

116TH CONGRESS
1ST SESSION

S. 1352

To establish a Federal Advisory Council to Support Victims of Gun Violence.

IN THE SENATE OF THE UNITED STATES

MAY 7, 2019

Mr. CASEY (for himself, Ms. KLOBUCHAR, and Ms. HARRIS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To establish a Federal Advisory Council to Support Victims
of Gun 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.**

4 This Act may be cited as the “Resources for Victims
5 of Gun Violence Act of 2019”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) In the United States, approximately 100 in-
9 dividuals are killed with guns every day, and more
10 than 36,000 individuals die from gun violence every

1 year. Approximately 100,000 more individuals sur-
2 vive gun-related injuries every year.

3 (2) The approximately 100,000 individuals who
4 survive gun-related injuries every year in the United
5 States face a lifelong process of physical and emo-
6 tional healing, in addition to the heavy economic
7 costs faced by those survivors, their families and
8 communities, and society as a whole. According to a
9 recent national poll, 4 percent of adults alive in the
10 United States as of the date of the poll, or an esti-
11 mated 10,000,000 people, have been shot and in-
12 jured in their lifetimes.

13 (3) Nearly two-thirds of gun-related deaths in
14 the United States are suicides. Suicide attempts in-
15 volving firearms are uniquely lethal: while less than
16 5 percent of suicide attempts not involving a firearm
17 result in death, approximately 85 percent of suicide
18 attempts involving a firearm end in death. According
19 to a 2018 report by the Department of Veterans Af-
20 fairs, veterans are about 1.5 times as likely as civil-
21 ians to die by suicide, and 69.4 percent of veteran
22 suicides in 2016 resulted from a firearm injury.

23 (4) More than one-third of gun-related deaths
24 in the United States are homicides, and in 2010, the

1 gun homicide rate in the United States was 25.2
2 times higher than in 22 other high-income countries.

3 (5) Gun homicides in the United States occur
4 disproportionately in cities, particularly in racially
5 segregated neighborhoods with high rates of poverty.
6 Gun homicide disproportionately affects communities
7 of color, and Black Americans represent the major-
8 ity of gun homicide victims.

9 (6) More than 325 mass shootings took place in
10 the United States in 2018, and more than 1,900
11 mass shootings have taken place since the shooting
12 at Sandy Hook Elementary School in Newtown,
13 Connecticut, in 2012. 54 percent of mass shootings
14 are related to domestic or family violence.

15 (7) Firearms are the second leading cause of
16 death for children and teenagers and the first lead-
17 ing cause of death for Black children and teenagers
18 in the United States. Every year, nearly 3,000 chil-
19 dren and teenagers are shot and killed, and approxi-
20 mately 15,600 are shot and injured.

21 (8) During an average year in the United
22 States, more than 600 women are shot to death by
23 an intimate partner, and many more women are shot
24 and injured by an intimate partner. Nearly
25 1,000,000 women in the United States who are alive

1 as of the date of enactment of this Act have been
 2 shot or shot at by an intimate partner, and approxi-
 3 mately 4,500,000 women alive as of that date have
 4 been threatened with a gun by an intimate partner.

5 (9) More than 10,300 violent hate crimes com-
 6 mitted in the United States in an average year in-
 7 volve a gun, or more than 28 each day. The vast
 8 majority of hate crimes are directed against commu-
 9 nities of color, religious minorities, and lesbian, gay,
 10 bisexual, transgender, and queer (commonly known
 11 as “LGBTQ”) people.

12 **SEC. 3. DEFINITIONS.**

13 In this Act:

14 (1) **ADVISORY COUNCIL.**—The term “Advisory
 15 Council” means the Advisory Council to Support
 16 Victims of Gun Violence established under section 4.

17 (2) **APPROPRIATE COMMITTEES.**—The term
 18 “appropriate committees” means the following:

19 (A) The Committee on Health, Education,
 20 Labor, and Pensions of the Senate.

21 (B) The Committee on the Judiciary of the
 22 Senate.

23 (C) The Committee on Education and
 24 Labor of the House of Representatives.

1 (D) The Committee on Energy and Com-
2 merce of the House of Representatives.

3 (E) The Committee on the Judiciary of the
4 House of Representatives.

5 (F) Any other relevant committee of the
6 Senate or of the House of Representatives with
7 jurisdiction over matters affecting victims of
8 gun violence.

9 (3) GUN VIOLENCE.—The term “gun violence”
10 means—

11 (A) suicide involving firearms;

12 (B) homicide involving firearms;

13 (C) domestic violence involving firearms;

14 (D) hate crimes involving firearms;

15 (E) youth violence involving firearms;

16 (F) mass shootings;

17 (G) unintentional shootings;

18 (H) non-fatal shootings; and

19 (I) threats or exposure to violent acts in-
20 volving firearms.

21 (4) VICTIM OF GUN VIOLENCE.—The term “vic-
22 tim of gun violence” means—

23 (A) an individual who has been wounded
24 as a result of gun violence;

1 (B) an individual who has been threatened
2 with an act of gun violence;

3 (C) an individual who has witnessed an act
4 of gun violence; and

5 (D) a relative, classmate, coworker, or
6 other associate of—

7 (i) an individual who has been killed
8 as a result of gun violence; or

9 (ii) an individual described in sub-
10 paragraph (A) or (B).

11 (5) VICTIM ASSISTANCE PROFESSIONAL.—The
12 term “victim assistance professional” means a pro-
13 fessional who assists victims of gun violence, includ-
14 ing—

15 (A) a medical professional, including an
16 emergency medical professional;

17 (B) a social worker;

18 (C) a provider of long-term services or
19 care; and

20 (D) a victim advocate.

21 **SEC. 4. ADVISORY COUNCIL TO SUPPORT VICTIMS OF GUN**
22 **VIOLENCE.**

23 (a) ESTABLISHMENT.—There is established an Advi-
24 sory Council to Support Victims of Gun Violence.

25 (b) MEMBERSHIP.—

1 (1) IN GENERAL.—The Advisory Council shall
2 be composed of the following members or their des-
3 ignees:

4 (A) The Secretary of Health and Human
5 Services.

6 (B) The Attorney General.

7 (C) The Secretary of Education.

8 (D) The Secretary of Housing and Urban
9 Development.

10 (E) The Secretary of Veterans Affairs.

11 (F) The Commissioner of the Social Secu-
12 rity Administration.

13 (G) The Assistant Secretary for Mental
14 Health and Substance Use.

15 (H) The Director of the Centers for Dis-
16 ease Control and Prevention.

17 (I) The Director of the National Institutes
18 of Health.

19 (J) The Administrator of the Administra-
20 tion for Community Living.

21 (K) The Director of the Office on Violence
22 Against Women.

23 (L) The Director of the Office for Victims
24 of Crime.

1 (M) The chairman of the Board of the
2 Legal Services Corporation.

3 (N) As appropriate, the head of any other
4 Federal department or agency identified by the
5 Secretary of Health and Human Services as
6 having responsibilities, or administering pro-
7 grams, relating to issues affecting victims of
8 gun violence.

9 (2) ADDITIONAL MEMBERS.—In addition to the
10 members described in paragraph (1), the Advisory
11 Council shall be composed of the following:

12 (A) Not fewer than 2 and not more than
13 5 victims of gun violence, who shall be ap-
14 pointed by the Secretary of Health and Human
15 Services.

16 (B) Not fewer than 2 and not more than
17 5 victim assistance professionals, who shall be
18 appointed by the Secretary of Health and
19 Human Services.

20 (3) LEAD AGENCY.—The Department of Health
21 and Human Services shall be the lead agency for the
22 Advisory Council.

23 (c) DUTIES.—

24 (1) ASSESSMENT.—The Advisory Council
25 shall—

1 (A) survey victims of gun violence and vic-
2 tim assistance professionals about their needs
3 in order to inform the content of information
4 disseminated under paragraph (2) and the re-
5 port published under paragraph (3);

6 (B) conduct a literature review and assess
7 past or ongoing programs designed to assist vic-
8 tims of gun violence or individuals with similar
9 needs to determine—

10 (i) the effectiveness of the programs;

11 and

12 (ii) best and promising practices for
13 assisting victims of gun violence; and

14 (C) assess the administration of compensa-
15 tion funds established after mass shootings to
16 determine best and promising practices to di-
17 rect victims of gun violence to sources of fund-
18 ing.

19 (2) INFORMATION.—

20 (A) IN GENERAL.—The Advisory Council
21 shall identify, promote, coordinate, and dissemi-
22 nate to the public information, resources, and
23 best and promising practices available to help
24 victims of gun violence—

1 (i) meet their medical, financial, edu-
2 cational, workplace, housing, transpor-
3 tation, assistive technology, and accessi-
4 bility needs;

5 (ii) maintain their mental health and
6 emotional well-being;

7 (iii) seek legal redress for their inju-
8 ries and protection against any ongoing
9 threats to their safety; and

10 (iv) access government programs,
11 services, and benefits for which they may
12 be eligible or to which they may be enti-
13 tled.

14 (B) CONTACT INFORMATION.—The Advi-
15 sory Council shall include in the information
16 disseminated under subparagraph (A) the
17 websites and telephone contact information for
18 helplines of relevant Federal agencies, State
19 agencies, and nonprofit organizations.

20 (C) AVAILABILITY.—The Advisory Council
21 shall make the information described in sub-
22 paragraphs (A) and (B) available—

23 (i) online through a public website;
24 and

1 (ii) by submitting a hard copy and
2 making available additional hard copies
3 to—

4 (I) each Member of Congress;

5 (II) each field office of the Social
6 Security Administration;

7 (III) each State agency that is
8 responsible for administering health
9 and human services, for dissemination
10 to medical facilities;

11 (IV) each State agency that is re-
12 sponsible for administering education
13 programs, for dissemination to
14 schools; and

15 (V) the office of each State attor-
16 ney general, for dissemination to local
17 prosecutor's offices.

18 (3) REPORT.—Not later than 180 days after
19 the date of enactment of this Act, the Advisory
20 Council shall—

21 (A) prepare a report that—

22 (i) includes the best and promising
23 practices, resources, and other useful infor-
24 mation for victims of gun violence identi-
25 fied under paragraph (2);

1 (ii) identifies any gaps in items de-
2 scribed in clause (i); and

3 (iii) if applicable, identifies any addi-
4 tional Federal or State legislative authority
5 necessary to implement the activities de-
6 scribed in clause (i) or address the gaps
7 described in clause (ii);

8 (B) submit the report prepared under sub-
9 paragraph (A) to—

10 (i) the appropriate committees;

11 (ii) each State agency that is respon-
12 sible for administering health and human
13 services;

14 (iii) each State agency that is respon-
15 sible for administering education pro-
16 grams; and

17 (iv) the office of each State attorney
18 general; and

19 (C) make the report prepared under sub-
20 paragraph (A) available to the public online in
21 an accessible format.

22 (4) FOLLOW-UP REPORT.—Not later than 2
23 years after the date on which the Advisory Council
24 prepares the report under paragraph (3), the Advi-
25 sory Council shall—

(A) submit to the entities described in subparagraph (B) of that paragraph a follow-up report that includes the information identified in subparagraph (A) of that paragraph; and

(B) make the follow-up report described in subparagraph (A) available to the public online in an accessible format.

(5) PUBLIC INPUT.—

(A) IN GENERAL.—The Advisory Council shall establish a process to collect public input to inform the development of, and provide updates to, the best and promising practices, resources, and other information described in paragraph (2), including by conducting outreach to entities and individuals described in subparagraph (B) of this paragraph that—

(i) have a range of experience with the types of gun violence described in section 3(3); and

(ii) include representation from communities disproportionately affected by gun violence.

(B) ENTITIES AND INDIVIDUALS.—The entities and individuals described in this subparagraph are—

1 (i) States, local governments, and or-
2 ganizations that provide information to, or
3 support for, victims of gun violence;

4 (ii) victims of gun violence; and

5 (iii) victim assistance professionals.

6 (C) NATURE OF OUTREACH.—In con-
7 ducting outreach under subparagraph (A), the
8 Advisory Council shall ask for input on—

9 (i) information, resources, and best
10 and promising practices available, includ-
11 ing identification of any gaps and unmet
12 needs;

13 (ii) recommendations that would help
14 victims of gun violence—

15 (I) better meet their medical, fi-
16 nancial, educational, workplace, hous-
17 ing, transportation, assistive tech-
18 nology, and accessibility needs;

19 (II) maintain their mental health
20 and emotional well-being;

21 (III) seek legal redress for their
22 injuries and protection against any
23 ongoing threats to their safety; and

24 (IV) access government pro-
25 grams, services, and benefits for

1 which the victims may be eligible or to
2 which the victims may be entitled; and
3 (iii) any other subject areas discovered
4 during the process that would help victims
5 of gun violence.

6 (d) FACA.—The Federal Advisory Committee Act (5
7 U.S.C. App.) shall not apply to the Advisory Council.

8 (e) FUNDING.—No additional funds are authorized to
9 be appropriated to carry out this Act.

10 (f) SUNSET.—The Advisory Council shall terminate
11 on the date that is 5 years after the date of establishment
12 of the Advisory Council.

○