

116TH CONGRESS
1ST SESSION

H. R. 435

To provide for a coordinated national research program to examine the nature, causes, consequences, and prevention of violence and unintended injury and death relating to gun ownership, use, and trafficking, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 2019

Ms. JOHNSON of Texas introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Science, Space, and Technology, and 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

A BILL

To provide for a coordinated national research program to examine the nature, causes, consequences, and prevention of violence and unintended injury and death relating to gun ownership, use, and trafficking, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Gun Violence
5 Research Act”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) In the last 50 years, more individuals in the
4 United States have died from gunshots than in all
5 wars in which the United States was a combatant,
6 combined.

7 (2) The rate of gun violence deaths in the
8 United States is more than double that of other
9 high-income nations.

10 (3) Guns accounted for 74 percent of homicides
11 and 51 percent of suicides in 2016, totaling over
12 37,000 deaths in the United States.

13 (4) Gun violence disproportionately affects ra-
14 cial minorities, with African Americans comprising
15 nearly 60 percent of homicide victims and 22 per-
16 cent of unintentional injury deaths in 2016.

17 (5) Provisions in appropriations Acts dating
18 back to 1996 have had a chilling effect on Federal
19 funding for research on gun violence across the Fed-
20 eral Government and, as a result, research on gun
21 violence is significantly underfunded relative to other
22 leading causes of death.

23 (6) Research examining the nature, causes, con-
24 sequences, and prevention of gun-related violence,
25 suicide, and unintentional injury and death does not

1 constitute advocacy in support of, or opposition to,
2 gun control policies or regulations.

3 (7) More research and high-quality data relat-
4 ing to gun violence are needed to inform the develop-
5 ment of effective strategies to reduce the incidence
6 of gun-related injury and death.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) **DIRECTOR.**—The term “Director” means
10 the Director of the Office of Science and Technology
11 Policy.

12 (2) **INSTITUTION OF HIGHER EDUCATION.**—The
13 term “institution of higher education” has the
14 meaning given such term in section 101 of the High-
15 er Education Act of 1965 (20 U.S.C. 1001).

16 (3) **PROGRAM.**—The term “Program” means
17 the National Gun Violence Research Program estab-
18 lished under section 5.

19 **SEC. 4. RESEARCH AND DATA RESTRICTIONS REPEAL.**

20 (a) **GUN TRACE DATA.**—

21 (1) The matter under the heading “Bureau of
22 Alcohol, Tobacco, Firearms and Explosives—Sala-
23 ries and Expenses” in title I of division B of the
24 Consolidated and Further Continuing Appropria-
25 tions Act, 2012 (18 U.S.C. 923 note; Public Law

1 112–55; 125 Stat. 609–610) is amended by striking
2 the 6th proviso.

3 (2) The 6th proviso under the heading “Bureau
4 of Alcohol, Tobacco, Firearms and Explosives—Sala-
5 ries and Expenses” in title II of division B of the
6 Consolidated Appropriations Act, 2010 (18 U.S.C.
7 923 note; Public Law 111–117; 123 Stat. 3128–
8 3129) is amended by striking “beginning in fiscal
9 year 2010 and thereafter” and inserting “in fiscal
10 year 2010”.

11 (3) The 6th proviso under the heading “Bureau
12 of Alcohol, Tobacco, Firearms and Explosives—Sala-
13 ries and Expenses” in title II of division B of the
14 Omnibus Appropriations Act, 2009 (18 U.S.C. 923
15 note; Public Law 111–8; 123 Stat. 574–576) is
16 amended by striking “beginning in fiscal year 2009
17 and thereafter” and inserting “in fiscal year 2009”.

18 (4) The 6th proviso under the heading “Bureau
19 of Alcohol, Tobacco, Firearms and Explosives—Sala-
20 ries and Expenses” in title II of division B of the
21 Consolidated Appropriations Act, 2008 (18 U.S.C.
22 923 note; Public Law 110–161; 121 Stat. 1903–
23 1904) is amended by striking “beginning in fiscal
24 year 2008 and thereafter” and inserting “in fiscal
25 year 2008”.

1 (5) The 6th proviso under the heading “Bureau
2 of Alcohol, Tobacco, Firearms and Explosives—Sala-
3 ries and Expenses” in title I of the Science, State,
4 Justice, Commerce, and Related Agencies Appro-
5 priations Act, 2006 (18 U.S.C. 923 note; Public
6 Law 109–108; 119 Stat. 2295–2296) is amended by
7 striking “with respect to any fiscal year”.

8 (6) The 6th proviso under the heading in title
9 I of division B of the Consolidated Appropriations
10 Act, 2005 (18 U.S.C. 923 note; Public Law 108–
11 447; 118 Stat. 2859–2860) is amended by striking
12 “with respect to any fiscal year”.

13 (b) DEPARTMENT OF HEALTH AND HUMAN SERV-
14 ICES.—Notwithstanding any other provision of law, funds
15 made available to the Department of Health and Human
16 Services, including the Centers for Disease Control and
17 Prevention and the National Institutes of Health, may be
18 used to conduct research with respect to gun violence.

19 **SEC. 5. RESEARCH PROGRAM.**

20 (a) ESTABLISHMENT.—The President, acting
21 through the Director, shall develop and implement a pro-
22 gram to improve public health and safety through research
23 on gun violence (to be known as the “National Gun Vio-
24 lence Research Program”), through activities carried out
25 in collaboration with covered agencies that—

1 (1) support gun violence research;

2 (2) accelerate the translation of gun violence re-
3 search into effective policy interventions to reduce
4 the incidence of injury and death related to guns;

5 (3) expand the number of researchers and stu-
6 dents in the field of gun violence research; and

7 (4) improve interagency planning and coordina-
8 tion of Federal Government activities relating to gun
9 violence research.

10 (b) PROGRAM ACTIVITIES.—A covered agency, in car-
11 rying out activities described in subsection (a), shall—

12 (1) award grants to individual investigators and
13 interdisciplinary teams of investigators for projects
14 related to gun violence research;

15 (2) support projects funded under joint sollicita-
16 tions by a collaboration of no fewer than two covered
17 agencies;

18 (3) establish interdisciplinary research centers
19 that are organized to investigate basic research
20 questions and inform policy decisions relating to gun
21 violence;

22 (4) provide for the education and training of
23 undergraduate students, graduate students, and
24 postdoctoral scholars in gun violence research; and

1 (5) promote the development of voluntary con-
2 sensus gun safety technical standards.

3 (c) INTERAGENCY WORKING GROUP.—

4 (1) IN GENERAL.—Not later than 90 days after
5 the date of the enactment of this Act, the President,
6 acting through the National Science and Technology
7 Council, shall establish an interagency working
8 group on gun violence research.

9 (2) COMPOSITION.—The working group estab-
10 lished under this subsection shall be chaired by the
11 Director and include representatives from—

12 (A) the National Science Foundation;

13 (B) the National Institute of Standards
14 and Technology;

15 (C) the National Institutes of Health;

16 (D) the Centers for Disease Control and
17 Prevention;

18 (E) the National Institute of Justice; and

19 (F) any other Federal agency (including
20 an agency, department, or service thereof) that
21 the Director considers appropriate.

22 (3) DUTIES.—The Working Group shall—

23 (A) oversee the planning, management,
24 and coordination of the Program;

1 (B) provide for coordination among cov-
2 ered agencies of Federal gun violence research
3 and other activities undertaken pursuant to the
4 Program;

5 (C) establish and periodically update goals
6 and priorities for the Program;

7 (D) develop, not later than 12 months
8 after the date of enactment of this Act, and up-
9 date every 5 years, a strategic plan to guide the
10 activities of the Program to meet the goals and
11 priorities established under subparagraph (C).

12 (d) ADVISORY COMMITTEE.—

13 (1) IN GENERAL.—Not later than 180 days
14 after the date of the enactment of this Act, the
15 President, acting through the Director of the Office
16 of Science and Technology Policy, shall establish an
17 advisory committee on gun violence research.

18 (2) COMPOSITION.—The advisory committee es-
19 tablished under paragraph (1) shall be composed of
20 not less than 12 members, including representatives
21 of research institutions, institutions of higher edu-
22 cation, industry, law enforcement, and relevant non-
23 profit organizations who are qualified to provide ad-
24 vice on the Program.

1 (3) DUTIES.—The advisory committee estab-
2 lished under subsection (a) shall assess—

3 (A) the management, coordination, imple-
4 mentation, and activities of the Program;

5 (B) the balance of activities and funding
6 across the Program;

7 (C) whether the Program priorities and
8 goals developed by the working group estab-
9 lished under subsection (c)(3) are helping to
10 improve public health and safety; and

11 (D) the need to revise the Program.

12 (e) COVERED AGENCY DEFINED.—In this section,
13 the term “covered agency” means—

14 (1) the National Science Foundation;

15 (2) the National Institute for Standards and
16 Technology;

17 (3) the Centers for Disease Control and Preven-
18 tion;

19 (4) the National Institutes of Health;

20 (5) the National Institute of Justice; and

21 (6) such other Federal agency as determined
22 appropriate by the Director of the Office of Science
23 and Technology Policy.

24 (f) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to the Director to carry

1 out this section \$200,000 for each of fiscal years 2019
2 through 2024.

3 **SEC. 6. AGENCY ACTIVITIES.**

4 (a) NATIONAL SCIENCE FOUNDATION.—

5 (1) RESEARCH.—The Director of the National
6 Science Foundation shall award grants, on a com-
7 petitive basis, to institutions of higher education or
8 nonprofit organizations (or consortia of such institu-
9 tions or organizations)—

10 (A) to support multidisciplinary research
11 to better understand the nature, causes, and
12 consequences of violence, including violence, sui-
13 cide, unintended injury, and death involving
14 guns;

15 (B) to examine the effects of gun policy
16 interventions on—

17 (i) rates of suicide, homicide, and un-
18 intended injury and death;

19 (ii) individuals' ability to use guns for
20 self-defense, hunting, and recreation; and

21 (iii) the gun industry; and

22 (C) to educate and train researchers in the
23 field of violence, including gun violence, re-
24 search.

1 (2) NATIONAL CENTER FOR VIOLENCE RE-
2 SEARCH.—The Director of the National Science
3 Foundation shall award grants on a competitive
4 basis to institutions of higher education or nonprofit
5 organizations (or consortia of such institutions or or-
6 ganizations) to establish one or more centers to con-
7 duct multidisciplinary research and education activi-
8 ties in support of the goals and priorities of the Pro-
9 gram (to be known as “National Center for Violence
10 Research”).

11 (3) AUTHORIZATION OF APPROPRIATIONS.—
12 There is authorized to be appropriated to carry out
13 this subsection \$15,000,000 for each of fiscal years
14 2019 through 2024.

15 (b) NATIONAL INSTITUTE OF STANDARDS AND
16 TECHNOLOGY.—

17 (1) VOLUNTARY CONSENSUS STANDARDS.—The
18 Secretary of Commerce, acting through the Director
19 of the National Institute of Standards and Tech-
20 nology, shall establish a program to promote the de-
21 velopment of voluntary consensus gun safety tech-
22 nical standards. Such effort shall include—

23 (A) outreach, coordination, and technical
24 support to relevant industry and nonindustry
25 stakeholders and standards development organi-

1 zations to assist such entities in the develop-
2 ment of voluntary consensus gun safety tech-
3 nical standards;

4 (B) the conduct of research to support ef-
5 forts to develop and improve such standards
6 and conformity assessment; and

7 (C) the development of such standard ref-
8 erence material as the Director determines is
9 necessary to further the development of such
10 standards.

11 (2) PROHIBITION ON REGULATION.—Nothing in
12 this Act shall be construed as conferring upon the
13 Secretary of Commerce any authority to establish or
14 enforce mandatory gun safety standards.

15 (3) AUTHORIZATION OF APPROPRIATIONS.—
16 There is authorized to be appropriated to carry out
17 this subsection \$1,000,000 for each of fiscal years
18 2019 through 2024.

19 (c) DEPARTMENT OF HEALTH AND HUMAN SERV-
20 ICES.—

21 (1) IN GENERAL.—The Secretary of Health and
22 Human Services, acting through the Director of the
23 National Institutes of Health, the Director of the
24 Centers for Disease Control and Prevention, and
25 other scientific agencies within the Department of

1 Health and Human Services, shall award grants on
2 a competitive basis to conduct or support research
3 into the nature, causes, consequences, and preven-
4 tion of gun violence.

5 (2) APPROPRIATIONS.—There is authorized to
6 be appropriated to the Secretary of Health and
7 Human Services to carry out this subsection
8 \$20,000,000 for each of fiscal years 2019 through
9 2024.

10 (d) DEPARTMENT OF JUSTICE.—

11 (1) RESEARCH.—The Attorney General of the
12 United States, acting through the National Institute
13 of Justice, shall conduct or sponsor research into the
14 nature, causes, consequences, and prevention of gun
15 violence.

16 (2) COMPETITION.—The Attorney General of
17 the United States, acting through the National In-
18 stitute of Justice, shall sponsor an inducement prize
19 competition under section 24 of the Stevenson-
20 Wydler Technology Innovation Act of 1980 (15
21 U.S.C. 3719) to demonstrate through testing and
22 evaluation the reliability of guns and gun accessories
23 with integrated advanced gun safety technology
24 (commonly referred to as smart guns, user-author-

1 ized handguns, childproof guns, and personalized
2 guns).

3 (3) TRACE DATA.—

4 (A) IN GENERAL.—Not later than 180
5 days after the date of enactment of this Act,
6 the Attorney General, in collaboration with the
7 Secretary of the Department of Health and
8 Human Services, shall develop consensus proto-
9 cols for granting researchers access to gun
10 trace data while protecting the confidentiality of
11 gun owners and dealers.

12 (B) DATA SHARING.—Not later than 1
13 year after the date of enactment of this Act, the
14 Attorney General, acting through the Bureau of
15 Alcohol, Tobacco, Firearms, and Explosives,
16 shall commence sharing with researchers ac-
17 cording to the protocols developed under sub-
18 paragraph (A), the contents of the Firearms
19 Trace System database and information re-
20 quired to be kept by licensees pursuant to sec-
21 tion 923(g) of title 18, United States Code, or
22 required to be reported pursuant to paragraphs
23 (3) and (7) of such section 923(g).

24 (4) AUTHORIZATION OF APPROPRIATIONS.—

25 There is authorized to be appropriated to carry out

- 1 this subsection \$3,000,000 for each of fiscal years
- 2 2019 through 2024.

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