

106TH CONGRESS  
1ST SESSION

# H. R. 3209

To provide grants to law enforcement agencies to purchase firearms needed to perform law enforcement duties.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 3, 1999

Mr. BLAGOJEVICH introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide grants to law enforcement agencies to purchase firearms needed to perform law enforcement duties.

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. FINDINGS AND PURPOSE.**

4       (a) FINDINGS.—Congress finds the following:

5               (1) Buford Furrow, a white supremacist, used  
6       a Glock pistol decommissioned and sold by a law en-  
7       forcement agency in the State of Washington, to  
8       shoot children at a Jewish community center in Los  
9       Angeles and kill a postal worker.

1           (2) Twelve firearms were recently stolen during  
2           shipment from the Miami-Dade Police Department  
3           to Chicago, Illinois. Four of these firearms have  
4           been traced to crimes in Chicago, Illinois, including  
5           a shooting near a playground.

6           (3) In the past 9 years, decommissioned fire-  
7           arms once used by law enforcement agencies have  
8           been involved in more than 3,000 crimes, including  
9           293 homicides, 301 assaults, and 279 drug-related  
10          crimes.

11          (4) Many State and local law enforcement de-  
12          partments also engage in the practice of reselling  
13          firearms involved in the commission of a crime and  
14          confiscated. Often these firearms are assault weap-  
15          ons that were in circulation prior to the restrictions  
16          imposed by the Violent Crime Control and Law En-  
17          forcement Act of 1994.

18          (5) Law enforcement departments in the States  
19          of New York and Georgia, the City of Chicago, and  
20          other localities have adopted the practice of destroy-  
21          ing decommissioned firearms.

22          (b) PURPOSE.—The purpose of this Act is to reduce  
23          the number of firearms on the streets by assisting State  
24          and local law enforcement agencies to eliminate the prac-

1 tice of transferring decommissioned firearms to any per-  
2 son.

3 **SEC. 3. PROGRAM AUTHORIZED.**

4 (a) GRANTS.—The Attorney General may make  
5 grants to States or units of local government—

6 (1) to assist States and units of local govern-  
7 ment in purchasing new firearms without transfer-  
8 ring decommissioned firearms to any person; and

9 (2) to destroy decommissioned firearms.

10 (b) ELIGIBILITY.—

11 (1) IN GENERAL.—Except as provided in para-  
12 graph (2), to be eligible to receive a grant under this  
13 Act, a State or unit of local government shall certify  
14 that it has in effect a law or official policy that—

15 (A) eliminates the practice of transferring  
16 any decommissioned firearm to any person; and

17 (B) provides for the destruction of a de-  
18 commissioned firearm.

19 (2) EXCEPTION.—A State or unit of local gov-  
20 ernment may transfer a decommissioned firearm to  
21 another law enforcement agency.

22 (c) USE OF FUNDS.—A State or unit of local govern-  
23 ment that receives a grant under this Act shall use such  
24 grant only to purchase new firearms.

1 **SEC. 4. APPLICATIONS.**

2 (a) STATE APPLICATIONS.—To request a grant  
3 under this Act, the chief executive of a State shall submit  
4 an application, signed by the Attorney General of the  
5 State requesting the grant, to the Attorney General in  
6 such form and containing such information as the Attor-  
7 ney General may reasonably require.

8 (b) LOCAL APPLICATIONS.—To request a grant  
9 under this Act, the chief executive of a unit of local gov-  
10 ernment shall submit an application, signed by the chief  
11 law enforcement officer in the unit of local government  
12 requesting the grant, to the Attorney General in such form  
13 and containing such information as the Attorney General  
14 may reasonably require.

15 **SEC. 5. REGULATIONS.**

16 Not later than 90 days after the date of enactment  
17 of this Act, the Attorney General shall promulgate regula-  
18 tions to implement this Act, which shall specify the infor-  
19 mation that must be included and the requirements that  
20 the States and units of local government must meet in  
21 submitting applications for grants under this Act.

22 **SEC. 6. REPORTING.**

23 A State or unit of local government shall report to  
24 the Attorney General not later than 2 years after funds  
25 are received under this Act, regarding the implementation  
26 of this Act. Such report shall include budget assurances

1 that any future purchase of a firearm by the law enforce-  
2 ment agency will be possible without transferring a decom-  
3 missioned firearm.

4 **SEC. 7. DEFINITION.**

5 For purposes of this Act—

6 (1) the term “firearm” has the same meaning  
7 given such term in section 921(a)(3) of title 18,  
8 United States Code;

9 (2) the term “decommissioned firearm” means  
10 a firearm—

11 (A) no longer in service or use by a law en-  
12 forcement agency; or

13 (B) involved in the commission of a crime  
14 and confiscated and no longer needed for evi-  
15 dentiary purposes; and

16 (3) the term “person” has the same meaning  
17 given such term in section 1 of title 1 of the United  
18 States Code.

19 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated to carry out  
21 this Act \$10,000,000 for each of the fiscal years 2001  
22 through 2005.

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