

116TH CONGRESS  
1ST SESSION

# H. R. 4199

To protect individuals by strengthening the Nation's mental health infrastructure, improving the understanding of violence, strengthening firearm prohibitions and protections for at-risk individuals, and improving and expanding the reporting of mental health records to the National Instant Criminal Background Check System.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 20, 2019

Mr. THOMPSON of California (for himself and Mr. PERLMUTTER) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, 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

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## A BILL

To protect individuals by strengthening the Nation's mental health infrastructure, improving the understanding of violence, strengthening firearm prohibitions and protections for at-risk individuals, and improving and expanding the reporting of mental health records to the National Instant Criminal Background Check System.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Safer Communities  
3 Act of 2019”.

4 **SEC. 2. TABLE OF CONTENTS.**

5       The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Statement of purpose.

TITLE I—STRENGTHENING AND IMPROVING INTERVENTION  
EFFORTS

- Sec. 101. Mental health crisis assessment, prevention, and education grant program.
- Sec. 102. School-based mental health programs.
- Sec. 103. High utilizers.

TITLE II—IMPROVING RESEARCH ON VIOLENCE

- Sec. 201. Research with respect to violence.

TITLE III—UNDERSTANDING THE EPIDEMIC OF GUN VIOLENCE

- Sec. 301. National violent death reporting system.
- Sec. 302. Reaffirming Centers for Disease Control and Prevention’s authority.
- Sec. 303. Protecting confidential doctor-patient relationship.

TITLE IV—ENSURING SAFE COMMUNITIES

- Sec. 401. Ban on firearm possession by person committed involuntarily to mental institution on an outpatient basis.
- Sec. 402. Grant program regarding firearms.
- Sec. 403. Notification of State and local law enforcement authorities of attempt to purchase firearm by ineligible person.

TITLE V—RESTORATION

- Sec. 501. Federal agency relief program.
- Sec. 502. State relief programs.
- Sec. 503. Ineligibility due to disqualifying mental status.

TITLE VI—SUBMISSION OF RECORDS TO NATIONAL INSTANT  
CRIMINAL BACKGROUND CHECK SYSTEM

- Sec. 601. Reports relating to submission of information to NICS.
- Sec. 602. Reauthorization of the National Criminal History Records Improvement Program.
- Sec. 603. Improvement of metrics and incentives.
- Sec. 604. Grants to States to improve coordination and automation of NICS record reporting.
- Sec. 605. Sharing of records by Federal departments and agencies with NICS.

1 **SEC. 3. STATEMENT OF PURPOSE.**

2       The purpose of this Act is to ensure the public safety  
3 and welfare of communities by promoting evidence-based  
4 approaches that will prevent the tragic toll of gun violence  
5 on families and communities. This purpose can be accom-  
6 plished by—

7           (1) strengthening and improving intervention  
8 efforts by increasing investments in programs de-  
9 signed to appropriately identify, respond to, treat,  
10 and mitigate future behavioral health crises;

11          (2) prioritizing research on reducing the threat  
12 of gun violence to self or others and identifying fur-  
13 ther risk factors for violence, including gender, cul-  
14 ture, substance abuse, and history of violence; and

15          (3) restricting gun access by individuals found  
16 to be at an elevated risk of committing future acts  
17 of violence against self or others.

18 **TITLE I—STRENGTHENING AND**  
19 **IMPROVING INTERVENTION**  
20 **EFFORTS**

21 **SEC. 101. MENTAL HEALTH CRISIS ASSESSMENT, PREVEN-**  
22 **TION, AND EDUCATION GRANT PROGRAM.**

23       (a) **DEFINITIONS.**—For purposes of this section, the  
24 following definitions shall apply:

1           (1) ELIGIBLE ENTITY.—The term “eligible enti-  
2           ty” means a State, political subdivision of a State,  
3           or nonprofit private entity.

4           (2) SECRETARY.—The term “Secretary” means  
5           the Secretary of Health and Human Services.

6           (3) STATE.—The term “State” means each  
7           State of the United States, the District of Columbia,  
8           each commonwealth, territory, or possession of the  
9           United States, and each federally recognized Indian  
10          tribe.

11         (b) ESTABLISHMENT OF GRANT PROGRAM.—

12           (1) ESTABLISHMENT.—The Secretary shall es-  
13           tablish a program to award grants to eligible entities  
14           to carry out the activities described in paragraph  
15           (2).

16           (2) USE OF FUNDS.—

17           (A) IN GENERAL.—Grants under this sec-  
18           tion may be used to carry out programs that—

19                   (i) expand early invention and treat-  
20                   ment services to improve access to mental  
21                   health crisis assistance and address unmet  
22                   mental health care needs;

23                   (ii) expand the continuum of services  
24                   to address crisis intervention and crisis  
25                   stabilization;

1 (iii) reduce recidivism due to mental  
2 health crises and mitigate unnecessary ex-  
3 penditures by local law enforcement; and

4 (iv) reduce unnecessary hospitaliza-  
5 tions by appropriately utilizing community-  
6 based services and improving access to  
7 timely mental health crisis assistance.

8 (B) AUTHORIZED ACTIVITIES.—The pro-  
9 grams described in subparagraph (A) may in-  
10 clude any or all of the following activities:

11 (i) Mental health crisis intervention  
12 and response training for law enforcement  
13 (to increase officers’ understanding and  
14 recognition of mental illnesses).

15 (ii) Mobile support that provides field-  
16 based behavioral health assistance to law  
17 enforcement and members of the commu-  
18 nity and links individuals in crisis to ap-  
19 propriate services.

20 (iii) School and community-based  
21 early intervention and prevention programs  
22 that provide mobile response, screening  
23 and assessment, training and education,  
24 and peer-based and family services.

1           (3) APPLICATION.—To be considered for a  
2           grant under this section, an eligible entity shall sub-  
3           mit an application to the Secretary at such time, in  
4           such manner, and containing such information as  
5           the Secretary may require. At minimum, such appli-  
6           cation shall include a description of—

7                   (A) the activities to be funded with the  
8           grant;

9                   (B) community needs;

10                  (C) the population to be served; and

11                  (D) the interaction between the activities  
12           described in subparagraph (A) and public sys-  
13           tems of health and mental health care, law en-  
14           forcement, social services, and related assist-  
15           ance programs.

16           (4) SELECTING AMONG APPLICANTS.—

17                   (A) IN GENERAL.—Grants shall be award-  
18           ed to eligible entities on a competitive basis.

19                   (B) SELECTION CRITERIA.—The Secretary  
20           shall evaluate applicants based on such criteria  
21           as the Secretary determines to be appropriate,  
22           including the ability of an applicant to carry  
23           out the activities described in paragraph (2).

24           (5) REPORTS.—

25                   (A) ANNUAL REPORTS.—

1 (i) ELIGIBLE ENTITIES.—As a condi-  
2 tion of receiving a grant under this section,  
3 an eligible entity shall agree to submit a  
4 report to the Secretary, on an annual  
5 basis, describing the activities carried out  
6 with the grant and assessing the effective-  
7 ness of such activities.

8 (ii) SECRETARY.—The Secretary  
9 shall, on an annual basis, and using the re-  
10 ports received under clause (i), report to  
11 Congress on the overall impact and effec-  
12 tiveness of the grant program under this  
13 section.

14 (B) FINAL REPORT.—Not later than Janu-  
15 ary 15, 2024, the Secretary shall submit to  
16 Congress a final report that includes rec-  
17 ommendations with respect to the feasibility  
18 and advisability of extending or expanding the  
19 grant program.

20 (6) COLLECTION OF DATA.—

21 (A) IN GENERAL.—The Secretary shall col-  
22 lect data on the grant program to determine its  
23 effectiveness in reducing the social impact of  
24 mental health crises and the feasibility and ad-  
25 visability of extending the grant program.

1 (B) MANNER OF COLLECTION.—Data de-  
 2 scribed in subparagraph (A) shall be collected  
 3 and analyzed using a scientific peer-reviewed  
 4 system and valid and reliable results-based re-  
 5 search methodologies.

6 (c) FUNDING.—

7 (1) GRANT AMOUNT.—A grant under this sec-  
 8 tion shall be in an amount that is not more than  
 9 \$100,000 for each of fiscal years 2020 through  
 10 2024. Subject to the preceding sentence, the Sec-  
 11 retary shall determine the amount of each grant.

12 (2) AUTHORIZATION OF APPROPRIATIONS.—  
 13 There is authorized to be appropriated to carry out  
 14 this section \$10,000,000 for each of fiscal years  
 15 2020 though 2024.

16 **SEC. 102. SCHOOL-BASED MENTAL HEALTH PROGRAMS.**

17 (a) TECHNICAL AMENDMENTS.—The second part G  
 18 (relating to services provided through religious organiza-  
 19 tions) of title V of the Public Health Service Act (42  
 20 U.S.C. 290kk et seq.) is amended—

21 (1) by redesignating such part as part J; and  
 22 (2) by redesignating sections 581 through 584  
 23 as sections 596 through 596C, respectively.

24 (b) SCHOOL-BASED MENTAL HEALTH AND CHIL-  
 25 DREN AND VIOLENCE.—Section 581 of the Public Health



1 Service Act (42 U.S.C. 290hh) is amended to read as fol-  
2 lows:

3 **“SEC. 581. SCHOOL-BASED MENTAL HEALTH AND CHIL-**  
4 **DREN AND VIOLENCE.**

5 “(a) IN GENERAL.—The Secretary, in collaboration  
6 with the Secretary of Education and in consultation with  
7 the Attorney General, shall, directly or through grants,  
8 contracts, or cooperative agreements awarded to public en-  
9 tities and local education agencies, assist local commu-  
10 nities and schools in applying a public health approach  
11 to mental health services both in schools and in the com-  
12 munity. Such approach should provide comprehensive age-  
13 appropriate services and supports, be linguistically and  
14 culturally appropriate, be trauma-informed, and incor-  
15 porate age-appropriate strategies of positive behavioral  
16 interventions and supports. A comprehensive school men-  
17 tal health program funded under this section shall assist  
18 children in dealing with trauma and violence.

19 “(b) ACTIVITIES.—Under the program under sub-  
20 section (a), the Secretary may—

21 “(1) provide financial support to enable local  
22 communities to implement a comprehensive cul-  
23 turally and linguistically appropriate, trauma-in-  
24 formed, and age-appropriate, school mental health  
25 program that incorporates positive behavioral inter-

1       ventions, client treatment, and supports to foster the  
2       health and development of children;

3               “(2) provide technical assistance to local com-  
4       munities with respect to the development of pro-  
5       grams described in paragraph (1);

6               “(3) provide assistance to local communities in  
7       the development of policies to address child and ado-  
8       lescent trauma and mental health issues and violence  
9       when and if it occurs;

10              “(4) facilitate community partnerships among  
11       families, students, law enforcement agencies, edu-  
12       cation systems, mental health and substance use dis-  
13       order service systems, family-based mental health  
14       service systems, welfare agencies, health care service  
15       systems (including physicians), faith-based pro-  
16       grams, trauma networks, and other community-  
17       based systems; and

18              “(5) establish mechanisms for children and ado-  
19       lescents to report incidents of violence or plans by  
20       other children, adolescents, or adults to commit vio-  
21       lence.

22       “(c) REQUIREMENTS.—

23              “(1) IN GENERAL.—To be eligible for a grant,  
24       contract, or cooperative agreement under subsection  
25       (a), an entity shall—

1           “(A) be a partnership between a local edu-  
2           cation agency and at least one community pro-  
3           gram or agency that is involved in mental  
4           health; and

5           “(B) submit an application, that is en-  
6           dorsed by all members of the partnership, that  
7           contains the assurances described in paragraph  
8           (2).

9           “(2) REQUIRED ASSURANCES.—An application  
10          under paragraph (1) shall contain assurances as fol-  
11          lows:

12           “(A) That the applicant will ensure that,  
13           in carrying out activities under this section, the  
14           local educational agency involved will enter into  
15           a memorandum of understanding—

16           “(i) with at least one public or private  
17           mental health entity, health care entity,  
18           law enforcement or juvenile justice entity,  
19           child welfare agency, family-based mental  
20           health entity, family or family organiza-  
21           tion, trauma network, or other community-  
22           based entity; and

23           “(ii) that clearly states—

24           “(I) how school-employed mental  
25           health professionals (such as school

1 psychologists, school counselors, and  
2 school social workers) will be utilized  
3 in the comprehensive school mental  
4 health program;

5 “(II) the responsibilities of each  
6 partner with respect to the activities  
7 to be carried out;

8 “(III) how each such partner will  
9 be accountable for carrying out such  
10 responsibilities; and

11 “(IV) the amount of non-Federal  
12 funding or in-kind contributions that  
13 each such partner will contribute in  
14 order to sustain the program.

15 “(B) That the comprehensive school-based  
16 mental health program carried out under this  
17 section supports the flexible use of funds to ad-  
18 dress—

19 “(i) the promotion of the social, emo-  
20 tional, mental, and behavioral health and  
21 wellness of all students in an environment  
22 that is conducive to learning;

23 “(ii) the reduction in the likelihood of  
24 at-risk students developing social, emo-

1           tional, mental, and behavioral health prob-  
2           lems, or substance use disorders;

3           “(iii) the early identification of social,  
4           emotional, mental, and behavioral prob-  
5           lems, or substance use disorders and the  
6           provision of early intervention services;

7           “(iv) the treatment or referral for  
8           treatment of students with existing social,  
9           emotional, mental, and behavioral health  
10          problems, or substance use disorders; and

11          “(v) the development and implementa-  
12          tion of programs to assist children in deal-  
13          ing with trauma and violence.

14          “(C) That the comprehensive school-based  
15          mental health program carried out under this  
16          section will provide for in-service training of all  
17          school personnel, including ancillary staff and  
18          volunteers, in—

19               “(i) the techniques and supports need-  
20               ed to identify early children with trauma  
21               histories and children with, or at risk of,  
22               mental illness;

23               “(ii) the use of referral mechanisms  
24               that effectively link such children to appro-  
25               priate treatment and intervention services

1 in the school and in the community and to  
2 follow-up when services are not available;

3 “(iii) strategies for promoting the so-  
4 cial, emotional, mental, and behavioral  
5 health of all students; and

6 “(iv) strategies to increase the knowl-  
7 edge and skills of school and community  
8 leaders about the impact of trauma and vi-  
9 olence and on the application of a public  
10 health approach to comprehensive school-  
11 based mental health programs.

12 “(D) That the comprehensive school-based  
13 mental health program carried out under this  
14 section will include comprehensive training for  
15 parents, siblings, and other family members of  
16 children with mental health disorders, and for  
17 concerned members of the community in—

18 “(i) the techniques and supports need-  
19 ed to identify early children with trauma  
20 histories, and children with, or at risk of,  
21 mental illness;

22 “(ii) the use of referral mechanisms  
23 that effectively link such children to appro-  
24 priate treatment and intervention services  
25 in the school and in the community and

1 follow-up when such services are not avail-  
2 able; and

3 “(iii) strategies that promote a school-  
4 wide positive environment.

5 “(E) That the comprehensive school-based  
6 mental health program carried out under this  
7 section will demonstrate the measures to be  
8 taken to sustain the program after funding  
9 under this section terminates.

10 “(F) That the local education agency part-  
11 nership involved is supported by the State edu-  
12 cational and mental health system to ensure  
13 that the sustainability of the programs is estab-  
14 lished after funding under this section termi-  
15 nates.

16 “(G) That the comprehensive school-based  
17 mental health program carried out under this  
18 section will be based on trauma-informed and  
19 evidence-based practices.

20 “(H) That the comprehensive school-based  
21 mental health program carried out under this  
22 section will be coordinated with early inter-  
23 venting activities carried out under the Individ-  
24 uals with Disabilities Education Act.

1           “(I) That the comprehensive school-based  
2           mental health program carried out under this  
3           section will be trauma-informed and culturally  
4           and linguistically appropriate.

5           “(J) That the comprehensive school-based  
6           mental health program carried out under this  
7           section will include a broad needs assessment of  
8           youth who drop out of school due to policies of  
9           ‘zero tolerance’ with respect to drugs, alcohol,  
10          or weapons and an inability to obtain appro-  
11          priate services.

12          “(K) That the mental health services pro-  
13          vided through the comprehensive school-based  
14          mental health program carried out under this  
15          section will be provided by qualified mental and  
16          behavioral health professionals who are certified  
17          or licensed by the State involved and practicing  
18          within their area of expertise.

19          “(3) COORDINATOR.—Any entity that is a  
20          member of a partnership described in paragraph  
21          (1)(A) may serve as the coordinator of funding and  
22          activities under the grant if all members of the part-  
23          nership agree.

24          “(4) COMPLIANCE WITH HIPAA.—A grantee  
25          under this section shall be deemed to be a covered



1       entity for purposes of compliance with the regula-  
2       tions promulgated under section 264(c) of the  
3       Health Insurance Portability and Accountability Act  
4       of 1996 with respect to any patient records devel-  
5       oped through activities under the grant.

6       “(d) GEOGRAPHICAL DISTRIBUTION.—The Secretary  
7       shall ensure that grants, contracts, or cooperative agree-  
8       ments under subsection (a) will be distributed equitably  
9       among the regions of the country and among urban and  
10      rural areas.

11      “(e) DURATION OF AWARDS.—With respect to a  
12      grant, contract, or cooperative agreement under sub-  
13      section (a), the period during which payments under such  
14      an award will be made to the recipient shall be 6 years.  
15      An entity may receive only one award under this section,  
16      except that an entity that is providing services and sup-  
17      ports on a regional basis may receive additional funding  
18      after the expiration of the preceding grant period.

19      “(f) EVALUATION AND MEASURES OF OUTCOMES.—

20              “(1) DEVELOPMENT OF PROCESS.—The Ad-  
21      ministrator shall develop a fiscally appropriate proc-  
22      ess for evaluating activities carried out under this  
23      section. Such process shall include—

1           “(A) the development of guidelines for the  
2           submission of program data by grant, contract,  
3           or cooperative agreement recipients;

4           “(B) the development of measures of out-  
5           comes (in accordance with paragraph (2)) to be  
6           applied by such recipients in evaluating pro-  
7           grams carried out under this section; and

8           “(C) the submission of annual reports by  
9           such recipients concerning the effectiveness of  
10          programs carried out under this section.

11         “(2) MEASURES OF OUTCOMES.—

12                 “(A) IN GENERAL.—The Administrator  
13                 shall develop measures of outcomes to be ap-  
14                 plied by recipients of assistance under this sec-  
15                 tion, and the Administrator, in evaluating the  
16                 effectiveness of programs carried out under this  
17                 section. Such measures shall include student  
18                 and family measures as provided for in sub-  
19                 paragraph (B) and local educational measures  
20                 as provided for under subparagraph (C).

21                 “(B) STUDENT AND FAMILY MEASURES OF  
22                 OUTCOMES.—The measures of outcomes devel-  
23                 oped under paragraph (1)(B) relating to stu-  
24                 dents and families shall, with respect to activi-  
25                 ties carried out under a program under this

1 section, at a minimum include provisions to  
2 evaluate whether the program is effective in—

3 “(i) improving social, emotional, men-  
4 tal, and behavioral health and wellness;

5 “(ii) increasing academic competency  
6 (as defined by the Secretary);

7 “(iii) reducing disruptive and aggres-  
8 sive behaviors;

9 “(iv) improving child functioning;

10 “(v) reducing substance use disorders;

11 “(vi) reducing suspensions, truancy,  
12 expulsions, and violence;

13 “(vii) increasing graduation rates (de-  
14 fined as the percentage of students who  
15 graduate from secondary school with a reg-  
16 ular diploma in the standard number of  
17 years); and

18 “(viii) improving access to care for  
19 mental health disorders.

20 “(C) LOCAL EDUCATIONAL OUTCOMES.—

21 The outcome measures developed under para-  
22 graph (1)(B) relating to local educational sys-  
23 tems shall, with respect to activities carried out  
24 under a program under this section, at a min-  
25 imum include provisions to evaluate—

1 “(i) the effectiveness of comprehensive  
2 school mental health programs established  
3 under this section;

4 “(ii) the effectiveness of formal part-  
5 nership linkages among child and family  
6 serving institutions, community support  
7 systems, and the educational system;

8 “(iii) the progress made in sustaining  
9 the program once funding under the grant  
10 has expired;

11 “(iv) the effectiveness of training and  
12 professional development programs for all  
13 school personnel that incorporate indica-  
14 tors that measure cultural and linguistic  
15 competencies under the program in a man-  
16 ner that incorporates appropriate cultural  
17 and linguistic training;

18 “(v) the improvement in perception of  
19 a safe and supportive learning environment  
20 among school staff, students, and parents;

21 “(vi) the improvement in case-finding  
22 of students in need of more intensive serv-  
23 ices and referral of identified students to  
24 early intervention and clinical services;

1 “(vii) the improvement in the imme-  
2 diate availability of clinical assessment and  
3 treatment services within the context of  
4 the local community to students posing a  
5 danger to themselves or others;

6 “(viii) the increased successful matric-  
7 ulation to postsecondary school; and

8 “(ix) reduced referrals to juvenile jus-  
9 tice.

10 “(3) SUBMISSION OF ANNUAL DATA.—An entity  
11 that receives a grant, contract, or cooperative agree-  
12 ment under this section shall annually submit to the  
13 Administrator a report that includes data to evalu-  
14 ate the success of the program carried out by the en-  
15 tity based on whether such program is achieving the  
16 purposes of the program. Such reports shall utilize  
17 the measures of outcomes under paragraph (2) in a  
18 reasonable manner to demonstrate the progress of  
19 the program in achieving such purposes.

20 “(4) EVALUATION BY ADMINISTRATOR.—Based  
21 on the data submitted under paragraph (3), the Ad-  
22 ministrator shall annually submit to Congress a re-  
23 port concerning the results and effectiveness of the  
24 programs carried out with assistance received under  
25 this section.

1           “(5) LIMITATION.—A grantee shall use not to  
2           exceed 10 percent of amounts received under a grant  
3           under this section to carry out evaluation activities  
4           under this subsection.

5           “(g) INFORMATION AND EDUCATION.—The Sec-  
6           retary shall establish comprehensive information and edu-  
7           cation programs to disseminate the findings of the knowl-  
8           edge development and application under this section to the  
9           general public and to health care professionals.

10          “(h) AMOUNT OF GRANTS AND AUTHORIZATION OF  
11          APPROPRIATIONS.—

12           “(1) AMOUNT OF GRANTS.—A grant under this  
13           section shall be in an amount that is not more than  
14           \$1,000,000 for each of grant years 2020 though  
15           2024. The Secretary shall determine the amount of  
16           each such grant based on the population of children  
17           up to age 21 of the area to be served under the  
18           grant.

19           “(2) AUTHORIZATION OF APPROPRIATIONS.—  
20           There is authorized to be appropriated to carry out  
21           this section, \$200,000,000 for each of fiscal years  
22           2020 though 2024.”.

23           “(c) CONFORMING AMENDMENT.—Part G of title V of  
24           the Public Health Service Act (42 U.S.C. 290hh et seq.),

1 as amended by this section, is further amended by striking  
2 the part heading and inserting the following:

3 **“PART G—SCHOOL-BASED MENTAL HEALTH”.**

4 **SEC. 103. HIGH UTILIZERS.**

5 Section 2991 of the Omnibus Crime Control and Safe  
6 Streets Act of 1968 (34 U.S.C. 10651) is amended—

7 (1) by redesignating subsections (m) through  
8 (o) as subsections (n) through (p), respectively; and

9 (2) by inserting after subsection (l) the fol-  
10 lowing:

11 “(m) DEMONSTRATION GRANTS RESPONDING TO  
12 HIGH UTILIZERS.—

13 “(1) DEFINITION.—In this subsection, the term  
14 ‘high utilizer’ means an individual who—

15 “(A) manifests obvious signs of mental ill-  
16 ness or has been diagnosed by a qualified men-  
17 tal health professional as having a mental ill-  
18 ness; and

19 “(B) consumes a significantly dispropor-  
20 tionate quantity of public resources, such as  
21 emergency, housing, judicial, corrections, and  
22 law enforcement services.

23 “(2) DEMONSTRATION GRANTS RESPONDING TO  
24 HIGH UTILIZERS.—

1           “(A) IN GENERAL.—The Attorney General  
2           may award not more than 6 grants per year  
3           under this subsection to applicants for the pur-  
4           pose of reducing the use of public services by  
5           high utilizers.

6           “(B) USE OF GRANTS.—A recipient of a  
7           grant awarded under this subsection may use  
8           the grant—

9                   “(i) to develop or support multidisci-  
10                  plinary teams that coordinate, implement,  
11                  and administer community-based crisis re-  
12                  sponses and long-term plans for high uti-  
13                  lizers;

14                   “(ii) to provide training on how to re-  
15                  spond appropriately to the unique issues  
16                  involving high utilizers for public service  
17                  personnel, including criminal justice, men-  
18                  tal health, substance abuse, emergency  
19                  room, healthcare, law enforcement, correc-  
20                  tions, and housing personnel;

21                   “(iii) to develop or support alter-  
22                  natives to hospital and jail admissions for  
23                  high utilizers that provide treatment, sta-  
24                  bilization, and other appropriate supports



1 in the least restrictive, yet appropriate, en-  
2 vironment; or

3 “(iv) to develop protocols and systems  
4 among law enforcement, mental health,  
5 substance abuse, housing, corrections, and  
6 emergency medical service operations to  
7 provide coordinated assistance to high uti-  
8 lizers.

9 “(C) REPORT.—Not later than the last  
10 day of the first year following the fiscal year in  
11 which a grant is awarded under this subsection,  
12 the recipient of the grant shall submit to the  
13 Attorney General a report that—

14 “(i) measures the performance of the  
15 grant recipient in reducing the use of pub-  
16 lic services by high utilizers; and

17 “(ii) provides a model set of practices,  
18 systems, or procedures that other jurisdic-  
19 tions can adopt to reduce the use of public  
20 services by high utilizers.”.

## 21 **TITLE II—IMPROVING** 22 **RESEARCH ON VIOLENCE**

### 23 **SEC. 201. RESEARCH WITH RESPECT TO VIOLENCE.**

24 (a) IN GENERAL.—The Secretary of Health and  
25 Human Services, in consultation with the Director of the

1 National Institutes of Health, shall expand and intensify  
2 research on self-directed and other-directed violence asso-  
3 ciated with mental illness and substance abuse disorders.

4 (b) LIMITATIONS ON AUTHORIZATION OF APPRO-  
5 PRIATIONS.—To carry out subsection (a), there are au-  
6 thorized to be appropriated \$100,000,000 without fiscal  
7 year limitation, which is authorized to remain available  
8 until expended.

9 **TITLE III—UNDERSTANDING**  
10 **THE EPIDEMIC OF GUN VIO-**  
11 **LENCE**

12 **SEC. 301. NATIONAL VIOLENT DEATH REPORTING SYSTEM.**

13 The Secretary of Health and Human Services, acting  
14 through the Director of the Centers for Disease Control  
15 and Prevention, shall improve the National Violent Death  
16 Reporting System, as authorized by title III of the Public  
17 Health Service Act (42 U.S.C. 241 et seq.), particularly  
18 through the expansion of the application of such system  
19 to include the 50 States. Participation in the system by  
20 the States shall be voluntary.

21 **SEC. 302. REAFFIRMING CENTERS FOR DISEASE CONTROL**  
22 **AND PREVENTION'S AUTHORITY.**

23 (a) IN GENERAL.—Section 391 of the Public Health  
24 Service Act (42 U.S.C. 280b) is amended—

1           (1) in subsection (a)(1), by striking “research  
2       relating to the causes, mechanisms, prevention, diag-  
3       nosis, treatment of injuries, and rehabilitation from  
4       injuries;” and inserting “research, including data  
5       collection, relating to—

6           “(A) the causes, mechanisms, prevention, diag-  
7       nosis, and treatment of injuries, including with re-  
8       spect to gun violence; and

9           “(B) rehabilitation from such injuries;”; and

10          (2) by adding at the end the following new sub-  
11       section:

12       “(c) NO ADVOCACY OR PROMOTION OF GUN CON-  
13       TROL.—Nothing in this section shall be construed to—

14           “(1) authorize the Secretary to give assistance,  
15       make grants, or enter into cooperative agreements or  
16       contracts for the purpose of advocating or promoting  
17       gun control; or

18           “(2) permit a recipient of any assistance, grant,  
19       cooperative agreement, or contract under this section  
20       to use such assistance, grant, agreement, or contract  
21       for the purpose of advocating or promoting gun con-  
22       trol.”.

23       (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
24       394A of the Public Health Service Act (42 U.S.C. 280b–  
25       3) is amended by striking “authorized to be appropriated”

1 and all that follows through the end and inserting the fol-  
2 lowing: “authorized to be appropriated such sums as may  
3 be necessary for each of fiscal years 2020 through 2024.”.

4 **SEC. 303. PROTECTING CONFIDENTIAL DOCTOR-PATIENT**  
5 **RELATIONSHIP.**

6 Section 2717(c) of the Public Health Service Act (42  
7 U.S.C. 300gg–17(c)) is amended by adding at the end the  
8 following new paragraph:

9 “(6) RULE OF CONSTRUCTION.—Notwith-  
10 standing the previous provisions of this subsection,  
11 none of the authorities provided to the Secretary  
12 under this subsection, Public Law 111–148, or an  
13 amendment made by such Public Law shall be con-  
14 strued to prohibit a physician or other health care  
15 provider from—

16 “(A) asking a patient about the ownership,  
17 possession, use, or storage of a firearm or am-  
18 munition in the home of such patient;

19 “(B) speaking to a patient about gun safe-  
20 ty; or

21 “(C) reporting to the authorities a pa-  
22 tient’s threat of violence.”.

1           **TITLE IV—ENSURING SAFE**  
2                           **COMMUNITIES**

3   **SEC. 401. BAN ON FIREARM POSSESSION BY PERSON COM-**  
4                           **MITTED INVOLUNTARILY TO MENTAL INSTI-**  
5                           **TUTION ON AN OUTPATIENT BASIS.**

6           Subsections (d)(4) and (g)(4) of section 922 of title  
7 18, United States Code, are each amended by inserting  
8 “on an involuntary inpatient or involuntary outpatient  
9 basis” before the semicolon.

10 **SEC. 402. GRANT PROGRAM REGARDING FIREARMS.**

11           Section 506(b) of the Omnibus Crime Control and  
12 Safe Streets Act of 1968 (34 U.S.C. 10157(b)) is amend-  
13 ed—

14                   (1) by striking “1 or more States or units of  
15           local government, for 1 or more of the purposes  
16           specified in section 501, pursuant to his determina-  
17           tion that the same is necessary”;

18                   (2) by inserting before paragraph (1) the fol-  
19           lowing:

20                   “(1) one or more States or units of local gov-  
21           ernment, for one or more of the purposes specified  
22           in section 501, pursuant to his determination that  
23           the same is necessary—”;

24                   (3) by redesignating the second paragraph (1)  
25           as subparagraph (A);

1 (4) in paragraph (2)—

2 (A) by striking the period at the end and  
3 inserting “; or”; and

4 (B) by redesignating paragraph (2) as sub-  
5 paragraph (B); and

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

7 “(2) one or more States, if that State has dem-  
8 onstrated, in the determination of the Attorney Gen-  
9 eral, that the State has adopted policies, procedures,  
10 protocols, laws or regulations pertaining to the pos-  
11 session or transfer of firearms or ammunition that—

12 “(A)(i) give State and local law enforce-  
13 ment the authority, to the extent allowable  
14 under Federal laws and the United States Con-  
15 stitution, to seize firearms or ammunition from  
16 an individual pursuant to a warrant, where  
17 there is probable cause to believe that the indi-  
18 vidual in possession of such firearms or ammu-  
19 nition poses an elevated risk of harm to himself  
20 or herself or to another individual, which may  
21 be determined by considering whether the indi-  
22 vidual has caused harm to himself or herself or  
23 another individual, has detailed plans to cause  
24 harm to himself or herself or another indi-

vidual, has a history of substance abuse, or  
lacks impulse control; and

“(ii) provide that not later than 14 days  
after such a seizure, an individual from whom  
a firearm or ammunition was so seized shall be  
given an opportunity to contest such seizure in  
court, and any firearm or ammunition so seized  
shall be returned to the individual, unless a  
State or local law enforcement officer dem-  
onstrates in court by a preponderance of the  
evidence that the individual from whom a fire-  
arm or ammunition was seized poses an ele-  
vated risk of harm to himself or herself or to  
another individual; or

“(B) temporarily prohibit an individual  
who has been involuntarily hospitalized for a  
period of not less than 48 hours for mental ill-  
ness on an emergency basis, from possessing a  
firearm or ammunition;”.

**SEC. 403. NOTIFICATION OF STATE AND LOCAL LAW EN-  
FORCEMENT AUTHORITIES OF ATTEMPT TO  
PURCHASE FIREARM BY INELIGIBLE PER-  
SON.**

(a) IN GENERAL.—The Attorney General shall estab-  
lish a system for the prompt notification of the relevant

1 State and local enforcement agencies when the National  
 2 Instant Criminal Background Check System established  
 3 under section 103 of the Brady Handgun Violence Preven-  
 4 tion Act notifies a licensed dealer that the information  
 5 available to the system indicates that the possession of a  
 6 firearm by an individual attempting to obtain a firearm  
 7 from the licensed dealer would violate subsection (g) or  
 8 (n) of section 922 of title 18, United States Code, or State  
 9 law, except when it is determined, on a case-by-case basis,  
 10 that law enforcement purposes would best be served by  
 11 not providing such a notice.

12 (b) DEFINITIONS.—In this section, the terms “fire-  
 13 arm” and “licensed dealer” shall have the meanings given  
 14 such terms in section 921(a) of title 18, United States  
 15 Code.

## 16 **TITLE V—RESTORATION**

### 17 **SEC. 501. FEDERAL AGENCY RELIEF PROGRAM.**

18 Section 101(c) of the NICS Improvement Amend-  
 19 ments Act of 2007 (34 U.S.C. 40911) is amended—

20 (1) in paragraph (2)(A)(i), by inserting after  
 21 “imposed by such subsections” the following: “if  
 22 such person is a person described in subparagraph  
 23 (C) and submits the opinion (and records and infor-  
 24 mation supporting the opinion) of a psychiatrist, a  
 25 clinical psychologist, or a licensed or qualified men-



1       tal health professional who can provide adequate in-  
2       formation who has personally evaluated the person”;  
3       and

4               (2) by adding at the end of paragraph (2) the  
5       following:

6               “(C) PERSON DESCRIBED.—A person is  
7       described in this subparagraph if, beginning not  
8       earlier than 1 year after the person is subject  
9       to the disabilities imposed by subsection (d)(4)  
10      or (g)(4) of section 922 of title 18, United  
11      States Code, and after affording the Federal  
12      department or agency the opportunity to re-  
13      quest an additional evaluation, by a psychia-  
14      trist, a clinical psychologist, or a licensed or  
15      qualified mental health professional who can  
16      provide adequate information appointed by the  
17      department or agency, the department or agen-  
18      cy determines by a preponderance of the evi-  
19      dence received that—

20              “(i) the person no longer manifests  
21      the symptoms of mental disorder that re-  
22      sulted in that person’s adjudication as in-  
23      eligible due to disqualifying mental status  
24      or involuntary commitment or that other-

1 wise significantly elevate the risk of harm  
 2 to self or others;

3 “(ii) the person has adhered consist-  
 4 ently to any prescribed treatment for a  
 5 substantial period of time preceding the  
 6 date of the application and has expressed  
 7 a willingness to continue treatment under  
 8 an appropriate mental health professional;

9 “(iii) if ongoing treatment is required,  
 10 that adherence to that treatment is likely  
 11 to minimize the risk that the person will  
 12 revert to a mental state that would present  
 13 a danger to self or others; and

14 “(iv) the granting of the relief would  
 15 not be contrary to the public interest.”.

16 **SEC. 502. STATE RELIEF PROGRAMS.**

17 (a) IN GENERAL.—Section 105 of the NICS Im-  
 18 provement Amendments Act of 2007 (34 U.S.C. 40915)  
 19 is amended—

20 (1) in subsection (a)(2), by striking “if the cir-  
 21 cumstances” and all that follows through “public in-  
 22 terest” and inserting “beginning not earlier than 1  
 23 year after the person is first adjudicated as de-  
 24 scribed in subsection (g)(4) of section 922 of title  
 25 18, United States Code, if the person submits the

1 opinion (and records and information supporting the  
2 opinion) of a psychiatrist, a clinical psychologist, or  
3 a licensed or qualified mental health professional  
4 who can provide adequate information who has per-  
5 sonally evaluated the person, and after affording the  
6 State the opportunity to request an additional eval-  
7 uation, by a psychiatrist, clinical psychologist, or  
8 other licensed or qualified mental health professional  
9 who can provide adequate information appointed by  
10 the court, board, commission, or other lawful author-  
11 ity, only if the court, board, commission, or other  
12 lawful authority determines by a preponderance of  
13 the evidence received that the person is a person de-  
14 scribed in subsection (c)”; and

15 (2) by adding at the end the following:

16 “(c) ELIGIBLE PERSON DESCRIBED.—A person de-  
17 scribed in this subsection is any person who submits with  
18 the application for relief under subsection (a)(1), the opin-  
19 ion (and records and information supporting the opinion)  
20 of a psychiatrist, a clinical psychologist, or a licensed or  
21 qualified mental health professional who can provide ade-  
22 quate information who has personally evaluated the peti-  
23 tioner and which attests that—

24 “(1) the person no longer manifests the symp-  
25 toms of disqualifying mental status that resulted in

1       that person’s adjudication as ineligible due to dis-  
2       qualifying mental status or involuntary commitment;

3           “(2) the person appears to have adhered con-  
4       sistently to any prescribed treatment for a substan-  
5       tial period of time preceding the date of the applica-  
6       tion and has expressed a willingness to continue  
7       treatment under an appropriate mental health pro-  
8       fessional;

9           “(3) if ongoing treatment is required, that ad-  
10      herence to that treatment is likely to minimize the  
11      risk that the person will revert to a mental state  
12      that would present a danger to self or others; and

13           “(4) the granting of the relief would not be con-  
14      trary to the public interest.

15      “(d) DEFINITIONS.—The Attorney General may, by  
16      rule, define terms used in this section to ensure conformity  
17      with Federal programs providing relief from disabilities  
18      imposed under subsections (d) and (g) of section 922 of  
19      title 18, United States Code.”.

20      (b) TRANSITION RULE.—The amendment made by  
21      subsection (a) shall apply only beginning on the date that  
22      is 5 years after the date of enactment of this Act, in the  
23      case of any State that has a program described in section  
24      105 of the NICS Improvement Amendments Act of 2007

1 (34 U.S.C. 40915) in effect on the date of enactment of  
2 this Act.

3 **SEC. 503. INELIGIBILITY DUE TO DISQUALIFYING MENTAL**  
4 **STATUS.**

5 (a) Section 922(d)(4) of title 18, United States Code,  
6 is amended by striking “adjudicated as a mental defec-  
7 tive” and inserting “adjudicated as ineligible due to dis-  
8 qualifying mental status”.

9 (b) Section 922(g)(4) of title 18, United States Code,  
10 is amended by striking “adjudicated as a mental defec-  
11 tive” and inserting “adjudicated as ineligible due to dis-  
12 qualifying mental status”.

13 (c) Section 922(s)(3)(B)(iv) of title 18, United States  
14 Code, is amended by striking “adjudicated as a mental  
15 defective” and inserting “adjudicated as ineligible due to  
16 disqualifying mental status”.

17 (d) Section 175b(d)(2)(F) of title 18, United States  
18 Code, is amended by striking “adjudicated as a mental  
19 defective” and inserting “adjudicated as ineligible due to  
20 disqualifying mental status”.

21 (e) Section 842(d)(6) of title 18, United States Code,  
22 is amended by striking “adjudicated a mental defective”  
23 and inserting “adjudicated as ineligible due to disquali-  
24 fying mental status”.

1 (f) Section 842(i)(4) of title 18, United States Code,  
2 is amended by striking “adjudicated as a mental defec-  
3 tive” and inserting “adjudicated as ineligible due to dis-  
4 qualifying mental status”.

5 (g) Section 3(2) of the NICS Improvement Amend-  
6 ments Act of 2007 (34 U.S.C. 40903) is amended by  
7 striking “adjudicated as a mental defective” and inserting  
8 “adjudicated as ineligible due to disqualifying mental sta-  
9 tus”.

10 (h) Section 101(b)(2)(C)(ii) of the NICS Improve-  
11 ment Amendments Act of 2007 (34 U.S.C. 40911) is  
12 amended by striking “adjudicated as a mental defective”  
13 and inserting “adjudicated as ineligible due to disquali-  
14 fying mental status”.

15 (i) Section 101(c)(1)(C) of the NICS Improvement  
16 Amendments Act of 2007 (34 U.S.C. 40911) is amended  
17 by striking “adjudicated as a mental defective” and insert-  
18 ing “adjudicated as ineligible due to disqualifying mental  
19 status”.

20 (j) Section 101(c)(3) of the NICS Improvement  
21 Amendments Act of 2007 (34 U.S.C. 40911) is amended  
22 in the matter preceding subparagraph (A), by striking  
23 “adjudicate a person as a mental defective” and inserting  
24 “adjudicate a person as ineligible due to disqualifying  
25 mental status”.

1 (k) Section 101(c)(3)(A) of the NICS Improvement  
 2 Amendments Act of 2007 (34 U.S.C. 40911) is amended  
 3 by striking “adjudicate the person as a mental defective,”  
 4 and inserting “adjudicate the person as ineligible due to  
 5 disqualifying mental status”.

6 (l) Section 102(b)(1)(C)(iv) of the NICS Improve-  
 7 ment Amendments Act of 2007 (34 U.S.C. 40912) is  
 8 amended by striking “adjudicated as a mental defective”  
 9 and inserting “adjudicated as ineligible due to disquali-  
 10 fying mental status”.

11 **TITLE VI—SUBMISSION OF**  
 12 **RECORDS TO NATIONAL IN-**  
 13 **STANT CRIMINAL BACK-**  
 14 **GROUND CHECK SYSTEM**

15 **SEC. 601. REPORTS RELATING TO SUBMISSION OF INFOR-**  
 16 **MATION TO NICS.**

17 Section 201 of the NICS Improvement Amendments  
 18 Act of 2007 (34 U.S.C. 40931) is amended—

19 (1) by amending subsection (b) to read as fol-  
 20 lows:

21 “(b) REPORT ON PERSONS PROHIBITED FROM OB-  
 22 TAINING FIREARMS AS A RESULT OF A CONVICTION OF  
 23 A MISDEMEANOR CRIME OF DOMESTIC VIOLENCE.—Not  
 24 later than January 31 of each year, the Director shall sub-  
 25 mit to Congress a report containing the number of persons

1 reported by each State to the National Instant Criminal  
2 Background Check System who are prohibited from pos-  
3 sessing or receiving a firearm under section 922(g)(9) of  
4 title 18, United States Code.”;

5 (2) by redesignating subsection (d) as (e); and

6 (3) by inserting after subsection (c) the fol-  
7 lowing:

8 “(d) REPORT ON PROMISING PRACTICES.—

9 “(1) IN GENERAL.—Not later than 180 days  
10 after the date of enactment of the Safer Commu-  
11 nities Act of 2019, and annually thereafter, the Di-  
12 rector shall submit to Congress and to each State  
13 participating in the National Criminal History Im-  
14 provement Program, a report of the practices of the  
15 States that the Director considers to be promising  
16 practices.

17 “(2) PROMISING PRACTICE DEFINED.—For  
18 purposes of this subsection, the term ‘promising  
19 practice’ means a program, activity, or strategy of a  
20 State regarding the collection, maintenance, automa-  
21 tion, and transmittal of information relevant to de-  
22 termining whether a person is prohibited from pos-  
23 sessing or receiving a firearm by Federal or State  
24 law, by the State or any other agency, or any other  
25 records relevant to the National Instant Criminal



1 Background Check System, that the Director deter-  
 2 mines—

3 “(A) has been used by a State or other  
 4 agency to successfully increase or expand its  
 5 ability to collect, maintain, automate, and  
 6 transmit the information described in the mat-  
 7 ter preceding this subparagraph;

8 “(B) shows promise in its early stages of  
 9 becoming a best practice under subsection (c),  
 10 with long-term sustainable impact; and

11 “(C) may be replicated by other States or  
 12 agencies.”.

13 **SEC. 602. REAUTHORIZATION OF THE NATIONAL CRIMINAL**  
 14 **HISTORY RECORDS IMPROVEMENT PRO-**  
 15 **GRAM.**

16 Section 106(b) of Public Law 103–159 (34 U.S.C.  
 17 40302) is amended—

18 (1) in paragraph (1), in the matter preceding  
 19 subparagraph (A), by striking “Fix NICS Act of  
 20 2018” and inserting “Safer Communities Act of  
 21 2019”; and

22 (2) by striking paragraph (2) and inserting the  
 23 following:

24 “(2) AUTHORIZATION OF APPROPRIATIONS.—

25 There are authorized to be appropriated for grants

1 under this subsection \$100,000,000 for each of fis-  
2 cal years 2020 through 2024.”.

3 **SEC. 603. IMPROVEMENT OF METRICS AND INCENTIVES.**

4 Section 102(b) of the NICS Improvement Amend-  
5 ments Act of 2007 (34 U.S.C. 40912) is amended to read  
6 as follows:

7 “(b) IMPLEMENTATION PLAN.—

8 “(1) IN GENERAL.—Not later than 1 year after  
9 the date of enactment of the Safer Communities Act  
10 of 2019, the Attorney General, in coordination with  
11 the States, shall establish for each State or Indian  
12 Tribal government applying for a grant under sec-  
13 tion 103 a 4-year implementation plan to ensure  
14 maximum coordination and automation of the re-  
15 porting of records or making records available to the  
16 National Instant Criminal Background Check Sys-  
17 tem.

18 “(2) BENCHMARK REQUIREMENTS.—Each 4-  
19 year plan established under paragraph (1) shall in-  
20 clude annual benchmarks, including both qualitative  
21 goals and quantitative measures, to assess imple-  
22 mentation of the 4-year plan.

23 “(3) PENALTIES FOR NON-COMPLIANCE.—

24 “(A) IN GENERAL.—During the 4-year pe-  
25 riod covered by a 4-year plan established under

1 paragraph (1), the Attorney General shall with-  
2 hold—

3 “(i) 10 percent of the amount that  
4 would otherwise be allocated to a State  
5 under section 505 of the Omnibus Crime  
6 Control and Safe Streets Act of 1968 (34  
7 U.S.C. 10156) if the State does not meet  
8 the benchmark established under para-  
9 graph (2) for the first year in the 4-year  
10 period;

11 “(ii) 11 percent of the amount that  
12 would otherwise be allocated to a State  
13 under section 505 of the Omnibus Crime  
14 Control and Safe Streets Act of 1968 (34  
15 U.S.C. 10156) if the State does not meet  
16 the benchmark established under para-  
17 graph (2) for the second year in the 4-year  
18 period;

19 “(iii) 13 percent of the amount that  
20 would otherwise be allocated to a State  
21 under section 505 of the Omnibus Crime  
22 Control and Safe Streets Act of 1968 (34  
23 U.S.C. 10156) if the State does not meet  
24 the benchmark established under para-

graph (2) for the third year in the 4-year period; and

“(iv) 15 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10156) if the State does not meet the benchmark established under paragraph (2) for the fourth year in the 4-year period.

“(B) FAILURE TO ESTABLISH A PLAN.—A State that fails to establish a plan under paragraph (1) shall be treated as having not met any benchmark established under paragraph (2).”.

**SEC. 604. GRANTS TO STATES TO IMPROVE COORDINATION  
AND AUTOMATION OF NICS RECORD REPORT-  
ING.**

(a) IN GENERAL.—The NICS Improvement Amendments Act of 2007 (34 U.S.C. 40901 et seq.) is amended—

(1) by striking section 103 and inserting the following:

1 **“SEC. 103. GRANTS TO STATES FOR IMPROVEMENT OF CO-**  
2 **ORDINATION AND AUTOMATION OF NICS**  
3 **RECORD REPORTING.**

4 “(a) AUTHORIZATION.—From amounts made avail-  
5 able to carry out this section, the Attorney General shall  
6 make grants to States, Indian Tribal governments, and  
7 State court systems, in a manner consistent with the Na-  
8 tional Criminal History Improvement Program and con-  
9 sistent with State plans for integration, automation, and  
10 accessibility of criminal history records, for use by the  
11 State, or units of local government of the State, Indian  
12 Tribal government, or State court system to improve the  
13 automation and transmittal of mental health records and  
14 criminal history dispositions, records relevant to deter-  
15 mining whether a person has been convicted of a mis-  
16 demeanor crime of domestic violence, court orders, and  
17 mental health adjudications or commitments to Federal  
18 and State record repositories in accordance with section  
19 102 and the National Criminal History Improvement Pro-  
20 gram.

21 “(b) USE OF GRANT AMOUNTS.—Grants awarded to  
22 States, Indian Tribal governments, or State court systems  
23 under this section may only be used to—

24 “(1) carry out, as necessary, assessments of the  
25 capabilities of the courts of the State or Indian Trib-  
26 al government for the automation and transmission

1 of arrest and conviction records, court orders, and  
2 mental health adjudications or commitments to Fed-  
3 eral and State record repositories;

4 “(2) implement policies, systems, and proce-  
5 dures for the automation and transmission of arrest  
6 and conviction records, court orders, and mental  
7 health adjudications or commitments to Federal and  
8 State record repositories;

9 “(3) create electronic systems that provide ac-  
10 curate and up-to-date information which is directly  
11 related to checks under the National Instant Crimi-  
12 nal Background Check System, including court dis-  
13 position and corrections records;

14 “(4) assist States or Indian Tribal governments  
15 in establishing or enhancing their own capacities to  
16 perform background checks using the National In-  
17 stant Criminal Background Check System; and

18 “(5) develop and maintain the relief from dis-  
19 abilities program in accordance with section 105.

20 “(c) ELIGIBILITY.—

21 “(1) IN GENERAL.—To be eligible for a grant  
22 under this section, a State, Indian Tribal govern-  
23 ment, or State court system shall certify, to the sat-  
24 isfaction of the Attorney General, that the State, In-  
25 dian Tribal government, or State court system—

1           “(A) is not prohibited by State law or  
2           court order from submitting mental health  
3           records to the National Instant Criminal Back-  
4           ground Check System; and

5           “(B) subject to paragraph (2), has imple-  
6           mented a relief from disabilities program in ac-  
7           cordance with section 105.

8           “(2) RELIEF FROM DISABILITIES PROGRAM.—  
9           For purposes of obtaining a grant under this sec-  
10          tion, a State, Indian Tribal government, or State  
11          court system shall not be required to meet the eligi-  
12          bility requirement described in paragraph (1)(B)  
13          until the date that is 2 years after the date of enact-  
14          ment of the Safer Communities Act of 2019.

15          “(d) FEDERAL SHARE.—

16                 “(1) STUDIES, ASSESSMENTS, NON-MATERIAL  
17          ACTIVITIES.—The Federal share of a study, assess-  
18          ment, creation of a task force, or other non-material  
19          activity, as determined by the Attorney General, car-  
20          ried out with a grant under this section shall be not  
21          more than 25 percent.

22                 “(2) INFRASTRUCTURE OR SYSTEM DEVELOP-  
23          MENT.—The Federal share of an activity involving  
24          infrastructure or system development, including  
25          labor-related costs, for the purpose of improving

1 State or Indian Tribal government record reporting  
 2 to the National Instant Criminal Background Check  
 3 System carried out with a grant under this section  
 4 may amount to 100 percent of the cost of the activ-  
 5 ity.

6 “(e) GRANTS TO INDIAN TRIBES.—Up to 5 percent  
 7 of the grant funding available under this section may be  
 8 reserved for Indian Tribal governments for use by Indian  
 9 Tribal judicial systems.

10 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
 11 are authorized to be appropriated to carry out this section  
 12 \$100,000,000 for each of fiscal years 2020 through 2023.”;

13 (2) by striking title III; and

14 (3) in section 401(b), by inserting after “of this  
 15 Act” the following: “and 18 months after the date  
 16 of enactment of the Safer Communities Act of  
 17 2019”.

18 (b) TECHNICAL AND CONFORMING AMENDMENT.—  
 19 The table of sections in section 1(b) of the NICS Improve-  
 20 ment Amendments Act of 2007 is amended by striking  
 21 the item relating to section 103 and inserting the fol-  
 22 lowing:

“Sec. 103. Grants to States for improvement of coordination and automation  
 of NICS record reporting.”.



1 **SEC. 605. SHARING OF RECORDS BY FEDERAL DEPART-**  
2 **MENTS AND AGENCIES WITH NICS.**

3 Section 101(b) of the NICS Improvement Amend-  
4 ments Act of 2007 (34 U.S.C. 40911) is amended—

5 (1) in paragraph (2)—

6 (A) in subparagraph (B), by striking  
7 “and” at the end;

8 (B) in subparagraph (C), by striking the  
9 period at the end and inserting “; and”; and

10 (C) by inserting at the end the following:

11 “(D) not later than 180 days after the  
12 date of the enactment of the Safer Communities  
13 Act of 2019, and annually thereafter, submit a  
14 report to Congress on the compliance of the  
15 heads of Federal departments and agencies  
16 with the requirements of paragraphs (1) and  
17 (3).”; and

18 (2) by adding at the end the following:

19 “(3) OTHER FEDERAL DEPARTMENTS AND  
20 AGENCIES.—The head of each Federal department  
21 or agency in possession of records which are relevant  
22 to a determination of whether a person is disquali-  
23 fied from possessing or receiving a firearm under  
24 subsection (g) or (n) of section 922 of title 18,  
25 United States Code, shall make available to the At-  
26 torney General, such records, updated not less than

1       quarterly, for use in the background checks per-  
2       formed by the National Instant Criminal Back-  
3       ground Check System.”.

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