

106TH CONGRESS
1ST SESSION

S. 735

To protect children from firearms violence.

IN THE SENATE OF THE UNITED STATES

MARCH 25, 1999

Mr. KENNEDY (for himself, Mrs. BOXER, Mr. DURBIN, and Mr. SCHUMER)
introduced the following bill; which was read twice and referred to the
Committee on the Judiciary

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—CHILDREN’S FIREARM SAFETY

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

Sec. 102. Consumer Product Safety Commission study.

TITLE II—CHILDREN’S FIREARMS AGE LIMIT

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—RESPONSIBILITIES OF FIREARMS DEALERS

Sec. 301. Automatic revocation of license of firearms dealer who willfully sells firearm to minor.

Sec. 302. Two 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—CHILDREN’S FIREARM INJURY SURVEILLANCE

Sec. 501. 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—CHILDREN’S FIREARM TRACKING

Sec. 701. Youth Crime Gun Interdiction Initiative.

1 **TITLE I—CHILDREN’S FIREARM** 2 **SAFETY**

3 **SEC. 101. PROHIBITION ON MANUFACTURE OR IMPORTA-** 4 **TION OF UNSAFE HANDGUNS.**

5 (b) PROHIBITION.—Section 922 of title 18, United
6 States Code, is amended by inserting after subsection (y)
7 the following:

8 “(z) MANUFACTURE OR IMPORTATION OF UNSAFE
9 HANDGUNS.—

10 “(1) IN GENERAL.—Beginning 18 months after
11 the date of enactment of this subsection, subject to

1 paragraph (2), it shall be unlawful for any person to
2 manufacture or import an unsafe handgun.

3 “(2) EXCEPTIONS.—Paragraph (1) does not
4 apply to the manufacture or importation of a hand-
5 gun by a licensed manufacturer or licensed
6 importer—

7 “(A) for use by the United States or a de-
8 partment or agency of the United States or a
9 State or a department, agency, or political sub-
10 division of a State; or

11 “(B) for the purpose of testing or experi-
12 mentation authorized by the Secretary.

13 “(3) RULE OF CONSTRUCTION.—Nothing in
14 this subsection may be construed to preempt or limit
15 any cause of action available under any Federal or
16 State law against a manufacturer of a firearm.

17 “(4) UNSAFE HANDGUN DEFINED.—In this
18 subsection, the term ‘unsafe handgun’—

19 “(A) means—

20 “(i) any handgun that the Secretary
21 determines, when new, fires in any of 5
22 successive trials in which the handgun
23 (loaded with an empty case with a primer
24 installed and having built in manual hand-
25 gun safety devices deactivated so that the

handgun is ready to fire) is dropped onto
a steel plate from a height of 1 meter—

“(I) from the normal firing position;
tion;

“(II) from the upside down position;
tion;

“(III) from the on grip position;

“(IV) on the muzzle position;

“(V) on either side;

“(VI) on the exposed hammer or
striker or, if there is no hammer or
striker, the rearmost part of the fire-
arm; and

“(VII) from any other position
that the Secretary determines to be
necessary to determine whether the
handgun is subject to accidental dis-
charge;

“(ii) any semiautomatic pistol that
does not have a magazine disconnect safety
that prevents the pistol from being fired
once the magazine or clip is removed from
the weapon; and

“(iii) any handgun that is sold with-
out a mechanism reasonably designed,

1 under rules determined by the Secretary,
2 to prevent the discharge of the weapon by
3 an unauthorized user, including a mecha-
4 nism that is—

5 “(I) a detachable, key-activated
6 or combination lock that prevents the
7 trigger from being pulled or the ham-
8 mer from striking the primer;

9 “(II) a solenoid use limitation de-
10 vice that prevents, by use of a mag-
11 netically activated relay, the firing of
12 the handgun unless a magnet of the
13 appropriate strength is placed in prox-
14 imity to the handle of the handgun; or

15 “(III) a removable hammer or
16 striker; and

17 “(B) does not include—

18 “(i) any handgun with a trigger re-
19 sistance equal to not less than a 10 pound
20 pull;

21 “(ii) any handgun with a child resist-
22 ant trigger mechanism reasonably designed
23 to prevent a child who has not attained the
24 age of 5 years from operating the weapon
25 when it is ready to fire, including a mecha-

nism with a trigger resistance equal to not less than a 10 pound pull; or

“(iii) any other handgun that is designed so that the hand of an average child who has not attained the age of 5 years is unable to grip the trigger, as determined by the Secretary by regulation.”.

SEC. 102. CONSUMER PRODUCT SAFETY COMMISSION STUDY.

(a) DEFINITIONS.—In this section—

(1) the term “child” means an individual who has not attained the age of 18 years; and

(2) the term “handgun” has the meaning given that term in section 921(a) of title 18, United States Code.

(b) STUDY.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Director of the Consumer Product Safety Commission, in consultation with the Director of the Bureau of Alcohol, Tobacco and Firearms, shall conduct a study to determine the means by which the safety of handguns can be improved in order to prevent the authorized use or discharge of handguns by children.

1 (2) TESTING AND EVALUATION.—The study
2 under this subsection shall include the testing and
3 evaluation of—

4 (A) locking devices that—

5 (i) if installed on a handgun, prevent
6 the handgun from being discharged;

7 (ii) can be removed or deactivated by
8 means of a key or a mechanically, elec-
9 tronically, or electromechanically operated
10 combination lock;

11 (B) locking devices that—

12 (i) are incorporated into the design of
13 a handgun;

14 (ii) if activated, prevent a handgun
15 from being discharged; and

16 (iii) can be deactivated by means of a
17 key or a mechanically, electronically, or
18 electromechanically operated combination
19 lock; and

20 (C) storage boxes, cases, or safes equipped
21 with a mechanically, electronically, or
22 electromechanically operated lock that, if acti-
23 vated, prevents access to a firearm located in
24 the storage box, case, or safe.

1 (c) REPORT TO CONGRESS.—Not later than 1 year
 2 after the date of enactment of this Act, the Director of
 3 the Consumer Product Safety Commission shall submit to
 4 Congress a report, which shall include—

5 (1) the results of the study conducted under
 6 subsection (b); and

7 (2) recommendations regarding—

8 (A) the means by which handgun safety
 9 can be improved; and

10 (B) the manner in which changes in hand-
 11 gun design would potentially reduce unauthor-
 12 ized access to handguns by children.

13 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
 14 authorized to be appropriated to carry out this section
 15 \$1,500,000 for fiscal year 2000.

16 **TITLE II—CHILDREN’S** 17 **FIREARMS AGE LIMIT**

18 **SEC. 201. EXTENSION OF JUVENILE HANDGUN BAN TO** 19 **SEMIAUTOMATIC ASSAULT WEAPONS.**

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

22 (1) in subparagraph (A), by striking “or” at
 23 the end;

24 (2) in subparagraph (B), by striking the period
 25 at the end and inserting “; or”; and

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

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

3 **SEC. 202. INCREASED PENALTY FOR TRANSFERRING HAND-**
 4 **GUN OR SEMIAUTOMATIC ASSAULT WEAPON**
 5 **TO JUVENILE FOR USE IN A CRIME OF VIO-**
 6 **LENCE.**

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

9 **TITLE III—RESPONSIBILITIES**
 10 **OF FIREARMS DEALERS**

11 **SEC. 301. AUTOMATIC REVOCATION OF LICENSE OF FIRE-**
 12 **ARMS DEALER WHO WILLFULLY SELLS FIRE-**
 13 **ARM TO MINOR.**

14 Section 923(e) of title 18, United States Code, is
 15 amended by adding at the end the following: “The Sec-
 16 retary, after notice and opportunity for hearing, shall re-
 17 voke the license of a dealer who willfully sells a firearm
 18 to an individual who has not attained the age of 18
 19 years.”.

20 **SEC. 302. TWO FORMS OF IDENTIFICATION REQUIRED**
 21 **FROM FIREARMS PURCHASERS UNDER AGE**
 22 **24.**

23 Section 922(t)(1)(C) of title 18, United States Code,
 24 is amended by inserting “(or, if the licensee knows or has

1 reasonable case to believe that the transferee has not at-
 2 tained the age of 24 years, 2)” before “valid”.

3 **SEC. 303. MINIMUM SAFETY AND SECURITY STANDARDS**
 4 **FOR GUN SHOPS.**

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

8 “(m) SAFETY AND SECURITY STANDARDS FOR GUN
 9 SHOPS.—

10 “(1) IN GENERAL.—Not later than 1 year after
 11 the date of enactment of this subsection, the Sec-
 12 retary of the Treasury, acting through the Director
 13 of the Bureau of Alcohol, Tobacco, and Firearms,
 14 shall issue final regulations that establish minimum
 15 firearm safety and security standards that shall
 16 apply to dealers who are issued a license under this
 17 section.

18 “(2) MINIMUM STANDARDS.—The regulations
 19 issued under this subsection shall include minimum
 20 safety and security standards for—

21 “(A) a place of business in which a dealer
 22 covered by the regulations conducts business or
 23 stores firearms;

24 “(B) windows, the front door, storage
 25 rooms, containers, alarms, and other items of a

1 place of business referred to in subparagraph
 2 (A) that the Secretary of the Treasury, acting
 3 through the Director of the Bureau of Alcohol,
 4 Tobacco and Firearms, determines to be appro-
 5 priate; and

6 “(C) the storage and handling of the fire-
 7 arms contained in a place of business referred
 8 to in subparagraph (A).”.

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

11 (1) in subparagraph (A)—

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

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

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

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

21 (2) in subparagraph (B)—

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

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

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

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

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

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

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

13 (2) by redesignating subparagraph (D) as sub-
14 paragraph (E); and

15 (3) by inserting after subparagraph (C) the fol-
16 lowing:

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

20 **TITLE IV—CHILDREN’S FIREARM** 21 **ACCESS PREVENTION**

22 **SEC. 401. CHILDREN AND FIREARMS SAFETY.**

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

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

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

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

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

21 “(3) EXCEPTIONS.—Paragraph (2) does not
22 apply if—

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

1 “(B) the person is a peace officer, a mem-
 2 ber of the Armed Forces, or a member of the
 3 National Guard, and the juvenile obtains the
 4 firearm during, or incidental to, the perform-
 5 ance of the official duties of the person in that
 6 capacity;

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

10 “(D) the person has no reasonable expecta-
 11 tion, based on objective facts and cir-
 12 cumstances, that a juvenile is likely to be
 13 present on the premises on which the firearm is
 14 kept; or

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

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

20 “(7) Whoever violates section 922(aa), if a juvenile
 21 (as defined in section 922(aa)) obtains access to the fire-
 22 arm and thereby causes death or bodily injury to the juve-
 23 nile or to any other person, or exhibits the firearm either
 24 in a public place, or in violation of section 922(q), shall

1 be fined not more than \$10,000, imprisoned not more
2 than 1 year, or both.”.

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

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

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

15 **TITLE V—CHILDREN’S FIREARM** 16 **INJURY SURVEILLANCE**

17 **SEC. 501. SURVEILLANCE PROGRAM REGARDING INJURIES** 18 **TO CHILDREN RESULTING FROM FIREARMS.**

19 (a) IN GENERAL.—

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

1 (2) ADMINISTRATION OF PROGRAM.—The Sec-
2 retary of Health and Human Services shall carry out
3 this section acting through the Director of the Cen-
4 ters for Disease Control and Prevention. Such Direc-
5 tor shall carry out this section through the Director
6 of the National Center for Injury Prevention and
7 Control (referred to in this section as the “Director
8 of the Center”).

9 (b) CERTAIN USES OF GRANT.—The Director of the
10 Center shall ensure that grants under subsection (a) are
11 used to establish systems for gathering information re-
12 garding fatal and nonfatal firearm injuries involving chil-
13 dren who have not the age of 21 years, including informa-
14 tion with respect to—

15 (1) mortality;

16 (2) morbidity;

17 (3) disability;

18 (4) the type and characteristic of the firearm
19 used in the shooting;

20 (5) the relationship of the victim to the perpe-
21 trator; and

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

23 (c) PRIORITY FOR CERTAIN STATES.—In making
24 grants under this section, the Director of the Center shall
25 give priority to States and communities in which firearm-

1 related injuries for children are a significant public health
2 problem.

3 (d) AUTHORIZATION OF APPROPRIATIONS.—For the
4 purpose of carrying out this section, there is authorized
5 to be appropriated \$5,000,000 for each of fiscal years
6 2000 through 2004.

7 **TITLE VI—CHILDREN’S GUN VIO-**
8 **LENCE PREVENTION EDU-**
9 **CATION**

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

11 (a) SHORT TITLE.—This title may be cited as the
12 “Children’s Gun Violence Prevention Education Act of
13 1999”.

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

15 (1) to award grants to assist local educational
16 agencies, in consultation with community groups and
17 law enforcement agencies, to educate children about
18 preventing gun violence; and

19 (2) to assist communities in developing partner-
20 ships between public schools, community organiza-
21 tions, law enforcement, and parents in educating
22 children about preventing gun violence.

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

25 (a) ALLOCATION OF COMPETITIVE GRANTS.—

1 (1) RESERVATION.—From amounts appro-
2 priated under subsection (j) for a fiscal year, the
3 Secretary shall reserve 1 percent to award grants to
4 the outlying areas in accordance with the purposes
5 of this title.

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

13 (3) GRANTS BY THE STATES.—

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

24 (B) ALLOTMENT FORMULA.—Except as
25 provided in subparagraph (C), the Secretary

1 shall allot funds appropriated under subsection
 2 (j) and not reserved under paragraph (1) for a
 3 fiscal year among the States as follows:

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

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

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

17 (b) AUTHORIZATION OF COMPETITIVE GRANTS.—

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

23 (2) ASSURANCES.—

24 (A) DISTRIBUTION.—The Secretary or the
 25 State educational agency, as the case may be,

1 shall ensure that not less than 90 percent of
2 the funds allotted under this title to the State
3 are distributed to local educational agencies in
4 the State.

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

9 (i) an equitable geographic distribu-
10 tion of grant awards;

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

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

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

24 (A) coordinates with other Federal, State,
25 and local programs that educate children about

personal health, safety, and responsibility, including programs carried out under the Safe and Drug-Free Schools and Communities Act of 1994 (20 U.S.C. 7101 et seq.);

(B) serves a population with a high incidence of students found in possession of a weapon on school property, or students suspended or expelled for bringing a weapon onto school grounds or engaging in violent behavior on school grounds; and

(C) forms a partnership composed of not less than 1 representative from each of the following:

(i) Another local educational agency.

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

(iii) A local law enforcement agency.

(4) PEER REVIEW; CONSULTATION.—

(A) PEER REVIEW PANEL.—

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

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

4 (I) A local educational agency.

5 (II) A State educational agency.

6 (III) A local law enforcement
 7 agency.

8 (IV) A public or private nonprofit
 9 organization with experience in vio-
 10 lence prevention.

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

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

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

20 (2) A local law enforcement agency.

21 (3) An institution of higher education.

22 (d) LOCAL APPLICATIONS; REPORTS.—

23 (1) LOCAL APPLICATIONS.—

24 (A) IN GENERAL.—Each local educational
 25 agency that wishes to receive a grant under this

1 title shall submit an application to the Sec-
2 retary or the State educational agency, as ap-
3 propriate, that includes—

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

9 (ii) how the program will be coordi-
10 nated with other programs that educate
11 children about personal health, safety, and
12 responsibility, including programs carried
13 out under the Safe and Drug-Free Schools
14 and Communities Act of 1994 (20 U.S.C.
15 7101 et seq.); and

16 (iii) the age and number of children
17 that the programs will serve.

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

23 (2) REPORTS.—Each local educational agency
24 that receives a grant under this title shall submit a
25 report to the Secretary and to the State educational

1 agency not later than 18 months and 36 months
2 after the grant is awarded. Each report shall include
3 information regarding—

4 (A) the activities conducted to educate
5 children about gun violence;

6 (B) how the program will continue to edu-
7 cate children about gun violence in the future;
8 and

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

15 (e) AUTHORIZED ACTIVITIES.—

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

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

1 (B) Educating children about the effects of
2 gun violence.

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

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

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

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

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

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

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

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

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

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

1 (f) STATE APPLICATIONS; ACTIVITIES AND RE-
2 PORTS.—

3 (1) STATE APPLICATIONS.—

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

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

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

21 (iii) the manner in which States will
22 ensure an equitable geographic distribution
23 of grant awards; and

1 (iv) the criteria which will be used to
2 determine the impact and effectiveness of
3 the funds used pursuant to this title.

4 (B) SUBMISSION.—A State educational
5 agency may submit an application to receive a
6 grant under this title under paragraph (1) or as
7 an amendment to the application the State edu-
8 cational agency submits under the Safe and
9 Drug-Free Schools and Communities Act of
10 1994.

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

16 (A) providing technical assistance to local
17 educational agencies in the State;

18 (B) performing ongoing research into the
19 causes of gun violence among children and
20 methods to prevent gun violence among chil-
21 dren; and

22 (C) providing ongoing professional develop-
23 ment for public school staff and administrators
24 to identify the causes and indications of gun vi-
25 olence.

1 (3) STATE REPORTS.—Each State educational
 2 agency receiving an allotment under this title shall
 3 submit a report to the Secretary, and to the Com-
 4 mittees on Education and the Workforce and the
 5 Judiciary of the House of Representatives, and the
 6 Committees on Health, Education, Labor, and Pen-
 7 sions and the Judiciary of the Senate, not later than
 8 12 months and 36 months after receipt of the grant
 9 award. Each report shall include information
 10 regarding—

11 (A) the progress of local educational agen-
 12 cies that received a grant award under this title
 13 in the State in educating children about pre-
 14 venting gun violence;

15 (B) the progress of State activities under
 16 paragraph (2) to advance the goals of this title;
 17 and

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

24 (g) SUPPLEMENT NOT SUPPLANT.—A State edu-
 25 cational agency or local educational agency shall use funds

1 received under this title only to supplement the amount
2 of funds that would, in the absence of such Federal funds,
3 be made available from non-Federal sources for reducing
4 gun violence among children and educating children about
5 preventing gun violence, and not to supplant such funds.

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

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

12 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated to carry out this section
14 \$60,000,000 for each of fiscal years 2000, 2001, and
15 2002.

16 **SEC. 603. DISSEMINATION OF INFORMATION.**

17 (a) GUIDELINES.—

18 (1) ESTABLISHMENT.—Before awarding a
19 grant under section 602, the Secretary shall consult
20 with the Attorney General to establish guidelines for
21 gun violence prevention education programs for chil-
22 dren.

23 (2) PUBLICATION AND DISTRIBUTION.—The
24 guidelines established pursuant to paragraph (1)
25 shall be published in the Federal Register not later

1 than 90 days after the date of the enactment of this
 2 Act and disseminated to each State educational
 3 agency and local educational agency that applies to
 4 receive a grant under section 602.

5 (b) MODEL DISSEMINATION.—The Secretary shall
 6 include on the Internet site of the Department of Edu-
 7 cation a description of programs that receive grants under
 8 section 602.

9 (c) GRANT PROGRAM NOTIFICATION.—The Secretary
 10 shall publicize the competitive grant program authorized
 11 under section 602 through its Internet site, publications,
 12 and public service announcements.

13 **SEC. 604. DEFINITIONS.**

14 For purposes of this title—

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

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

1 (3) the term “Secretary” means the Secretary
2 of Education; and

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

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

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

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

13 (2) by redesignating subparagraph (C) as sub-
14 paragraph (D); and

15 (3) by inserting after subparagraph (B) the fol-
16 lowing:

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

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

1 “(ii) and advice to public school stu-
 2 dents, staff, and administrators after an
 3 incident of gun-related violence on school
 4 grounds; and”.

5 **TITLE VII—CHILDREN’S**
 6 **FIREARM TRACKING**

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

8 (a) IN GENERAL.—

9 (1) TARGET PARTICIPATION.—The Secretary of
 10 the Treasury (referred to in this section as the “Sec-
 11 retary”) shall take such actions as may be necessary
 12 to increase the number of cities and counties directly
 13 participating in the Youth Crime Gun Interdiction
 14 Initiative (referred to in this section as the
 15 “YCGII”) to—

16 (A) 37 cities or counties by not later than
 17 October 1, 2000;

18 (B) 50 cities or counties by not later than
 19 October 1, 2002; and

20 (C) 75 cities or counties by not later than
 21 October 1, 2003.

22 (2) SELECTION.—Cities and counties selected
 23 for participation in the YCGII shall be selected by
 24 the Secretary in consultation with Federal, State,
 25 and local law enforcement officials.

1 (b) IDENTIFICATION AND PROSECUTION OF OFFEND-
2 ERS.—The Secretary shall—

3 (1) utilizing the information provided by the
4 YCGII, facilitate the identification and prosecution
5 of individuals illegally trafficking firearms (as de-
6 fined in section 921(a) of title 18, United States
7 Code) to individuals who have not attained the age
8 of 24 years; and

9 (2) share information derived from the YCGII
10 with State and local law enforcement agencies
11 through on-line computer access, as soon as such ca-
12 pability is available.

13 (c) GRANTS AUTHORIZED.—

14 (1) IN GENERAL.—The Secretary shall award
15 grants (in the form of funds or equipment) to
16 States, cities, and counties for purposes of assisting
17 those entities in the tracing of firearms and partici-
18 pation in the YCGII.

19 (2) USE OF GRANTS.—Each grant under this
20 subsection shall be used to—

21 (A) hire or assign additional personnel for
22 the gathering, submission and analysis of trac-
23 ing data submitted to the Bureau of Alcohol,
24 Tobacco and Firearms under the YCGII;

1 (B) hire additional law enforcement per-
2 sonnel for the purpose of identifying and arrest-
3 ing individuals illegally trafficking firearms; and

4 (C) purchase additional equipment, includ-
5 ing automatic data processing equipment and
6 computer software and hardware, for the timely
7 submission and analysis of tracing data.

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