

106TH CONGRESS  
1ST SESSION

# S. 735

To protect children from firearms violence.

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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

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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—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

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

3 “(I) from the normal firing posi-  
4 tion;

5 “(II) from the upside down posi-  
6 tion;

7 “(III) from the on grip position;

8 “(IV) on the muzzle position;

9 “(V) on either side;

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

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

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

24 “(iii) any handgun that is sold with-  
25 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-

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

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

8 **SEC. 102. CONSUMER PRODUCT SAFETY COMMISSION**  
9 **STUDY.**

10 (a) DEFINITIONS.—In this section—

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

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

16 (b) STUDY.—

17 (1) IN GENERAL.—Notwithstanding any other  
18 provision of law, the Director of the Consumer Prod-  
19 uct Safety Commission, in consultation with the Di-  
20 rector of the Bureau of Alcohol, Tobacco and Fire-  
21 arms, shall conduct a study to determine the means  
22 by which the safety of handguns can be improved in  
23 order to prevent the authorized use or discharge of  
24 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 pepe-  
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

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

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

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

14 (i) Another local educational agency.

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

18 (iii) A local law enforcement agency.

19 (4) PEER REVIEW; CONSULTATION.—

20 (A) PEER REVIEW PANEL.—

21 (i) IN GENERAL.—Before grants are  
22 awarded, the Secretary shall submit grant  
23 applications to a peer review panel for  
24 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.

○