

115TH CONGRESS
2D SESSION

H. R. 5380

To establish a Commission on Securing our Nation's Children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2018

Mr. KATKO (for himself and Mr. CUELLAR) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, 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

A BILL

To establish a Commission on Securing our Nation's Children, and for other purposes.

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.**

4 This Act may be cited as the “Securing Our Children
5 Act of 2018”.

1 **SEC. 2. ESTABLISHMENT.**

2 There is established a commission to be known as the
3 “Presidential Commission on Securing our Nation’s Chil-
4 dren” (in this Act referred to as the “Commission”).

5 **SEC. 3. DUTIES.**

6 (a) **RECOMMENDATIONS.**—The Commission shall de-
7 velop recommendations after a review and analysis of the
8 following issues related to the safety and security of chil-
9 dren living in the United States:

10 (1) The correlation or noncorrelation between
11 mental illness and random acts of violence.

12 (2) The accessibility of those who have exhib-
13 ited a history of violent behavior or have dem-
14 onstrated increased risk for violent behavior by idea-
15 tion of committing violence or stated intent to com-
16 mit violence to purchase or possess a firearm either
17 by legal or illegal means, including—

18 (A) proven methods that assist in identi-
19 fication of individuals at heightened risk of
20 committing violence against themselves or oth-
21 ers;

22 (B) the ability for Federal, State, local, or
23 Tribal law enforcement to prevent or revoke
24 possession of a firearm from individuals who
25 have been identified as having a heightened risk

1 of committing violence against themselves or
2 others; and

3 (C) the ability of family members and
4 friends to assist an individual who has dem-
5 onstrated increased risk for violent behavior.

6 (3) Submission of individuals to the National
7 Instant Criminal Background Check System, includ-
8 ing State and Federal compliance with data submis-
9 sion to such system.

10 (4) Safety protocols and provisions on school
11 property, including—

12 (A) the feasibility, efficacy, and potential
13 risks of commissioning armed security guards
14 on school grounds;

15 (B) the feasibility, efficacy, and potential
16 risks of training and issuing licenses to teachers
17 and school officials to use and possess a firearm
18 on campus;

19 (C) the impact of gun-free school zone laws
20 on the rates of gun violence in those areas; and

21 (D) the feasibility and efficacy of imple-
22 menting evidence-based threat assessment pro-
23 cedures in all schools.

1 (5) Current State and Federal firearm, firearm
2 ammunition, or firearm accessory regulations includ-
3 ing—

4 (A) any age restriction on the possession
5 or purchase of handgun, handgun ammunition,
6 long gun, and long gun ammunition; and

7 (B) the correlation between certain regula-
8 tions and its effect on illegal firearm possession.

9 (6) The behavioral health support resources
10 available to students in schools and their commu-
11 nities.

12 (7) Any other issues the Commission considers
13 relevant to understanding the state of violence in the
14 country.

15 (b) REPORT.—Not later than the date that is 1 year
16 after the date of the first meeting of the Commission, the
17 Commission shall submit to the President and the Con-
18 gress a written report of the findings and recommenda-
19 tions based on the review and analysis required by sub-
20 section (a).

21 **SEC. 4. MEMBERSHIP.**

22 (a) IN GENERAL.—The Commission shall be com-
23 posed of 17 members appointed as follows:

24 (1) Five members appointed by the President,
25 in consultation with the Secretary of Education, the

1 Secretary of Health and Human Services, and the
2 Attorney General.

3 (2) Three members appointed by the Speaker of
4 the House of Representatives, including—

5 (A) one Member of the House of Rep-
6 resentatives; and

7 (B) two individuals who are not Members
8 of Congress.

9 (3) Three members appointed by the minority
10 leader of the House of Representatives, including—

11 (A) one Member of the House of Rep-
12 resentatives; and

13 (B) two individuals who are not Members
14 of Congress.

15 (4) Three members appointed by the majority
16 leader of the Senate, including—

17 (A) one Member of the Senate; and

18 (B) two individuals who are not Members
19 of Congress.

20 (5) Three members appointed by the minority
21 leader of the Senate, including—

22 (A) one Member of the Senate; and

23 (B) two individuals who are not Members
24 of Congress.

1 (b) QUALIFICATIONS.—Appointments shall be made
2 from individuals who are specially qualified to serve on
3 the Commission by virtue of their education, training, or
4 experience.

5 (c) VACANCY.—Any vacancy on the Commission shall
6 not affect the powers of the Commission, but shall be filled
7 in the manner in which the original appointment was
8 made.

9 (d) CHAIR.—The Chair of the Commission shall be
10 elected by the members.

11 (e) REIMBURSEMENT; SERVICE WITHOUT PAY.—
12 Members of the Commission shall serve without pay, ex-
13 cept that members of the Commission shall be entitled to
14 reimbursement for travel, subsistence, and other necessary
15 expenses incurred by them in carrying out the functions
16 of the Commission, in the same manner as persons em-
17 ployed intermittently by the Federal Government are al-
18 lowed expenses under section 5703 of title 5, United
19 States Code.

20 **SEC. 5. STAFF.**

21 The Commission may appoint and fix the compensa-
22 tion of a staff director and such other personnel as may
23 be necessary to enable the Commission to carry out its
24 functions, without regard to the provisions of title 5,
25 United States Code, governing appointments in the com-

1 petitive service, and without regard to the provisions of
2 chapter 51 and subchapter III of chapter 53 of such title
3 relating to classification and General Schedule pay rates,
4 except that no rate of pay fixed under this section may
5 exceed the equivalent of that payable for a position at level
6 V of the Executive Schedule under section 5316 of title
7 5, United States Code.

8 **SEC. 6. MEETINGS.**

9 (a) IN GENERAL.—The Commission shall meet at the
10 call of the Chair or of a majority of its members.

11 (b) FIRST MEETING.—The first such meeting shall
12 occur not later than 90 days after the date of the enact-
13 ment of this Act.

14 **SEC. 7. POWERS.**

15 (a) IN GENERAL.—The Commission may, for the
16 purpose of carrying out this Act, hold hearings, sit and
17 act at times and places, take testimony, and receive evi-
18 dence as the Commission considers appropriate.

19 (b) DELEGATION.—Any member or agent of the
20 Commission may, if authorized by the Commission, take
21 any action which the Commission is authorized to take by
22 this section.

23 (c) ACCESS TO INFORMATION.—The Commission
24 may secure directly from any department or agency of the
25 United States information necessary to enable it to carry

1 out this Act. Upon request of the Commission, the head
2 of such department or agency shall furnish such informa-
3 tion to the Commission.

4 (d) USE OF MAILS.—The Commission may use the
5 United States mails in the same manner and under the
6 same conditions as other departments and agencies of the
7 United States.

8 (e) ADMINISTRATIVE SUPPORT.—The Administrator
9 of General Services shall provide to the Commission on
10 a reimbursable basis such administrative support services
11 as the Commission may request that are necessary for the
12 Commission to carry out its responsibilities under this Act.

13 **SEC. 8. STATE DEFINED.**

14 In this Act, the term “State” means each of the sev-
15 eral States, the District of Columbia, each commonwealth,
16 territory, or possession of the United States, and each fed-
17 erally recognized Indian tribe.

18 **SEC. 9. TERMINATION.**

19 The Commission shall terminate on the date that is
20 30 days after the date on which the Commission submits
21 the report required by section 3(b).

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