **FIREARM SAFETY ACT OF 1999**  
 3   **SEC. 101. PROHIBITION ON MANUFACTURE OR IMPORTA-**  
 4                           **TION OF UNSAFE HANDGUNS.**

5           Section 922 of title 18, United States Code, is  
 6 amended by inserting after subsection (y) the following:  
 7           “(z)(1) Beginning on the date that is 18 months after  
 8 the date of enactment of this subsection it shall be unlaw-

1 ful for any person to manufacture or import an unsafe  
2 handgun.

3 “(2) The term ‘unsafe handgun’ means—

4 “(A) any handgun which the Secretary deter-  
5 mines, when new, fires in any of 5 successive trials  
6 in which the handgun (loaded with an empty case  
7 with a primer installed and having built-in manual  
8 handgun safety devices deactivated so that the hand-  
9 gun is ready to fire) is dropped onto a steel plate  
10 from a height of one meter from each of the fol-  
11 lowing positions:

12 “(i) normal firing position;

13 “(ii) upside down;

14 “(iii) on grip;

15 “(iv) on the muzzle;

16 “(v) on either side;

17 “(vi) on the exposed hammer or striker;

18 “(vii) if there is no hammer or striker, the  
19 rearmost part of the firearm; and

20 “(viii) any other position which the Sec-  
21 retary determines is necessary to determine  
22 whether the handgun is subject to accidental  
23 discharge;

24 “(B) any handgun without a child resistant  
25 trigger mechanism reasonably designed to prevent a

1 child who has not attained 5 years of age from oper-  
2 ating the weapon when it is ready to fire. Such  
3 mechanism may include:

4 “(i) any handgun with a trigger resistant  
5 equivalent to a ten pound pull; or

6 “(ii) any handgun, under rules determined  
7 by the Secretary, which is designed so that the  
8 hand of an average child who has not attained  
9 5 years of age is unable to grip the trigger;

10 “(C) any semiautomatic pistol which does not  
11 have a magazine disconnect safety that prevents the  
12 pistol from being fired once the magazine or clip is  
13 removed from the weapon.

14 “(D) a handgun sold without a mechanism or  
15 feature reasonably designed, under rules determined  
16 by the Secretary, to prevent the discharge of the  
17 weapon by unauthorized users, including but not  
18 limited to—

19 “(i) a detachable, key activated or com-  
20 bination lock which prevents the trigger from  
21 being pulled or the hammer from striking the  
22 primer;

23 “(ii) a solenoid use-limitation device which  
24 prevents, by use of a magnetically activated  
25 relay, the firing of the handgun unless a mag-

1 net of the appropriate strength is placed in  
 2 proximity to the handle of the handgun; or

3 “(iii) a removable hammer or striker.

4 “(3) Paragraph (1) shall not apply to—

5 “(A) the manufacture or importation of a hand-  
 6 gun, by a licensed manufacturer or licensed im-  
 7 porter, for use by the United States or a department  
 8 or agency of the United States or a State or a de-  
 9 partment, agency, or political subdivision of a State;  
 10 or

11 “(B) the manufacture or importation by a li-  
 12 censed manufacturer or licensed importer for the  
 13 purposes of testing or experimentation authorized by  
 14 the Secretary.

15 “(4) This subsection shall not be construed to pre-  
 16 empt or limit in any way any causes of action available  
 17 under Federal law or the law of any State against a manu-  
 18 facturer of a firearm.”.

19 **SEC. 102. CONSUMER PRODUCT SAFETY COMMISSION**  
 20 **STUDY.**

21 (a) STUDY.—Notwithstanding any other provision of  
 22 law, the Consumer Product Safety Commission, in con-  
 23 sultation with the Bureau of Alcohol, Tobacco and Fire-  
 24 arms, shall conduct a study to determine how the safety  
 25 of handguns can be improved so as to prevent their unau-

1 thorized use or discharge by children who have not at-  
2 tained 18 years of age. The study shall include the testing  
3 and evaluation of—

4           (1) locking devices that, while installed on a  
5 handgun, prevent the handgun from being dis-  
6 charged, and that can be removed or deactivated by  
7 means of a key or a mechanically, electronically, or  
8 electro-mechanically operated combination lock;

9           (2) locking devices that are incorporated into  
10 the design of a handgun, that, when activated, pre-  
11 vent a handgun from being discharged, and that can  
12 be deactivated by means of a key or a mechanically,  
13 electronically, or electro-mechanically operated com-  
14 bination lock;

15           (3) storage boxes, cases, or safes equipped with  
16 a mechanically, electronically, or electro-mechanically  
17 operated lock that, when activated, prevents access  
18 to a firearm located in the storage box, case, or safe.

19       (b) REPORT TO THE CONGRESS.—Within 1 year after  
20 the date of the enactment of this Act, the Consumer Prod-  
21 uct Safety Commission shall submit to the Congress a re-  
22 port that details the results of the study required by sub-  
23 section (a) and that includes recommendations on how  
24 handgun safety can be improved and how changes in

1 handgun design can reduce unauthorized access to guns  
 2 by children who have not attained 18 years of age.

3 (c) LIMITATION ON AUTHORIZATION OF APPROPRIA-  
 4 TIONS.—To carry out this section, there are authorized  
 5 to be appropriated to the Director of the Consumer Prod-  
 6 uct Safety Commission \$1,500,000 for fiscal year 2000.

## 7 **TITLE II—THE CHILDREN’S FIRE-** 8 **ARMS AGE LIMIT ACT OF 1999**

### 9 **SEC. 201. EXTENSION OF JUVENILE HANDGUN BAN TO** 10 **SEMIAUTOMATIC ASSAULT WEAPONS.**

11 Section 922(x) of title 18, United States Code, is  
 12 amended in each of paragraphs (1) and (2)—

13 (1) by striking “or” at the end of subparagraph  
 14 (A);

15 (2) by striking the period at the end of sub-  
 16 paragraph (B) and inserting “; or”; and

17 (3) by adding at the end the following:

18 “(C) a semiautomatic assault weapon.”.

### 19 **SEC. 202. INCREASED PENALTY FOR TRANSFERRING HAND-** 20 **GUN OR SEMIAUTOMATIC ASSAULT WEAPON** 21 **TO JUVENILE FOR USE IN A CRIME OF VIO-** 22 **LENCE.**

23 Section 924(a)(6)(B)(ii) of title 18, United States  
 24 Code, is amended by striking “10” and inserting “20”.

1 **TITLE III—THE CHILDREN’S**  
 2 **FIREARM DEALER’S RESPON-**  
 3 **SIBILITY ACT OF 1999**

4 **SEC. 301. AUTOMATIC REVOCATION OF LICENSE OF FIRE-**  
 5 **ARMS DEALER WHO WILLFULLY SELLS FIRE-**  
 6 **ARM TO A MINOR.**

7 Section 923(e) of title 18, United States Code, is  
 8 amended by inserting after the 3rd sentence the following:  
 9 “The Secretary, after notice and opportunity for hearing,  
 10 shall revoke the license of a dealer who willfully sells a  
 11 firearm to an individual who has not attained 18 years  
 12 of age.”.

13 **SEC. 302. 2 FORMS OF IDENTIFICATION REQUIRED FROM**  
 14 **FIREARMS PURCHASERS UNDER AGE 24.**

15 Section 922(t)(1)(C) of title 18, United States Code,  
 16 is amended by inserting “(or, if the licensee knows or has  
 17 reasonable case to believe that the transferee has not at-  
 18 tained 24 years of age, 2)” before “valid”.

19 **SEC. 303. MINIMUM SAFETY AND SECURITY STANDARDS**  
 20 **FOR GUN SHOPS.**

21 (a) IN GENERAL.—Section 923 of title 18, United  
 22 States Code, is amended by adding at the end the fol-  
 23 lowing:

24 “(m) SAFETY AND SECURITY STANDARDS FOR GUN  
 25 SHOPS.—



1           “(1) IN GENERAL.—Not later than 1 year after  
2           the date of enactment of this subsection, the Sec-  
3           retary of the Treasury, acting through the Director  
4           of the Bureau of Alcohol, Tobacco, and Firearms,  
5           shall issue final regulations that establish minimum  
6           firearm safety and security standards that shall  
7           apply to dealers who are issued a license under this  
8           section.

9           “(2) MINIMUM STANDARDS.—The regulations  
10          issued under this subsection shall include minimum  
11          safety and security standards for—

12               “(A) a place of business in which a dealer  
13               covered by the regulations conducts business or  
14               stores firearms;

15               “(B) windows, the front door, storage  
16               rooms, containers, alarms, and other items of a  
17               place of business referred to in subparagraph  
18               (A) that the Secretary of the Treasury, acting  
19               through the Director of the Bureau of Alcohol,  
20               Tobacco and Firearms, determines to be appro-  
21               priate; and

22               “(C) the storage and handling of the fire-  
23               arms contained in a place of business referred  
24               to in subparagraph (A).”.

1 (b) INSPECTIONS.—Section 923(g)(1) of title 18,  
2 United States Code, is amended—

3 (1) in subparagraph (A)—

4 (A) in clause (i), by striking “, and” and  
5 inserting a semicolon;

6 (B) in clause (ii), by striking the period at  
7 the end and inserting “; and”; and

8 (C) by adding at the end the following:

9 “(iii) with respect the place of business of a li-  
10 censed dealer, the safety and security measures  
11 taken by the dealer to ensure compliance with the  
12 regulations issued under subsection (m).”; and

13 (2) in subparagraph (B)—

14 (A) in the matter preceding clause (i), by  
15 inserting “and the place of business of a li-  
16 censed dealer” after “licensed dealer”;

17 (B) in clause (ii), by striking “or” at the  
18 end;

19 (C) in clause (iii), by striking the period at  
20 the end and inserting “; or”; and

21 (D) by adding at the end the following:

22 “(iv) not more than once during any 12-month  
23 period, for ensuring compliance by a licensed dealer  
24 with the regulations issued under subsection (m).”.

1 (c) PENALTIES.—Section 924(a)(1) of title 18,  
2 United States Code, is amended—

3 (1) in subparagraph (C), by striking “or” at  
4 the end;

5 (2) by redesignating subparagraph (D) as sub-  
6 paragraph (E); and

7 (3) by inserting after subparagraph (C) the fol-  
8 lowing:

9 “(D) being a licensed dealer, knowingly  
10 fails to comply with any applicable regulation  
11 issued under section 923(m); and”.

## 12 **TITLE IV—CHILDREN’S FIREARM** 13 **ACCESS PREVENTION**

### 14 **SEC. 401. CHILDREN AND FIREARMS SAFETY.**

15 (a) DEFINITION.—Section 921(a)(34)(A) of title 18,  
16 United States Code, is amended by inserting “or remov-  
17 ing” after “deactivating”.

18 (b) PROHIBITION.—Section 922 of title 18, United  
19 States Code, is amended by inserting after subsection (z),  
20 as added by section 101 of this Act, the following:

21 “(aa) PROHIBITION AGAINST GIVING JUVENILES AC-  
22 CESS TO CERTAIN FIREARMS.—

23 “(1) DEFINITION OF JUVENILE.—In this sub-  
24 section, the term ‘juvenile’ means an individual who  
25 has not attained the age of 18 years.

1           “(2) PROHIBITION.—Except as provided in  
2 paragraph (3), it shall be unlawful for any person to  
3 keep a loaded firearm, or an unloaded firearm and  
4 ammunition for the firearm, any of which has been  
5 shipped or transported in interstate or foreign com-  
6 merce or otherwise substantially affects interstate or  
7 foreign commerce, within any premise that is under  
8 the custody or control of that person if that person  
9 knows, or reasonably should know, that a juvenile is  
10 capable of gaining access to the firearm without the  
11 permission of the parent or legal guardian of the ju-  
12 venile.

13           “(3) EXCEPTIONS.—Paragraph (2) does not  
14 apply if—

15               “(A) the person uses a secure gun storage  
16 or safety device for the firearm;

17               “(B) the person is a peace officer, a mem-  
18 ber of the Armed Forces, or a member of the  
19 National Guard, and the juvenile obtains the  
20 firearm during, or incidental to, the perform-  
21 ance of the official duties of the person in that  
22 capacity;

23               “(C) the juvenile obtains, or obtains and  
24 discharges, the firearm in a lawful act of self-  
25 defense or defense of 1 or more other persons;

1           “(D) the person has no reasonable expecta-  
2           tion, based on objective facts and cir-  
3           cumstances, that a juvenile is likely to be  
4           present on the premises on which the firearm is  
5           kept; or

6           “(E) the juvenile obtains the firearm as a  
7           result of an unlawful entry by any person.”.

8           (c) PENALTIES.—Section 924(a) of title 18, United  
9           States Code, is amended by adding at the end the fol-  
10          lowing:

11          “(7) Whoever violates section 922(aa), if a juvenile  
12          (as defined in section 922(aa)) obtains access to the fire-  
13          arm and thereby causes death or bodily injury to the juve-  
14          nile or to any other person, or exhibits the firearm either  
15          in a public place, or in violation of section 922(q), shall  
16          be fined not more than \$10,000, imprisoned not more  
17          than 1 year, or both.”.

18          (d) ROLE OF LICENSED FIREARMS DEALERS.—Sec-  
19          tion 926 of title 18, United States Code, is amended by  
20          adding at the end the following:

21          “(d) CONTENTS OF FORM.—The Secretary shall en-  
22          sure that a copy of section 922(aa) appears on the form  
23          required to be obtained by a licensed dealer from a pro-  
24          spective transferee of a firearm.”.

1 (e) NO EFFECT ON STATE LAW.—Nothing in this  
2 section or the amendments made by this section shall be  
3 construed to preempt any provision of the law of any  
4 State, the purpose of which is to prevent juveniles from  
5 injuring themselves or others with firearms.

6 **TITLE V—THE CHILDREN’S FIRE-**  
7 **ARM INJURY SURVEILLANCE**  
8 **ACT OF 1999**

9 **SEC. 501. SHORT TITLE.**

10 This title may be cited as the “Children’s Firearm  
11 Injury Surveillance Act of 1999”.

12 **SEC. 502. SURVEILLANCE PROGRAM REGARDING INJURIES**  
13 **TO CHILDREN RESULTING FROM FIREARMS.**

14 (a) IN GENERAL.—

15 (1) PROGRAM OF GRANTS.—The Secretary of  
16 Health and Human Services may make grants to  
17 State and local departments of health and State and  
18 local law enforcement agencies for purposes of estab-  
19 lishing and maintaining children’s firearm-related in-  
20 jury surveillance systems.

21 (2) ADMINISTRATION OF PROGRAM.—The Sec-  
22 retary of Health and Human Services shall carry out  
23 this section acting through the Director of the Cen-  
24 ters for Disease Control and Prevention. Such Direc-  
25 tor shall carry out this section through the Director

1 of the National Center for Injury Prevention and  
2 Control (in this section referred to as the “Director  
3 of the Center”).

4 (b) CERTAIN USES OF GRANT.—The Director of the  
5 Center shall ensure that grants under subsection (a) are  
6 used to establish systems for gathering information re-  
7 garding fatal and nonfatal firearm injuries involving chil-  
8 dren who have not attained 21 years of age, including in-  
9 formation with respect to—

10 (1) mortality;

11 (2) morbidity;

12 (3) disability;

13 (4) the type and characteristic of the firearm  
14 used in the shooting;

15 (5) the relationship of the victim to the perpe-  
16 trator; and

17 (6) the time and circumstances of the shooting.

18 (c) PRIORITY FOR CERTAIN STATES.—In making  
19 grants under this section, the Director of the Center shall  
20 give priority to States and communities in which firearm-  
21 related injuries for children are a significant public health  
22 problem.

23 (d) AUTHORIZATION OF APPROPRIATIONS.—For the  
24 purpose of carrying out this section, there is authorized

1 to be appropriated \$5,000,000 for each of the fiscal years  
2 2000 through 2004.

3 **TITLE VI—CHILDREN’S GUN VIO-**  
4 **LENCE PREVENTION EDU-**  
5 **CATION**

6 **SEC. 601. SHORT TITLE; PURPOSES.**

7 (a) SHORT TITLE.—This title may be cited as the  
8 “Children’s Gun Violence Prevention Education Act of  
9 1999”.

10 (b) PURPOSES.—The purposes of this title are—

11 (1) to award grants to assist local educational  
12 agencies, in consultation with community groups and  
13 law enforcement agencies, to educate children about  
14 preventing gun violence; and

15 (2) to assist communities in developing partner-  
16 ships between public schools, community organiza-  
17 tions, law enforcement, and parents in educating  
18 children about preventing gun violence.

19 **SEC. 602. COMPETITIVE GRANTS FOR CHILDREN’S GUN VIO-**  
20 **LENCE PREVENTION EDUCATION.**

21 (a) ALLOCATION OF COMPETITIVE GRANTS.—

22 (1) RESERVATION.—From amounts appro-  
23 priated under subsection (j) for a fiscal year, the  
24 Secretary shall reserve 1 percent to award grants to



1 the outlying areas in accordance with the purposes  
2 of this title.

3 (2) GRANTS BY THE SECRETARY.—For any fis-  
4 cal year for which the amount appropriated to carry  
5 out this title does not exceed \$50,000,000 and from  
6 amounts appropriated under subsection (j) and not  
7 reserved under paragraph (1), the Secretary is au-  
8 thorized to award grants, on a competitive basis,  
9 under subsection (b).

10 (3) GRANTS BY THE STATES.—

11 (A) IN GENERAL.—For any fiscal year for  
12 which the amount appropriated to carry out  
13 this title exceeds \$50,000,000 and from  
14 amounts appropriated under subsection (j) and  
15 not reserved under paragraph (1), the Secretary  
16 shall make allotments to State educational  
17 agencies pursuant to subparagraph (B) to en-  
18 able the State educational agencies to award  
19 grants, on a competitive basis, under subsection  
20 (b).

21 (B) ALLOTMENT FORMULA.—Except as  
22 provided in subparagraph (C), the Secretary  
23 shall allot funds appropriated under subsection  
24 (j) and not reserved under paragraph (1) for a  
25 fiscal year among the States as follows:

1 (i) 75 percent of such funds shall be  
2 allotted proportionately based upon the  
3 population that is less than 18 years of age  
4 in the State;

5 (ii) 25 percent of such funds shall be  
6 allotted proportionately based upon the  
7 population that is less than 18 years of age  
8 in the State that is incarcerated.

9 (C) MINIMUM ALLOTMENT.—If the  
10 amount appropriated to carry out this title ex-  
11 ceeds \$50,000,000 for a fiscal year, each State  
12 shall receive a minimum allotment for the fiscal  
13 year of not less than \$500,000.

14 (b) AUTHORIZATION OF COMPETITIVE GRANTS.—

15 (1) IN GENERAL.—The Secretary or the State  
16 educational agency, as the case may be, is author-  
17 ized to award grants to local educational agencies  
18 for the purpose of educating children about pre-  
19 venting gun violence.

20 (2) ASSURANCES.—

21 (A) DISTRIBUTION.—The Secretary or the  
22 State educational agency, as the case may be,  
23 shall ensure that not less than 90 percent of  
24 the funds allotted under this title to the State

1 are distributed to local educational agencies in  
2 the State.

3 (B) AWARDS.—In awarding the grants, the  
4 Secretary or the State educational agency, as  
5 the case may be, shall ensure, to the maximum  
6 extent practicable—

7 (i) an equitable geographic distribu-  
8 tion of grant awards;

9 (ii) an equitable distribution of grant  
10 awards among programs that serve public  
11 elementary school students, public sec-  
12 ondary school students, and a combination  
13 of both public elementary school students  
14 and secondary school students; and

15 (iii) that urban, rural and suburban  
16 areas are represented within the grants  
17 that are awarded.

18 (3) PRIORITY.—In awarding grants under this  
19 subsection, the Secretary or the State educational  
20 agency, as the case may be, shall give priority to a  
21 local educational agency that—

22 (A) coordinates with other Federal, State,  
23 and local programs that educate children about  
24 personal health, safety, and responsibility, in-  
25 cluding programs carried out under the Safe

1 and Drug-Free Schools and Communities Act  
2 of 1994 (20 U.S.C. 7101 et seq.);

3 (B) serves a population with a high inci-  
4 dence of students found in possession of a  
5 weapon on school property, or students sus-  
6 pended or expelled for bringing a weapon onto  
7 school grounds or engaging in violent behavior  
8 on school grounds; and

9 (C) forms a partnership composed of not  
10 less than 1 representative from each of the fol-  
11 lowing:

12 (i) Another local educational agency.

13 (ii) A public or private nonprofit  
14 agency or organization with experience in  
15 violence prevention.

16 (iii) A local law enforcement agency.

17 (4) PEER REVIEW; CONSULTATION.—

18 (A) PEER REVIEW PANEL.—

19 (i) IN GENERAL.—Before grants are  
20 awarded, the Secretary shall submit grant  
21 applications to a peer review panel for  
22 evaluation.

23 (ii) COMPOSITION.—Such panel shall  
24 be composed of not less than 1 representa-  
25 tive from each of the following:

1 (I) A local educational agency.

2 (II) A State educational agency.

3 (III) A local law enforcement  
4 agency.

5 (IV) A public or private nonprofit  
6 organization with experience in vio-  
7 lence prevention.

8 (B) SUBMISSION TO ATTORNEY GEN-  
9 ERAL.—The Secretary shall submit grant appli-  
10 cations to the Attorney General for consulta-  
11 tion.

12 (c) PARTNERSHIPS PERMITTED.—A local educational  
13 agency may carry out activities under this section in part-  
14 nership with 1 or more of the following:

15 (1) A public or private nonprofit agency or or-  
16 ganization with experience in violence prevention.

17 (2) A local law enforcement agency.

18 (3) An institution of higher education.

19 (d) LOCAL APPLICATIONS; REPORTS.—

20 (1) LOCAL APPLICATIONS.—

21 (A) IN GENERAL.—Each local educational  
22 agency that wishes to receive a grant under this  
23 title shall submit an application to the Sec-  
24 retary or the State educational agency, as ap-  
25 propriate, that includes—

1 (i) a description of the proposed ac-  
2 tivities to be funded by the grant and how  
3 each activity will further the goal of edu-  
4 cating children about preventing gun vio-  
5 lence;

6 (ii) how the program will be coordi-  
7 nated with other programs that educate  
8 children about personal health, safety, and  
9 responsibility, including programs carried  
10 out under the Safe and Drug-Free Schools  
11 and Communities Act of 1994 (20 U.S.C.  
12 7101 et seq.); and

13 (iii) the age and number of children  
14 that the programs will serve.

15 (B) EXCEPTION.—A State educational  
16 agency may, with the approval of a local edu-  
17 cational agency, submit an application on behalf  
18 of such local educational agency or a consor-  
19 tium of such agencies.

20 (2) REPORTS.—Each local educational agency  
21 that receives a grant under this title shall submit a  
22 report to the Secretary and to the State educational  
23 agency not later than 18 months and 36 months  
24 after the grant is awarded. Each report shall include  
25 information regarding—

1 (A) the activities conducted to educate  
2 children about gun violence;

3 (B) how the program will continue to edu-  
4 cate children about gun violence in the future;  
5 and

6 (C) how the grant is being coordinated  
7 with other Federal, State, and local programs  
8 that educate children about personal health,  
9 safety, and responsibility, including programs  
10 carried out under the Safe and Drug-Free  
11 Schools and Communities Act of 1994.

12 (e) AUTHORIZED ACTIVITIES.—

13 (1) REQUIRED ACTIVITIES.—Grants authorized  
14 under subsection (b) shall meet the minimum stand-  
15 ards established by the Secretary in consultation  
16 with the Attorney General, and shall be used for the  
17 following activities:

18 (A) Supporting existing programs that  
19 educate children about personal health, safety,  
20 and responsibility, including programs carried  
21 out under the Safe and Drug-Free Schools and  
22 Communities Act of 1994.

23 (B) Educating children about the effects of  
24 gun violence.

1           (C) Educating children to identify dan-  
2           gerous situations in which guns are involved  
3           and how to avoid and prevent such situations.

4           (D) Educating children how to identify  
5           threats and other indications that their peers  
6           are in possession of a gun and may use a gun,  
7           and what steps the children can take in such  
8           situations.

9           (E) Developing programs to give children  
10          access to adults to whom the children can re-  
11          port in a confidential manner about problems  
12          relating to guns.

13          (2) PERMISSIBLE ACTIVITIES.—Grants author-  
14          ized under subsection (b) may be used for the fol-  
15          lowing:

16               (A) Encouraging schoolwide programs and  
17               partnerships that involve teachers, students,  
18               parents, administrators, other staff, and mem-  
19               bers of the community in reducing gun inci-  
20               dents in public elementary schools and sec-  
21               ondary schools.

22               (B) Establishing programs that assist par-  
23               ents in helping educate their children about gun  
24               safety and the prevention of gun violence.



1 (C) Providing ongoing professional devel-  
2 opment for public school staff and administra-  
3 tors to identify the causes and effects of gun vi-  
4 olence and risk factors and student behavior  
5 that may result in gun violence, including train-  
6 ing sessions to review and update school crisis  
7 response plans and school policies for pre-  
8 venting the presence of guns on school grounds  
9 and facilities;

10 (D) Providing technical assistance for  
11 school psychologists and counselors to provide  
12 timely counseling and evaluations, in accord-  
13 ance with State and local laws, of students who  
14 possess a weapon on school grounds.

15 (E) Improving security on public elemen-  
16 tary and secondary school campuses to prevent  
17 outside persons from entering school grounds  
18 with guns.

19 (F) Assisting public schools and commu-  
20 nities in developing crisis response plans when  
21 guns are found on school campuses and when  
22 gun-related incidents occur.

23 (f) STATE APPLICATIONS; ACTIVITIES AND RE-  
24 PORTS.—

25 (1) STATE APPLICATIONS.—

1 (A) IN GENERAL.—Each State desiring to  
2 receive funds under this title shall, through its  
3 State educational agency, submit an application  
4 to the Secretary at such time and in such man-  
5 ner as the Secretary shall require. Such applica-  
6 tion shall describe—

7 (i) the manner in which funds under  
8 this title for State activities and competi-  
9 tive grants will be used to fulfill the pur-  
10 poses of this title;

11 (ii) the manner in which the activities  
12 and projects supported by this title will be  
13 coordinated with other State and Federal  
14 education, law enforcement, and juvenile  
15 justice programs, including programs car-  
16 ried out under the Safe and Drug-Free  
17 Schools and Communities Act of 1994;

18 (iii) the manner in which States will  
19 ensure an equitable geographic distribution  
20 of grant awards; and

21 (iv) the criteria which will be used to  
22 determine the impact and effectiveness of  
23 the funds used pursuant to this title.

24 (B) SUBMISSION.—A State educational  
25 agency may submit an application to receive a

1 grant under this title under paragraph (1) or as  
2 an amendment to the application the State edu-  
3 cational agency submits under the Safe and  
4 Drug-Free Schools and Communities Act of  
5 1994.

6 (2) STATE ACTIVITIES.—Of appropriated  
7 amounts allotted to the States under subsection  
8 (a)(3)(B), the State educational agency may reserve  
9 not more than 10 percent for activities to further  
10 the purposes of this title, including—

11 (A) providing technical assistance to local  
12 educational agencies in the State;

13 (B) performing ongoing research into the  
14 causes of gun violence among children and  
15 methods to prevent gun violence among chil-  
16 dren; and

17 (C) providing ongoing professional develop-  
18 ment for public school staff and administrators  
19 to identify the causes and indications of gun vi-  
20 olence.

21 (3) STATE REPORTS.—Each State educational  
22 agency receiving an allotment under this title shall  
23 submit a report to the Secretary, and to the Com-  
24 mittees on Education and the Workforce and the  
25 Judiciary of the House of Representatives, and the

1 Committees on Health, Education, Labor, and Pen-  
2 sions and the Judiciary of the Senate, not later than  
3 12 months and 36 months after receipt of the grant  
4 award. Each report shall include information  
5 regarding—

6 (A) the progress of local educational agen-  
7 cies that received a grant award under this title  
8 in the State in educating children about pre-  
9 venting gun violence;

10 (B) the progress of State activities under  
11 paragraph (2) to advance the goals of this title;  
12 and

13 (C) how the State is coordinating funds al-  
14 lotted under this title with other State and Fed-  
15 eral education, law enforcement, and juvenile  
16 justice programs, including programs carried  
17 out under the Safe and Drug-Free Schools and  
18 Communities Act of 1994.

19 (g) SUPPLEMENT NOT SUPPLANT.—A State edu-  
20 cational agency or local educational agency shall use funds  
21 received under this title only to supplement the amount  
22 of funds that would, in the absence of such Federal funds,  
23 be made available from non-Federal sources for reducing  
24 gun violence among children and educating children about  
25 preventing gun violence, and not to supplant such funds.

1 (h) DISPLACEMENT.—A local educational agency that  
2 receives a grant award under this title shall ensure that  
3 persons hired to carry out the activities under this title  
4 do not displace persons already employed.

5 (i) HOME SCHOOLS.—Nothing in this title shall be  
6 construed to affect home schools.

7 (j) AUTHORIZATION OF APPROPRIATIONS.—There is  
8 authorized to be appropriated to carry out this section  
9 \$60,000,000 for each of fiscal years 2000, 2001, and  
10 2002.

11 **SEC. 603. DISSEMINATION OF INFORMATION.**

12 (a) GUIDELINES.—

13 (1) ESTABLISHMENT.—Before awarding a  
14 grant under section 602, the Secretary shall consult  
15 with the Attorney General to establish guidelines for  
16 gun violence prevention education programs for chil-  
17 dren.

18 (2) PUBLICATION AND DISTRIBUTION.—The  
19 guidelines established pursuant to paragraph (1)  
20 shall be published in the Federal Register not later  
21 than 90 days after the date of the enactment of this  
22 Act and disseminated to each State educational  
23 agency and local educational agency that applies to  
24 receive a grant under section 602.

1 (b) MODEL DISSEMINATION.—The Secretary shall  
2 include on the Internet site of the Department of Edu-  
3 cation a description of programs that receive grants under  
4 section 602.

5 (c) GRANT PROGRAM NOTIFICATION.—The Secretary  
6 shall publicize the competitive grant program authorized  
7 under section 602 through its Internet site, publications,  
8 and public service announcements.

9 **SEC. 604. DEFINITIONS.**

10 For purposes of this title—

11 (1) the terms “elementary school”, “local edu-  
12 cational agency”, “secondary school”, and “State  
13 educational agency” have the meanings given the  
14 terms in section 14101 of the Elementary and Sec-  
15 ondary Education Act of 1965 (20 U.S.C. 8701);

16 (2) the term “outlying area” means Guam,  
17 American Samoa, the Commonwealth of the North-  
18 ern Mariana Islands, the United States Virgin Is-  
19 lands, the Republic of the Marshall Islands, the Fed-  
20 erated States of Micronesia, and the Republic of  
21 Palau;

22 (3) the term “Secretary” means the Secretary  
23 of Education; and

1           (4) the term “State” means each of the 50  
2       States, the District of Columbia, and the Common-  
3       wealth of Puerto Rico.

4   **SEC. 605. AMENDMENT TO SAFE AND DRUG-FREE SCHOOLS**  
5                   **AND COMMUNITIES ACT OF 1994.**

6       Section 4116(a)(1) of the Safe and Drug-Free  
7       Schools and Communities Act of 1994 (20 U.S.C. 7116)  
8       is amended—

9           (1) in subparagraph (B), by striking “and”  
10       after the semicolon;

11          (2) by redesignating subparagraph (C) as sub-  
12       paragraph (D); and

13          (3) by inserting after subparagraph (B) the fol-  
14       lowing:

15               “(C) to the extent practicable, provide  
16       timely counseling (without requiring the hiring  
17       of additional staff) to—

18                   “(i) and evaluations of any public  
19       school student, in accordance with State  
20       and local law, who possesses a weapon on  
21       school grounds or who threatens to bring  
22       or use a weapon on school grounds; and

23                   “(ii) and advice to public school stu-  
24       dents, staff, and administrators after an

1 incident of gun-related violence on school  
2 grounds; and”.

3 **TITLE VII—THE CHILDREN’S**  
4 **FIREARM TRACKING ACT OF**  
5 **1999**

6 **SEC. 701. YOUTH CRIME GUN INTERDICTION INITIATIVE.**

7 (a)(1) The Secretary of the Treasury shall endeavor  
8 to expand the number of cities and counties directly par-  
9 ticipating in the Youth Crime Gun Interdiction Initiative  
10 (in this section referred to as the “YCGII”) to 37 cities  
11 or counties by October 1, 2000, to 50 cities or counties  
12 by October 1, 2002, and to 75 cities or counties by Octo-  
13 ber 1, 2003.

14 (2) Cities and counties selected for participation in  
15 the YCGII shall be selected by the Secretary of the Treas-  
16 ury and in consultation with Federal, State and local law  
17 enforcement officials.

18 (b)(1) The Secretary of the Treasury shall, utilizing  
19 the information provided by the YCGII, facilitate the iden-  
20 tification and prosecution of individuals illegally traf-  
21 ficking firearms to individuals who have not attained 24  
22 years of age.

23 (2) The Secretary of the Treasury shall share infor-  
24 mation derived from the YCGII with State and local law



1 enforcement agencies through on-line computer access, as  
2 soon as such capability is available.

3 (c)(1) The Secretary of the Treasury shall award  
4 grants (in the form of funds or equipment) to States, cit-  
5 ies, and counties for purposes of assisting such entities  
6 in the tracing of firearms and participation in the YCGII.

7 (2) Grants made under this part shall be used—

8 (A) to hire or assign additional personnel for  
9 the gathering, submission and analysis of tracing  
10 data submitted to the Bureau of Alcohol, Tobacco  
11 and Firearms under the YCGII;

12 (B) to hire additional law enforcement per-  
13 sonnel for the purpose of identifying and arresting  
14 individuals illegally trafficking firearms; and

15 (C) to purchase additional equipment, including  
16 automatic data processing equipment and computer  
17 software and hardware, for the timely submission  
18 and analysis of tracing data.

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