

115TH CONGRESS
2D SESSION

H. R. 5164

To expand economic opportunities, improve community policing, and promote common-sense gun violence prevention in underserved communities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2018

Ms. KELLY of Illinois (for herself, Ms. CLARK of Massachusetts, Mr. AL GREEN of Texas, Ms. CLARKE of New York, Ms. MOORE, Mr. SERRANO, Ms. MAXINE WATERS of California, Ms. DEGETTE, Ms. SCHAKOWSKY, Mr. DANNY K. DAVIS of Illinois, Mr. HASTINGS, and Ms. NORTON) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, Financial Services, Ways and Means, Small Business, Oversight and Government Reform, Agriculture, Rules, 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 expand economic opportunities, improve community policing, and promote common-sense gun violence prevention in underserved communities, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Urban Progress Act of 2018”.

- 1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SUSTAINABLE COMMUNITY ECONOMIC DEVELOPMENT

Subtitle A—Rental Assistance Housing Preservation and Rehabilitation Act

Sec. 101. Short title.

Sec. 102. Amendments to rental assistance demonstration.

Subtitle B—Hire For a Second Chance Act

Sec. 111. Short title.

Sec. 112. Extension and modification of work opportunity tax credit.

Subtitle C—Community Investment and Empowerment Act

Sec. 121. Short title.

Sec. 122. Purpose.

Sec. 123. Economic growth, retention, and recruitment of commercial investment in underserved communities.

Subtitle D—Promote Start-Ups Act

Sec. 131. Short title.

Sec. 132. Permanent increase of limitation on deduction for start-up and organizational expenditures.

Subtitle E—Community College to Career Fund Act

Sec. 141. Short title.

Sec. 142. Community College to Career Fund.

Subtitle F—Youth Summer Jobs and Public Service Act

Sec. 151. Short title.

Sec. 152. Grants to States for summer employment for youth.

Subtitle G—Child Poverty Reduction Act

Sec. 161. Short title.

CHAPTER 1—FEDERAL INTERAGENCY WORKING GROUP ON REDUCING CHILD POVERTY

Sec. 162. Establishment of Working Group.

Sec. 163. National plan to reduce child poverty.

Sec. 164. Other duties.

Sec. 165. Membership.

Sec. 166. Director and staff.

Sec. 167. Reporting requirements.

CHAPTER 2—WORKSHOPS BY NATIONAL ACADEMY OF SCIENCES

Sec. 168. Requirement to enter into agreement with National Academy of Sciences.

- Sec. 169. Workshop topics.
- Sec. 170. Reporting requirement.
- Sec. 171. Authorization of appropriations.

CHAPTER 3—DEFINITIONS

- Sec. 172. Definitions.

Subtitle H—Hunger-Free Summers for Children

- Sec. 181. Summer SNAP benefits for minor children who received free or reduced price school lunches.
- Sec. 182. Child tax credit increased for families under 150 percent of poverty line.

TITLE II—COMMUNITY POLICING

Subtitle A—Fair Chance for Youth

- Sec. 201. Short title.
- Sec. 202. Expungement and sealing of youth criminal records.
- Sec. 203. Retroactive effect.

Subtitle B—Youth Prison Reduction Through Opportunities, Mentoring, Intervention, Support, and Education

- Sec. 211. Short title.
- Sec. 212. Definitions.
- Sec. 213. Findings.

CHAPTER 1—FEDERAL COORDINATION OF LOCAL AND TRIBAL JUVENILE JUSTICE INFORMATION AND EFFORTS

- Sec. 214. PROMISE Advisory Panel.
- Sec. 215. Geographic assessment of resource allocation.

CHAPTER 2—PROMISE GRANTS

- Sec. 216. Purposes.

SUBCHAPTER A—PROMISE ASSESSMENT AND PLANNING GRANTS

- Sec. 217. PROMISE Assessment and Planning grants authorized.
- Sec. 218. PROMISE Coordinating Councils.
- Sec. 219. Needs and strengths assessment.
- Sec. 220. PROMISE Plan components.
- Sec. 221. Authorization of appropriations.

SUBCHAPTER B—PROMISE IMPLEMENTATION GRANTS

- Sec. 222. PROMISE Implementation grants authorized.
- Sec. 223. PROMISE Implementation grant application requirements.
- Sec. 224. Grant award guidelines.
- Sec. 225. Reports.
- Sec. 226. Authorization of appropriations.

SUBCHAPTER C—GENERAL PROMISE GRANT PROVISIONS

- Sec. 227. Nonsupplanting clause.
- Sec. 228. Grant application review panel.

- Sec. 229. Evaluation of PROMISE grant programs.
 Sec. 230. Reservation of funds.

CHAPTER 3—PROMISE RESEARCH CENTERS

- Sec. 231. Establishment of the National Research Center for Proven Juvenile Justice Practices.
 Sec. 232. Grants for regional research proven practices partnerships.

Subtitle C—Safe Streets and Representative Police Forces

- Sec. 241. Short title.
 Sec. 242. Grants to increase the racial diversity of law enforcement agencies.

TITLE III—COMMON SENSE GUN VIOLENCE PREVENTION

Subtitle A—Hadiya Pendleton and Nyasia Pryear-Yard Gun Trafficking and Crime Prevention

- Sec. 301. Short title.
 Sec. 302. Firearms trafficking.

Subtitle B—Report on Effects of Gun Violence on Public Health

- Sec. 311. Report on effects of gun violence on public health.
 Sec. 312. Prohibition on certain amendments to appropriations measures.

Subtitle C—Keeping Guns From High-Risk Individuals

- Sec. 321. Short title.
 Sec. 322. Firearm prohibitions applicable with respect to certain high-risk individuals.

Subtitle D—Strengthening Gun Checks Act

- Sec. 341. Short title; table of contents.

CHAPTER 1—ENSURING THAT ALL INDIVIDUALS WHO SHOULD BE PROHIBITED FROM BUYING A GUN ARE LISTED IN THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM

- Sec. 342. States to make data electronically available to the National Instant Criminal Background Check System.
 Sec. 343. Requirement that Federal agencies certify that they have submitted to the National Instant Criminal Background Check System all records identifying persons prohibited from purchasing firearms under Federal law.
 Sec. 344. Adjudicated as a mental defective.
 Sec. 345. Clarification that Federal court information is to be made available to the National Instant Criminal Background Check System.

CHAPTER 2—REQUIRING A BACKGROUND CHECK FOR EVERY FIREARM SALE

- Sec. 346. Purpose.
 Sec. 347. Firearms transfers.
 Sec. 348. Lost and stolen reporting.

Subtitle E—Background Check Completion Act

- Sec. 351. Short title.

Sec. 352. Elimination of requirement that a firearms dealer transfer a firearm if the national instant criminal background check system has been unable to complete a background check of the prospective transferee within 3 business days.

1 **TITLE I—SUSTAINABLE COMMU-**
 2 **NITY ECONOMIC DEVELOP-**
 3 **MENT**

4 **Subtitle A—Rental Assistance**
 5 **Housing Preservation and Reha-**
 6 **bilitation Act**

7 **SEC. 101. SHORT TITLE.**

8 This subtitle may be cited as the “Rental Assistance
 9 Housing Preservation and Rehabilitation Act of 2018”.

10 **SEC. 102. AMENDMENTS TO RENTAL ASSISTANCE DEM-**
 11 **ONSTRATION.**

12 (a) AMENDMENTS.—The matter in the heading
 13 “Rental Assistance Demonstration” in title II of the
 14 Transportation, Housing and Urban Development, and
 15 Related Agencies Appropriations Act, 2012 (division C of
 16 Public Law 112–55; 125 Stat. 673) is amended—

17 (1) by striking “(except for funds allocated
 18 under such section for single room occupancy dwell-
 19 ings as authorized by title IV of the McKinney-
 20 Vento Homeless Assistance Act)” each place such
 21 phrase appears;

1 (2) in the third proviso by inserting “in excess
 2 of amounts made available under this heading” after
 3 “associated with such conversion”;

4 (3) in the fourth proviso—

5 (A) by striking “60,000” and inserting
 6 “150,000”; and

7 (B) by striking “or section 8(e)(2)”; and

8 (4) in the penultimate proviso by striking “and
 9 2013” and inserting “through 2016”.

10 (b) APPLICABILITY.—The amendments made by sub-
 11 section (a) shall apply only to any amounts that are made
 12 available for fiscal year 2014 or any fiscal year thereafter
 13 for carrying out the demonstration program established
 14 under the heading referred to in subsection (a).

15 **Subtitle B—Hire For a Second** 16 **Chance Act**

17 **SEC. 111. SHORT TITLE.**

18 This subtitle may be cited as the “Hire For a Second
 19 Chance Act of 2018”.

20 **SEC. 112. EXTENSION AND MODIFICATION OF WORK OP-** 21 **PORTUNITY TAX CREDIT.**

22 (a) CREDIT MADE PERMANENT.—Section 51(c) of
 23 the Internal Revenue Code of 1986 is amended by striking
 24 paragraph (4) and redesignating paragraph (5) as para-
 25 graph (4).

1 (b) INCREASE IN WAGE LIMITATION FOR EX-FEL-
 2 ONS.—

3 (1) LIMITATION ON WAGES TAKEN INTO AC-
 4 COUNT.—Section 51(b)(3) of such Code is amend-
 5 ed—

6 (A) by striking “subsection (d)(3)(A)(iv),
 7 and” and inserting “subsection (d)(3)(A)(iv),”,
 8 and

9 (B) by striking “subsection
 10 (d)(3)(A)(ii)(II))” and inserting “subsection
 11 (d)(3)(A)(ii)(II), and \$14,000 in the case of
 12 any individual who is an ex-felon by reason of
 13 subsection (d)(4))”.

14 (2) INFLATION ADJUSTMENT.—Section 51(b) of
 15 such Code is amended by adding at the end the fol-
 16 lowing:

17 “(4) ADJUSTMENT FOR INFLATION.—In the
 18 case of any taxable year beginning after 2016, the
 19 \$14,000 dollar amount contained in paragraph (3)
 20 relating to ex-felons shall be increased by an amount
 21 equal to the product of—

22 “(A) such dollar amount, and

23 “(B) the cost of living adjustment deter-
 24 mined under section 1(f)(3) for the calendar
 25 year in which the taxable year begins deter-

1 mined by substituting ‘calendar year 2015’ for
 2 ‘calendar year 1992’ in subparagraph (B)
 3 thereof.

4 If any increase determined under the preceding sen-
 5 tence is not a multiple of \$50, such increase shall
 6 be rounded to the next lowest multiple of \$50.”.

7 (c) QUALIFIED EX-FELON.—Section 51(d)(4)(B) of
 8 such Code is amended by striking “1 year” and inserting
 9 “3 years”.

10 (d) EFFECTIVE DATE.—The amendments made by
 11 this section shall apply to individuals who begin work for
 12 the employer after December 31, 2015.

13 **Subtitle C—Community Investment** 14 **and Empowerment Act**

15 **SEC. 121. SHORT TITLE.**

16 This subtitle may be cited as the “Community Invest-
 17 ment and Empowerment Act”.

18 **SEC. 122. PURPOSE.**

19 The purpose of this Act is to assist with the economic
 20 growth of economically disadvantaged communities that
 21 have potential for strong Class 1 commercial investment,
 22 but continue to have a difficult time recruiting Class 1
 23 commercial investment.

1 **SEC. 123. ECONOMIC GROWTH, RETENTION, AND RECRUIT-**
2 **MENT OF COMMERCIAL INVESTMENT IN UN-**
3 **DERSERVED COMMUNITIES.**

4 The Small Business Investment Act of 1958 (15
5 U.S.C. 661 et seq.) is amended by adding at the end the
6 following new title:

7 **“TITLE VI—ECONOMIC GROWTH,**
8 **RETENTION, AND RECRUIT-**
9 **MENT OF COMMERCIAL IN-**
10 **VESTMENT IN ECONOMICAL-**
11 **LY DISADVANTAGED COMMU-**
12 **NITIES**

13 **“SEC. 511. GRANT PROGRAM.**

14 “(a) AUTHORIZATION.—From amounts appropriated
15 under section 513, the Administrator shall make grants
16 on a competitive basis to communities for—

17 “(1) the creation of a grant and/or revolving
18 loan fund program that helps develop financing
19 packages for Class 1 commercial investment;

20 “(2) lowering real estate property tax rates;

21 “(3) conducting community-wide market anal-
22 ysis to help recruit and/or retain Class 1 commercial
23 investment;

24 “(4) creating employment training programs for
25 Class 1 business customer service, sales, and mana-
26 gerial positions;

1 “(5) retail marketing strategies to solicit new
2 Class 1 commercial investment starts in the commu-
3 nity;

4 “(6) program allowances for activities such as
5 the publication of marketing materials, development
6 of economic development web pages, and educational
7 outreach activities with retail trade associations; and

8 “(7) hiring business recruitment specialists.

9 “(b) ELIGIBILITY.—The Administrator may only
10 make a grant under subsection (a) to communities that—

11 “(1) demographics include—

12 “(A) a median per capita income no higher
13 than \$35,000; and

14 “(B) a lack of Class 1 commercial invest-
15 ment; and

16 “(2) submit an application at such time, in
17 such form, and containing such information and as-
18 surances as the Administrator may require, includ-
19 ing—

20 “(A) a description of how the community
21 through the activities the community carries out
22 with the grant funds will recruit, retain and
23 grow their economy through Class 1 commercial
24 investment; and

1 “(B) a description of the difficulty the
2 community has faced recruiting, retaining and
3 growing their economy through Class 1 com-
4 mercial investment.

5 “(c) MATCHING FUNDS.—

6 “(1) IN GENERAL.—The Administrator may not
7 make a grant to a community under subsection (a)
8 unless the community agrees that, with respect to
9 the costs to be incurred by the community in car-
10 rying out the activities for which the grant is award-
11 ed, the community will make available non-Federal
12 contributions in an amount equal to not less than 10
13 percent of the Federal funds provided under the
14 grant.

15 “(2) SATISFYING MATCHING REQUIREMENTS.—
16 The non-Federal contributions required under para-
17 graph (1) may be—

18 “(A) in cash or in-kind, including services,
19 fairly evaluated; and

20 “(B) from—

21 “(i) any private source;

22 “(ii) a State or local governmental en-
23 tity; or

24 “(iii) a not-for-profit.

1 “(3) WAIVER.—The Administrator may waive
2 or reduce the non-Federal contribution required by
3 paragraph (1) if the community involved dem-
4 onstrates that the eligible entity cannot meet the
5 contribution requirement due to financial hardship.

6 “(d) LIMITATIONS.—Funding appropriated under
7 section 513 will be allocated by the following formula—

8 “(1) no more than up to 5 percent of funds ap-
9 propriated under section 513 shall go to administra-
10 tive costs;

11 “(2) up to 70 percent of funding appropriated
12 under section 513 shall go toward activities de-
13 scribed in sections (a)(1) through (a)(4) after taking
14 into account administrative costs under section
15 (c)(1)(A); and

16 “(3) 30 percent of funding appropriated under
17 section 513 shall go toward activities described in
18 sections (a)(5) through (a)(7) after taking into ac-
19 count administrative costs under section (c)(1)(A).

20 **“SEC. 512. DEFINITIONS.**

21 “In this title, the following definitions apply:

22 “(1) COMMUNITY.—The term ‘community’
23 means a governance structure that includes county,
24 parish, city, village, township, district or borough.

1 “(2) CLASS 1 COMMERCIAL INVESTMENT.—The
 2 term ‘Class 1 commercial investment’ means retail
 3 grocery chains, food service retailers, restaurants
 4 and franchises, retail stores, cafes, shopping malls,
 5 and other shops.

6 “(3) ECONOMICALLY UNDERSERVED COMMU-
 7 NITY.—The term ‘economically underserved commu-
 8 nity’ means an area suffering from low income and
 9 resultant low purchasing power, limiting its ability
 10 to generate sufficient goods and services to be used
 11 in exchange with other areas to meet current con-
 12 sumption needs.

13 **“SEC. 513. AUTHORIZATION OF APPROPRIATIONS.**

14 “‘There is authorized to be appropriated to the Ad-
 15 ministrators to carry out section 511(a) \$40,000,000 for
 16 each of fiscal years 2014 through 2019.’”.

17 **Subtitle D—Promote Start-Ups Act**

18 **SEC. 131. SHORT TITLE.**

19 This subtitle may be cited as the “Promote Start-
 20 Ups Act of 2018”.

21 **SEC. 132. PERMANENT INCREASE OF LIMITATION ON DE-**
 22 **DUCTION FOR START-UP AND ORGANIZA-**
 23 **TIONAL EXPENDITURES.**

24 (a) START-UP EXPENDITURES.—

1 (1) IN GENERAL.—Section 195(b)(1)(A)(ii) of
2 the Internal Revenue Code of 1986 is amended—

3 (A) by striking “\$5,000” and inserting
4 “\$15,000”; and

5 (B) by striking “\$50,000” and inserting
6 “\$150,000”.

7 (2) CONFORMING AMENDMENT.—Section
8 195(b) of such Code is amended by striking para-
9 graph (3).

10 (b) ORGANIZATIONAL EXPENDITURES.—Section
11 248(a)(1)(B) of such Code is amended—

12 (1) by striking “\$5,000” and inserting
13 “\$10,000”; and

14 (2) by striking “\$50,000” and inserting
15 “\$60,000”.

16 (c) EFFECTIVE DATE.—The amendments made by
17 this section shall apply to amounts paid or incurred with
18 respect to—

19 (1) in the case of the amendments made by
20 subsection (a), trades or businesses beginning in tax-
21 able years beginning after December 31, 2015; and

22 (2) in the case of the amendments made by
23 subsection (b), corporations the business of which
24 begins in taxable years beginning after such date.

1 **Subtitle E—Community College to**
 2 **Career Fund Act**

3 **SEC. 141. SHORT TITLE.**

4 This subtitle may be cited as the “Community College
 5 to Career Fund Act”.

6 **SEC. 142. COMMUNITY COLLEGE TO CAREER FUND.**

7 (a) IN GENERAL.—Title I of the Workforce Innova-
 8 tion and Opportunity Act is amended by adding at the
 9 end the following:

10 **“Subtitle F—Community College to**
 11 **Career Fund**

12 **“SEC. 199. COMMUNITY COLLEGE AND INDUSTRY PARTNER-**
 13 **SHIPS PROGRAM.**

14 “(a) GRANTS AUTHORIZED.—From funds appro-
 15 priated under section 199A, the Secretary of Labor (in
 16 coordination with the Secretary of Education and the Sec-
 17 retary of Commerce) shall award competitive grants to eli-
 18 gible entities described in subsection (b) for the purpose
 19 of developing, offering, improving, and providing edu-
 20 cational or career training programs for workers.

21 “(b) ELIGIBLE ENTITY.—

22 “(1) PARTNERSHIPS WITH EMPLOYERS OR AN
 23 EMPLOYER OR INDUSTRY PARTNERSHIP.—

24 “(A) GENERAL DEFINITION.—For pur-
 25 poses of this section, an ‘eligible entity’ means

1 any of the entities described in subparagraph
2 (B) (or a consortium of any of such entities) in
3 partnership with employers or an employer or
4 industry partnership representing multiple em-
5 ployers.

6 “(B) DESCRIPTION OF ENTITIES.—The en-
7 tities described in this subparagraph are—

8 “(i) a community college;

9 “(ii) a 4-year public institution of
10 higher education (as defined in section
11 101(a) of the Higher Education Act of
12 1965 (20 U.S.C. 1001(a))) that offers 2-
13 year degrees, and that will use funds pro-
14 vided under this section for activities at
15 the certificate and associate degree levels;

16 “(iii) a Tribal College or University
17 (as defined in section 316(b) of the Higher
18 Education Act of 1965 (20 U.S.C.
19 1059c(b))); or

20 “(iv) a private or nonprofit, 2-year in-
21 stitution of higher education (as defined in
22 section 102 of the Higher Education Act
23 of 1965 (20 U.S.C. 1002)) in the Com-
24 monwealth of Puerto Rico, Guam, the
25 United States Virgin Islands, American

1 Samoa, the Commonwealth of the North-
2 ern Mariana Islands, the Republic of the
3 Marshall Islands, the Federated States of
4 Micronesia, or the Republic of Palau.

5 “(2) ADDITIONAL PARTNERS.—

6 “(A) AUTHORIZATION OF ADDITIONAL
7 PARTNERS.—In addition to partnering with em-
8 ployers or an employer or industry partnership
9 representing multiple employers as described in
10 paragraph (1)(A), an entity described in para-
11 graph (1) may include in the partnership de-
12 scribed in paragraph (1) one or more of the or-
13 ganizations described in subparagraph (B).
14 Each eligible entity that includes one or more
15 such organizations shall collaborate with the
16 State or local board in the area served by the
17 eligible entity.

18 “(B) ORGANIZATIONS.—The organizations
19 described in this subparagraph are as follows:

20 “(i) A provider of adult education (as
21 defined in section 203) or an institution of
22 higher education (as defined in section 101
23 of the Higher Education Act of 1965 (20
24 U.S.C. 1001)).

25 “(ii) A community-based organization.

1 “(iii) A joint labor-management part-
2 nership.

3 “(iv) A State or local board.

4 “(v) Any other organization that the
5 Secretaries consider appropriate.

6 “(c) EDUCATIONAL OR CAREER TRAINING PRO-
7 GRAM.—For purposes of this section, the Governor of the
8 State in which at least one of the entities described in sub-
9 section (b)(1)(B) of an eligible entity is located shall es-
10 tablish criteria for an educational or career training pro-
11 gram leading to a recognized postsecondary credential for
12 which an eligible entity submits a grant proposal under
13 subsection (d).

14 “(d) APPLICATION.—An eligible entity seeking a
15 grant under this section shall submit an application con-
16 taining a grant proposal, for an educational or career
17 training program leading to a recognized postsecondary
18 credential, to the Secretaries at such time and containing
19 such information as the Secretaries determine is required,
20 including a detailed description of—

21 “(1) the extent to which the educational or ca-
22 reer training program described in the grant pro-
23 posal fits within an overall strategic plan consisting
24 of—

1 “(A) the State plan described in section
2 102 or 103, for the State involved;

3 “(B) the local plan described in section
4 108, for each local area that comprises a sig-
5 nificant portion of the area to be served by the
6 eligible entity; and

7 “(C) a strategic plan developed by the eli-
8 gible entity;

9 “(2) the extent to which the program will meet
10 the needs of employers in the area for skilled work-
11 ers in in-demand industry sectors and occupations;

12 “(3) the extent to which the program will meet
13 the educational or career training needs of workers
14 in the area;

15 “(4) the specific educational or career training
16 program and how the program meets the criteria es-
17 tablished under subsection (e), including the manner
18 in which the grant will be used to develop, offer, im-
19 prove, and provide the educational or career training
20 program;

21 “(5) any previous experience of the eligible enti-
22 ty in providing educational or career training pro-
23 grams, the absence of which shall not automatically
24 disqualify an eligible institution from receiving a
25 grant under this section; and

1 “(6) how the program leading to the credential
2 meets the criteria described in subsection (c).

3 “(e) CRITERIA FOR AWARD.—

4 “(1) IN GENERAL.—Grants under this section
5 shall be awarded based on criteria established by the
6 Secretaries, that include the following:

7 “(A) A determination of the merits of the
8 grant proposal submitted by the eligible entity
9 involved to develop, offer, improve, and provide
10 an educational or career training program to be
11 made available to workers.

12 “(B) An assessment of the likely employ-
13 ment opportunities available in the area to indi-
14 viduals who complete an educational or career
15 training program that the eligible entity pro-
16 poses to develop, offer, improve, and provide.

17 “(C) An assessment of prior demand for
18 training programs by individuals eligible for
19 training and served by the eligible entity, as
20 well as availability and capacity of existing (as
21 of the date of the assessment) training pro-
22 grams to meet future demand for training pro-
23 grams.

1 “(2) PRIORITY.—In awarding grants under this
2 section, the Secretaries shall give priority to eligible
3 entities that—

4 “(A) include a partnership, with employers
5 or an employer or industry partnership, that—

6 “(i) pays a portion of the costs of
7 educational or career training programs; or

8 “(ii) agrees to hire individuals who
9 have attained a recognized postsecondary
10 credential resulting from the educational or
11 career training program of the eligible en-
12 tity;

13 “(B) enter into a partnership with a labor
14 organization or labor-management training pro-
15 gram to provide, through the program, tech-
16 nical expertise for occupationally specific edu-
17 cation necessary for a recognized postsecondary
18 credential leading to a skilled occupation in an
19 in-demand industry sector;

20 “(C) are focused on serving individuals
21 with barriers to employment, low-income, non-
22 traditional students, students who are dis-
23 located workers, students who are veterans, or
24 students who are long-term unemployed;

1 “(D) include any eligible entities serving
2 areas with high unemployment rates;

3 “(E) are eligible entities that include an
4 institution of higher education eligible for as-
5 sistance under title III or V of the Higher Edu-
6 cation Act of 1965 (20 U.S.C. 1051 et seq.; 20
7 U.S.C. 1101 et seq.); and

8 “(F) include a partnership, with employers
9 or an employer or industry partnership, that in-
10 creases domestic production of goods.

11 “(f) USE OF FUNDS.—Grant funds awarded under
12 this section shall be used for one or more of the following:

13 “(1) The development, offering, improvement,
14 and provision of educational or career training pro-
15 grams, that provide relevant job training for skilled
16 occupations, that lead to recognized postsecondary
17 credentials, that will meet the needs of employers in
18 in-demand industry sectors, and that may include
19 registered apprenticeship programs, on-the-job train-
20 ing programs, and programs that support employers
21 in upgrading the skills of their workforce.

22 “(2) The development and implementation of
23 policies and programs to expand opportunities for
24 students to earn a recognized postsecondary creden-

1 tial, including a degree, in in-demand industry sec-
2 tors and occupations, including by—

3 “(A) facilitating the transfer of academic
4 credits between institutions of higher education,
5 including the transfer of academic credits for
6 courses in the same field of study;

7 “(B) expanding articulation agreements
8 and policies that guarantee transfers between
9 such institutions, including through common
10 course numbering and use of a general core
11 curriculum; and

12 “(C) developing or enhancing student sup-
13 port services programs.

14 “(3) The creation of career pathway programs
15 that provide a sequence of education and occupa-
16 tional training that leads to a recognized postsec-
17 ondary credential, including a degree, including pro-
18 grams that—

19 “(A) blend basic skills and occupational
20 training;

21 “(B) facilitate means of transitioning par-
22 ticipants from noncredit occupational, basic
23 skills, or developmental coursework to for-credit
24 coursework within and across institutions;

1 “(C) build or enhance linkages, including
2 the development of dual enrollment programs
3 and early college high schools, between sec-
4 ondary education or adult education programs
5 (including programs established under the Carl
6 D. Perkins Career and Technical Education Act
7 of 2006 (20 U.S.C. 2301 et seq.) and title II
8 of this Act);

9 “(D) are innovative programs designed to
10 increase the provision of training for students,
11 including students who are members of the Na-
12 tional Guard or Reserves, to enter skilled occu-
13 pations in in-demand industry sectors; and

14 “(E) support paid internships that will
15 allow students to simultaneously earn credit for
16 work-based learning and gain relevant employ-
17 ment experience in an in-demand industry sec-
18 tor or occupation, which shall include opportu-
19 nities that transition individuals into employ-
20 ment.

21 “(4) The development and implementation of—

22 “(A) a Pay-for-Performance program that
23 leads to a recognized postsecondary credential,
24 for which an eligible entity agrees to be reim-
25 bursed under the grant primarily on the basis

1 of achievement of specified performance out-
2 comes and criteria agreed to by the Secretary;
3 or

4 “(B) a Pay-for-Success program that leads
5 to a recognized postsecondary credential, for
6 which an eligible entity—

7 “(i) enters into a partnership with an
8 investor, such as a philanthropic organiza-
9 tion that provides funding for a specific
10 project to address a clear and measurable
11 educational or career training need in the
12 area to be served under the grant; and

13 “(ii) agrees to be reimbursed under
14 the grant only if the project achieves speci-
15 fied performance outcomes and criteria
16 agreed to by the Secretary.

17 **“SEC. 199A. AUTHORIZATION OF APPROPRIATIONS.**

18 “(a) IN GENERAL.—There are authorized to be ap-
19 propriated such sums as may be necessary to carry out
20 the program established by section 199.

21 “(b) ADMINISTRATIVE COST.—Not more than 5 per-
22 cent of the amounts made available under subsection (a)
23 may be used by the Secretaries to administer the program
24 described in that subsection, including providing technical

1 assistance and carrying out evaluations for the program
2 described in that subsection.

3 “(c) PERIOD OF AVAILABILITY.—The funds appro-
4 priated pursuant to subsection (a) for a fiscal year shall
5 be available for Federal obligation for that fiscal year and
6 the succeeding 2 fiscal years.

7 **“SEC. 199B. DEFINITION.**

8 “For purposes of this subtitle, the term ‘community
9 college’ has the meaning given the term ‘junior or commu-
10 nity college’ in section 312(f) of the Higher Education Act
11 of 1965 (20 U.S.C. 1058(f)).”.

12 (b) CONFORMING AMENDMENT.—The table of con-
13 tents for the Workforce Innovation and Opportunity Act
14 is amended by inserting after the items relating to subtitle
15 E of title I the following:

“Subtitle F—Community College to Career Fund

“Sec. 199. Community college and industry partnerships program.

“Sec. 199A. Authorization of appropriations.

“Sec. 199B. Definition.”.

16 (c) EFFECTIVE DATE.—This Act, including the
17 amendments made by this Act, takes effect as if included
18 in the Workforce Innovation and Opportunity Act.

19 **Subtitle F—Youth Summer Jobs**
20 **and Public Service Act**

21 **SEC. 151. SHORT TITLE.**

22 This subtitle may be cited as the “Youth Summer
23 Jobs and Public Service Act of 2018”.

1 **SEC. 152. GRANTS TO STATES FOR SUMMER EMPLOYMENT**
2 **FOR YOUTH.**

3 Section 129 of the Workforce Innovation and Oppor-
4 tunity Act (29 U.S.C. 3164) is amended by adding at the
5 end the following:

6 “(d) GRANTS TO STATES FOR SUMMER EMPLOY-
7 MENT FOR YOUTH.—

8 “(1) IN GENERAL.—Notwithstanding any other
9 provision of this Act, from the amount appropriated
10 under paragraph (2), the Secretary shall award
11 grants to States to provide assistance to local areas
12 that have high concentrations of eligible youth to en-
13 able such local areas to carry out programs de-
14 scribed in subsection (c)(1) that provide summer
15 employment opportunities for eligible youth, which
16 are directly linked to academic and occupational
17 learning, as described in subsection (c)(2)(C). In
18 awarding grants under this subsection, a State
19 shall—

20 “(A) partner with private businesses to the
21 extent feasible to provide employment opportu-
22 nities at such businesses; and

23 “(B) prioritize jobs and work opportunities
24 that directly serve the community.

25 “(2) AUTHORIZATION OF APPROPRIATIONS.—

26 There is authorized to be appropriated

1 \$100,000,000 to carry out this subsection for each
 2 of fiscal years 2016 through 2020.”.

3 **Subtitle G—Child Poverty**
 4 **Reduction Act**

5 **SEC. 161. SHORT TITLE.**

6 This subtitle may be cited as the “Child Poverty Re-
 7 duction Act of 2018”.

8 **CHAPTER 1—FEDERAL INTERAGENCY**
 9 **WORKING GROUP ON REDUCING**
 10 **CHILD POVERTY**

11 **SEC. 162. ESTABLISHMENT OF WORKING GROUP.**

12 There is established in the Administration for Chil-
 13 dren and Families of the Department of Health and
 14 Human Services a group which shall be known as the Fed-
 15 eral Interagency Working Group on Reducing Child Pov-
 16 erty (in this Act referred to as the “Working Group”).

17 **SEC. 163. NATIONAL PLAN TO REDUCE CHILD POVERTY.**

18 (a) PRIMARY GOAL.—

19 (1) DEVELOPMENT OF NATIONAL PLAN.—The
 20 primary goal of the Working Group is to develop a
 21 national plan—

22 (A) to reduce, within 10 years after the
 23 date on which funding is made available to
 24 carry out this Act—

1 (i) the number of children living in
2 poverty in the United States to half of the
3 number of such children as reported in the
4 report of the United States Census Bureau
5 on Income, Poverty, and Health Insurance
6 Coverage in the United States: 2013
7 (issued in September 2014); and

8 (ii) the number of children living in
9 extreme poverty in the United States to
10 zero; and

11 (B) to reduce, within 20 years after the
12 date on which funds are made available to carry
13 out this Act, the number of children living in
14 poverty in the United States to zero.

15 (2) CONSULTATION WITH NATIONAL ACADEMY
16 OF SCIENCES.—In developing the national plan
17 under paragraph (1), the Working Group shall con-
18 sider all recommendations, research papers, and re-
19 ports published by the National Academy of Sciences
20 as a result of the workshops conducted pursuant to
21 title II.

22 (3) DEADLINE.—Not later than 180 days after
23 the date of the enactment of this Act, the Working
24 Group shall make substantial progress toward the
25 development of the national plan.

1 (b) ADDITIONAL GOALS.—The national plan under
2 subsection (a) shall include recommendations for achieving
3 the following goals:

4 (1) Understanding the root causes of child pov-
5 erty, including persistent intergenerational poverty,
6 taking into account social, economic, and cultural
7 factors.

8 (2) Improving the accessibility of anti-poverty
9 programs and increasing the rate of enrollment in
10 such programs among eligible children and families
11 by reducing the complexity and difficulty of enrolling
12 in such programs.

13 (3) Eliminating disparate rates of child poverty
14 based on race, ethnicity, gender, and age.

15 (4) Improving the ability of individuals living in
16 poverty, low-income individuals, and unemployed in-
17 dividuals to access quality jobs that help children
18 and their families rise above poverty.

19 (5) Connecting low-income children, discon-
20 nected youth, and their families to education, job
21 training, work, and their communities.

22 (6) Shifting the measures and policies of Fed-
23 eral anti-poverty programs from the goal of helping
24 individuals and families living in poverty to achieve
25 freedom from deprivation toward the goal of helping

1 such individuals and families rise above poverty and
2 achieve long-term economic stability.

3 (c) METHODS.—In developing the national plan
4 under subsection (a), the Working Group shall employ
5 methods for achieving the goals described in subsections
6 (a) and (b) that include—

7 (1) entering into an agreement with the Na-
8 tional Academy of Sciences for a workshop series on
9 the economic and social costs of child poverty, as de-
10 scribed in title II;

11 (2) studying the effect of child poverty on the
12 health and welfare of children, including the access
13 of children living in poverty to health care, housing,
14 proper nutrition, and education;

15 (3) measuring the effect of child poverty on the
16 ability of individuals to achieve economic stability,
17 including such effect on educational attainment,
18 rates of incarceration, lifetime earnings, access to
19 healthcare, and access to housing;

20 (4) updating and applying improved measures
21 of poverty that can meaningfully account for other
22 aspects relating to the measure of poverty, such as
23 the Supplemental Poverty Measure used by the
24 United States Census Bureau; and

1 (5) using and applying fact-based measures to
2 evaluate the long-term effectiveness of anti-poverty
3 programs, taking into account the long-term savings
4 and value to the Federal Government and to State,
5 local, and tribal governments of practices and poli-
6 cies designed to prevent poverty.

7 **SEC. 164. OTHER DUTIES.**

8 In addition to developing the national plan under sec-
9 tion 102(a), the Working Group shall—

10 (1) monitor, in consultation with the Domestic
11 Policy Council and the National Economic Council,
12 all Federal activities, programs, and services related
13 to child welfare and child poverty;

14 (2) establish guidelines, policies, goals, and di-
15 rectives related to the achievement of the goals of
16 the national plan, in consultation with nongovern-
17 mental entities providing social services to low-in-
18 come children and families, advocacy groups that di-
19 rectly represent low-income children and families,
20 policy experts, and officials of State, local, and tribal
21 governments who administer or direct policy for
22 anti-poverty programs;

23 (3) advise all relevant Federal agencies regard-
24 ing how to effectively administer and coordinate pro-
25 grams, activities, and services related to child wel-

1 fare and child poverty and how to resolve any dis-
2 putes that arise between or among such agencies as
3 a result of such administration or coordination;

4 (4) provide recommendations to the Congress
5 regarding how to ensure that Federal agencies ad-
6 ministering programs, activities, and services related
7 to child welfare and child poverty have adequate re-
8 sources to increase public awareness of such pro-
9 grams, activities, and services and how to maximize
10 enrollment of eligible individuals;

11 (5) identify methods for improving communica-
12 tion and collaboration among and between State and
13 Federal governmental entities regarding the imple-
14 mentation of State programs related to child welfare
15 and child poverty, such as State programs funded
16 under part A of title IV of the Social Security Act
17 (relating to block grants to States for temporary as-
18 sistance for needy families), and submit rec-
19 ommendations regarding such methods to relevant
20 Federal agencies and congressional committees; and

21 (6) hold hearings in different geographic re-
22 gions of the United States to collect information and
23 feedback from the public regarding personal experi-
24 ences related to child poverty and anti-poverty pro-

1 grams, and make such information and feedback
2 publicly available.

3 **SEC. 165. MEMBERSHIP.**

4 (a) NUMBER OF MEMBERS.—The Working Group
5 shall be composed of no less than 6 members.

6 (b) EXECUTIVE PAY RATE.—Each member shall be
7 an official of an executive department who occupies a posi-
8 tion for which the rate of pay is equal to or greater than
9 the rate of pay for level IV of the Executive Schedule
10 under section 5313 of title 5, United States Code.

11 (c) REQUIRED PARTICIPATION OF CERTAIN EXECU-
12 TIVE DEPARTMENTS.—The Working Group shall include
13 at least one member who is an official of each of the fol-
14 lowing executive departments:

15 (1) The Department of Justice.

16 (2) The Department of Agriculture.

17 (3) The Department of Labor.

18 (4) The Department of Health and Human
19 Services.

20 (5) The Department of Housing and Urban De-
21 velopment.

22 (6) The Department of Education.

23 (d) APPOINTMENT.—Each member shall be ap-
24 pointed by the head of the executive department that em-
25 ploys such member.

1 (e) OBTAINING OFFICIAL DATA.—On request of the
2 Chairperson, any head of a Federal agency shall furnish
3 directly to the Working Group any information necessary
4 to enable the Working Group to carry out this Act.

5 (f) TERMS.—Each member shall be appointed for the
6 life of the Working Group.

7 (g) VACANCIES.—A vacancy in the Commission shall
8 be filled in the manner in which the original appointment
9 was made.

10 (h) QUORUM.—A majority of members shall con-
11 stitute a quorum.

12 (i) CHAIRPERSON.—The Chairperson of the Working
13 Group shall be appointed by the Secretary of Health and
14 Human Services.

15 (j) MEETINGS.—

16 (1) INITIAL MEETING PERIOD.—The Working
17 Group shall meet on a monthly basis during the
18 180-day period beginning with the date on which
19 funds are made available to carry out this Act.

20 (2) SUBSEQUENT MEETINGS.—After such 180-
21 day period, the Working Group shall meet not less
22 than once every 6 months and at the call of the
23 Chairperson or a majority of members.

1 **SEC. 166. DIRECTOR AND STAFF.**

2 (a) DIRECTOR.—The Working Group shall have a Di-
3 rector who shall be appointed by the Chairperson.

4 (b) STAFF.—The Director may appoint and fix the
5 pay of additional personnel as the Director considers ap-
6 propriate.

7 (c) DUTIES.—The duties of the Director and staff
8 shall be to achieve the goals and carry out the duties of
9 the Working Group.

10 **SEC. 167. REPORTING REQUIREMENTS.**

11 (a) ANNUAL REPORT.—Not later than September 30,
12 2016, and annually thereafter, the Chairperson shall sub-
13 mit to the Congress a report describing the activities,
14 projects, and plans of the Federal Government to carry
15 out the goals of the Working Group, which shall include—

16 (1) an accounting of—

17 (A) any increase in efficiency in the deliv-
18 ery of Federal, State, local, and tribal social
19 services and benefits related to child welfare
20 and child poverty;

21 (B) any reduction in the number of chil-
22 dren living in poverty;

23 (C) any reduction in the demand for such
24 social services and benefits for which children
25 living in poverty and near poverty are eligible;
26 and

1 (D) any savings to the Federal Govern-
2 ment as a result of such increases or reduc-
3 tions;

4 (2) an accounting of any increase in the na-
5 tional rate of employment due to the efforts of the
6 Working Group;

7 (3) a summary of the efforts of each State to
8 reduce child poverty within such State, including the
9 administration of State programs funded under part
10 A of title IV of the Social Security Act (relating to
11 block grants to States for temporary assistance for
12 needy families); and

13 (4) legislative language and recommendations
14 regarding reducing child poverty and achieving the
15 other goals and duties of the Working Group.

16 (b) PUBLIC REPORTING REQUIREMENTS.—

17 (1) ANNUAL REPORT AVAILABLE TO PUBLIC.—
18 A version of the annual report required by sub-
19 section (a) shall be made publicly available.

20 (2) ANNUAL UPDATE FROM FEDERAL AGEN-
21 CIES.—The head of each relevant Federal agency
22 shall post on the public Internet Web site of such
23 agency an annual summary of any plans, activities,
24 and results of the agency related to the goals and
25 duties of the Working Group.

1 **CHAPTER 2—WORKSHOPS BY NATIONAL**
2 **ACADEMY OF SCIENCES**

3 **SEC. 168. REQUIREMENT TO ENTER INTO AGREEMENT**
4 **WITH NATIONAL ACADEMY OF SCIENCES.**

5 (a) IN GENERAL.—Not later than 90 days after the
6 date on which funds are made available to carry out this
7 Act, the Secretary of Health and Human Services shall
8 enter into an agreement with the National Academy of
9 Sciences for 2 public workshops to provide the Working
10 Group with information to assist in the development of
11 the national plan under section 102(a).

12 (b) STEERING COMMITTEE.—The agreement under
13 subsection (a) shall include the creation of a steering com-
14 mittee to plan and conduct such workshops.

15 (c) EXPERTS.—The agreement under subsection (a)
16 shall include the commission of experts to prepare re-
17 search papers that summarize and critique literature on
18 the economic and social costs of child poverty.

19 **SEC. 169. WORKSHOP TOPICS.**

20 The purpose of the workshops required by section
21 201(a) shall be to collect information and input from the
22 public on the economic and social costs of child poverty,
23 addressing topics that include—

1 (1) the macroeconomic costs of child poverty,
2 including the effects of child poverty on productivity
3 and economic output;

4 (2) the health-related costs of child poverty, in-
5 cluding the costs incurred by the Federal Govern-
6 ment and State, local, and tribal governments due to
7 child illnesses, other child medical problems, and
8 other child health-related expenditures;

9 (3) the effect of child poverty on crime rates;

10 (4) the short-term and long-term effects of
11 child poverty on the Federal budget, including out-
12 lays for anti-poverty programs;

13 (5) poverty metrics such as income poverty,
14 food insecurity, and other measures of deprivation,
15 and the role of such metrics in assessing the effects
16 of poverty and the performance of anti-poverty pro-
17 grams;

18 (6) the effect of child poverty on certain popu-
19 lation groups, including immigrants, single parent
20 families, individuals who have attained the age of 16
21 but have not attained the age of 25 with large stu-
22 dent loans, individuals living in areas of con-
23 centrated poverty, and individuals living on Indian
24 reservations; and

1 (7) the effect of child poverty on individuals
 2 and families living in extreme poverty, as compared
 3 with such effect on individuals and families living in
 4 poverty or near poverty.

5 **SEC. 170. REPORTING REQUIREMENT.**

6 (a) RESEARCH PAPERS.—The agreement under sec-
 7 tion 201(a) shall include the publication of the research
 8 papers required under such section on the public Web site
 9 of the National Academy of Sciences.

10 (b) WORKSHOP SUMMARY.—The agreement under
 11 section 201(a) shall include the publication of a summary
 12 of each workshop required under such section on the pub-
 13 lic Web site of the National Academy of Sciences.

14 **SEC. 171. AUTHORIZATION OF APPROPRIATIONS.**

15 There is authorized to be appropriated \$1,000,000 to
 16 carry out this subtitle.

17 **CHAPTER 3—DEFINITIONS**

18 **SEC. 172. DEFINITIONS.**

19 In this title:

20 (1) ANTI-POVERTY PROGRAM.—The term “anti-
 21 poverty program” means a program or institution
 22 with the primary goal of lifting children or families
 23 out of poverty and improving economic opportunities
 24 for children or families that operates in whole or in

1 part using Federal, State, local, or tribal govern-
2 ment funds.

3 (2) CHILD.—The term “child” means an indi-
4 vidual who has not attained the age of 18.

5 (3) DEPRIVATION.—The term “deprivation”
6 means, with respect to an individual, that such indi-
7 vidual lacks adequate nutrition, health care, housing,
8 or other resources to provide for basic human needs.

9 (4) DISCONNECTED YOUTH.—The term “dis-
10 connected youth” means individuals who have at-
11 tained the age of 16 but have not attained the age
12 of 25 who are unemployed and not enrolled in
13 school.

14 (5) ECONOMIC STABILITY.—The term “eco-
15 nomic stability” means, with respect to an individual
16 or family, that such individual or family has access
17 to the means and support necessary to effectively
18 cope with adverse or costly life events and to effec-
19 tively recover from the consequences of such events
20 while maintaining a decent standard of living.

21 (6) EXTREME POVERTY.—The term “extreme
22 poverty” means, with respect to an individual or
23 family, that such individual or family has a total an-
24 nual income that is less than the amount that is 50
25 percent of the official poverty threshold for such in-

1 dividual or family, as provided in the report of the
2 United States Census Bureau on Income, Poverty,
3 and Health Insurance Coverage in the United
4 States: 2013 (issued in September 2014).

5 (7) FEDERAL AGENCY.—The term “Federal
6 agency” means an executive department, a Govern-
7 ment corporation, and an independent establish-
8 ment.

9 (8) NEAR POVERTY.—The term “near poverty”
10 means, with respect to an individual or family, that
11 such individual or family has a total annual income
12 that is less than the amount that is 200 percent of
13 the official poverty threshold for such individual or
14 family, as provided in the report of the United
15 States Census Bureau on Income, Poverty, and
16 Health Insurance Coverage in the United States:
17 2013 (issued in September 2014).

18 (9) POVERTY.—The term “poverty” means,
19 with respect to an individual or family, that such in-
20 dividual or family has a total annual income that is
21 less than the amount that is the official poverty
22 threshold for such individual or family, as provided
23 in the report of the United States Census Bureau on
24 Income, Poverty, and Health Insurance Coverage in
25 the United States: 2013 (issued in September 2014).

1 **Subtitle H—Hunger-Free Summers**
2 **for Children**

3 **SEC. 181. SUMMER SNAP BENEFITS FOR MINOR CHILDREN**
4 **WHO RECEIVED FREE OR REDUCED PRICE**
5 **SCHOOL LUNCHES.**

6 Section 8(a) of the Food and Nutrition Act of 2008
7 (7 U.S.C. 2017(a)) is amended by adding at the end the
8 following:

9 “The value of the allotment for a participating household
10 that includes a minor child who as of the end of the school
11 year received free or reduced price school lunches under
12 the Richard B. Russell National School Lunch Act (42
13 U.S.C. 1751 et seq.) shall be increased for each such child
14 by \$150 for each month during which the school attended
15 by such child is not in session.”.

16 **SEC. 182. CHILD TAX CREDIT INCREASED FOR FAMILIES**
17 **UNDER 150 PERCENT OF POVERTY LINE.**

18 (a) IN GENERAL.—Section 24 of the Internal Rev-
19 enue Code of 1986 is amended by adding at the end the
20 following new subsection:

21 “(h) SPECIAL RULE FOR FAMILIES UNDER 150 PER-
22 CENT OF POVERTY LINE.—

23 “(1) IN GENERAL.—In the case of a taxpayer
24 whose adjusted gross income for the taxable year is
25 less than 150 percent of an amount equal to the

1 poverty line (as defined by the Office of Manage-
 2 ment and Budget) for a family of the size involved,
 3 subsection (a) shall be applied by substituting
 4 ‘\$2,000’ for ‘\$1,000’.

5 “(2) POVERTY LINE USED.—For purposes of
 6 this subsection, the poverty line used with respect to
 7 a taxable year shall be the most recently published
 8 poverty line during the calendar year ending before
 9 such taxable year begins.”.

10 (b) EFFECTIVE DATE.—The amendments made by
 11 this section shall apply to taxable years beginning after
 12 December 31, 2015.

13 **TITLE II—COMMUNITY**

14 **POLICING**

15 **Subtitle A—Fair Chance for Youth**

16 **SEC. 201. SHORT TITLE.**

17 This subtitle may be cited as the “Fair Chance for
 18 Youth Act of 2018”.

19 **SEC. 202. EXPUNGEMENT AND SEALING OF YOUTH CRIMI-**

20 **NAL RECORDS.**

21 Chapter 229 of title 18, United States Code, is
 22 amended by adding at the end the following:

23 “SUBCHAPTER D—EXPUNGEMENT AND
 24 SEALING OF YOUTH CRIMINAL RECORDS

“3631. Youth Offense Expungement and Sealing Review Board.

“3632. Expungement and sealing for youth.

“3633. Definitions.

“3634. Reporting.

1 **“§ 3631. Youth Offense Expungement and Sealing Re-**
 2 **view Board**

3 “(a) IN GENERAL.—The Chief Judge for each Fed-
 4 eral District shall establish—

5 “(1) a Youth Offense Expungement and Seal-
 6 ing Review Board (hereinafter in this section re-
 7 ferred to as the ‘Review Board’) to review petitions
 8 for discretionary expungement and sealing of youth
 9 offenses; and

10 “(2) the rules and procedures governing the op-
 11 eration of the Review Board in the exercise of its
 12 powers under subsection (c).

13 “(b) COMPOSITION.—The Review Board shall include
 14 one representative, selected by the Chief Judge to serve
 15 without compensation, from each of the following:

16 “(1) The Department of Justice.

17 “(2) The United States Probation and Pretrial
 18 Services System.

19 “(3) The Office of the Federal Defender or a
 20 designated Criminal Justice Act panel attorney or
 21 private criminal defense attorney.

22 “(c) POWERS.—The Review Board shall—

23 “(1) review petitions under this subchapter to
 24 determine whether the youth, and the offense on

1 which the petition is based, meet the eligibility re-
2 quirements for expungement or sealing consider-
3 ation;

4 “(2) for petitions meeting the eligibility require-
5 ments, evaluate those petitions on the merits in
6 order to make a recommendation on the advisability
7 of granting the petition; and

8 “(3) convey its recommendation, with a written
9 explanation, to the Chief Judge in each Federal Dis-
10 trict, or a designee of the Chief Judge, for consider-
11 ation.

12 “(d) RECOMMENDATION.—In making its rec-
13 ommendation, the Review Board—

14 “(1) shall consider all the evidence and testi-
15 mony presented in the petition and any hearings
16 held on the petition;

17 “(2) may not consider any arrest or prosecution
18 that did not result in a conviction and that took
19 place prior to the conviction or arrest the petitioner
20 is seeking to expunge or seal; and

21 “(3) shall balance—

22 “(A) the public safety, the interest of pub-
23 lic knowledge, and any legitimate interest of the
24 Government in maintaining the accessibility of
25 the protected information; against

1 “(B) the interest of the petitioner in hav-
2 ing the petition granted, including the benefit
3 to the petition’s ability to positively contribute
4 to the community, and the petitioner’s conduct
5 and demonstrated desire to be rehabilitated.

6 “(e) COURT TO CONSIDER AND DECIDE UPON PETI-
7 TIONS.—The Court shall consider and decide upon each
8 petition for which the court receives a recommendation
9 from the Review Board. The Court’s decision to grant or
10 deny the petition shall give significant weight to the Re-
11 view Board recommendation. The Court shall grant the
12 petition unless the Government shows the interests de-
13 scribed in subsection (d)(3)(A) outweigh the interests of
14 the petitioner described in subsection (d)(3)(B).

15 “(f) ONE OPPORTUNITY.—A youth may only file a
16 petition for expungement or sealing under this subchapter
17 once and the decision of the district court on the petition
18 shall be final and is not appealable.

19 “(g) ONLINE FORMS FOR PETITIONS.—The Director
20 of the Administrative Office of the United States Courts
21 shall create and make available to the public, online and
22 in paper form, a universal form to file a petition under
23 this section, and establish a process under which indigent
24 petitioners may obtain a waiver of any fee for filing a peti-
25 tion under this section.

1 “(h) MAKING AVAILABLE STANDARD FORMS FOR
2 COURT ORDERS.—The Director of the Administrative Of-
3 fice of the United States Courts shall create and make
4 available to the Chief Judge of every Federal district
5 standard expungement and sealing orders that empower
6 the petitioner to seek destruction of records in accordance
7 with the order.

8 **“§ 3632. Expungement and sealing for youth**

9 “(a) EXPUNGEMENT PETITION ELIGIBILITY.—A
10 youth may petition a district court of the United States
11 for expungement—

12 “(1) of the record of any misdemeanor or non-
13 violent felony drug conviction 3 years after the youth
14 has completed every term of imprisonment related to
15 that misdemeanor or nonviolent felony drug convic-
16 tion;

17 “(2) of the record of any person who has not
18 attained the age of 18 at the time of committing the
19 conduct resulting in conviction for any misdemeanor
20 or nonviolent offense 3 years after the person has
21 completed every term of imprisonment related to
22 that misdemeanor or nonviolent offense conviction;
23 and

24 “(3) of the record of an arrest or prosecution
25 for any nonviolent offense on the date on which the

1 case related to that arrest or prosecution is disposed
2 of.

3 “(b) SEALING PETITION ELIGIBILITY.—A youth may
4 petition a district court of the United States, for sealing—

5 “(1) of the record of any nonviolent conviction
6 5 years after the youth has completed every term of
7 imprisonment related to that nonviolent conviction;

8 “(2) of the record of any person who has not
9 attained the age of 18 at the time of committing the
10 conduct resulting in conviction for any offense 10
11 years after the person has completed every term of
12 imprisonment related to that offense conviction; and

13 “(3) of the record of an arrest or prosecution
14 for any nonviolent offense on the date on which the
15 case related to that arrest or prosecution is disposed
16 of.

17 “(c) NOTICE OF OPPORTUNITY TO FILE PETI-
18 TION.—A youth shall be informed of the eligibility to, pro-
19 cedures for, and benefits of filing an expungement or seal-
20 ing petition—

21 “(1) by the District Court on the date of con-
22 viction;

23 “(2) by the Office of Probation and Pretrial
24 Services on the date the youth completes every term
25 of imprisonment; or

1 “(3) if the arrest or prosecution does not result
2 in a conviction, then by the Department of Justice
3 on the date the case is disposed of.

4 “(d) GRANT OF PETITION.—If a court grants a peti-
5 tion under this section—

6 “(1) the person to whom the record pertains
7 may choose to, but is not required to, disclose the
8 existence of the record, and the offense conduct and
9 any arrest, juvenile delinquency proceeding, adju-
10 dication, conviction, or other result of such pro-
11 ceeding relating to the offense conduct, shall be
12 treated as if it never occurred;

13 “(2) the court shall destroy each paper and
14 electronic copy of the record in the possession of the
15 court;

16 “(3) the court shall issue an expungement or
17 sealing order requiring the destruction of any paper
18 and electronic copies of the record by any court, law
19 enforcement officer, law enforcement agency, treat-
20 ment or rehabilitation services agency, or employee
21 thereof in possession of those copies;

22 “(4) any entity or person listed in paragraph
23 (3) that receives an inquiry relating to the record
24 shall reply to the inquiry stating that no such record
25 exists; and

1 “(5) except as provided in subsection (f), no
2 person shall not be subject to prosecution under any
3 civil or criminal provision of Federal or State law re-
4 lating to perjury, false swearing, or making a false
5 statement for failing to acknowledge the record or
6 respond to any inquiry made of the of petitioner or
7 the parent relating to the record, for any purpose.

8 “(e) CIVIL ACTIONS.—

9 “(1) IN GENERAL.—If an individual who has a
10 record expunged or sealed under this section brings
11 an action that might be defended with the contents
12 of the record, there shall be a rebuttable presump-
13 tion that the defendant has a complete defense to
14 the action.

15 “(2) SHOWING BY PLAINTIFF.—In an action
16 described in paragraph (1), the plaintiff may rebut
17 the presumption of a complete defense by showing
18 that the contents of the record would not prevent
19 the defendant from being liable.

20 “(3) DUTY TO TESTIFY AS TO EXISTENCE OF
21 RECORD.—The court in which an action described in
22 paragraph (1) is filed may require the plaintiff to
23 state under oath whether the plaintiff had a record
24 and whether the record was expunged or sealed.

1 “(4) PROOF OF EXISTENCE OF RECORD.—If the
2 plaintiff in an action described in paragraph (1) de-
3 nied the existence of a record, the defendant may
4 prove the existence of the record in any manner
5 compatible with the applicable laws of evidence.

6 “(f) ATTORNEY GENERAL NONPUBLIC RECORDS.—
7 The Attorney General shall—

8 “(1) maintain a nonpublic database of all
9 records expunged or sealed under this subchapter;

10 “(2) disclose, access, or utilize records con-
11 tained in the nonpublic database only—

12 “(A) in defense of any civil suit arising out
13 of the facts contained in the record;

14 “(B) to determine whether the individual
15 to whom the record relates is eligible for a first-
16 time-offender diversion program;

17 “(C) for a background check that relates
18 to law enforcement employment or any employ-
19 ment that requires a Government security clear-
20 ance; or

21 “(D) if the Attorney General determines
22 that disclosure is necessary to serve the inter-
23 ests of national security; and

1 “(3) to the extent practicable, notify the indi-
2 vidual to whom the record pertains of the disclosure
3 unless it is made pursuant to paragraph (2)(D).

4 **“§ 3633. Definitions**

5 “‘In this subchapter—

6 “(1) the term ‘youth’ means an individual who
7 was 21 years of age or younger at the time of the
8 criminal offense for which the individual was ar-
9 rested, prosecuted, or sentenced;

10 “(2) the term ‘nonviolent felony’ means a Fed-
11 eral criminal felony offense that is not—

12 “(A) a crime of violence; or

13 “(B) a sex offense (as that term is defined
14 in section 111 of the Sex Offender Registration
15 and Notification Act);

16 “(3) the term ‘record’ means information,
17 whether in paper or electronic form, containing any
18 reference to—

19 “(A) an arrest, conviction, or sentence of
20 an individual for an offense;

21 “(B) the institution of juvenile delinquency
22 or criminal proceedings against an individual
23 for the offense; or

1 “(C) adjudication, conviction, or any other
2 result of juvenile delinquency or criminal pro-
3 ceedings;

4 “(4) the term ‘expunge’—

5 “(A) means to destroy a record and oblit-
6 erate the name of the person to whom the
7 record pertains from each official index or pub-
8 lic record; and

9 “(B) has the effect described in section
10 3631(g), including—

11 “(i) the right to treat an offense to
12 which an expunged record relates, and any
13 arrest, juvenile delinquency proceeding, ad-
14 judication, conviction, or other result of
15 such proceeding relating to the offense, as
16 if it never occurred; and

17 “(ii) protection from civil and criminal
18 perjury, false swearing, and false state-
19 ment laws with respect to an expunged
20 record;

21 “(5) the term ‘seal’—

22 “(A) means—

23 “(i) to close a record from public
24 viewing so that the record cannot be exam-
25 ined except by court order; and

1 “(ii) to physically seal the record shut
2 and label the record ‘SEALED’ or, in the
3 case of an electronic record, the sub-
4 stantive equivalent; and

5 “(B) has the effect described in section
6 3631(g), including—

7 “(i) the right to treat an offense to
8 which an expunged record relates, and any
9 arrest, juvenile delinquency proceeding, ad-
10 judication, conviction, or other result of
11 such proceeding relating to the offense, as
12 if it never occurred; and

13 “(ii) protection from civil and criminal
14 perjury, false swearing, and false state-
15 ment laws with respect to an expunged
16 record;

17 “(6) the term ‘conviction’—

18 “(A) means a judgment or disposition in
19 criminal court against a person following a find-
20 ing of guilt by a judge or jury; and

21 “(B) for the purposes of this section—

22 “(i) multiple convictions shall be
23 deemed to be one conviction if the convic-
24 tions result from or relate to the same act
25 or acts committed at the same time; and

1 “(ii) multiple convictions, not to ex-
2 ceed 3, that do not result from or relate to
3 the same act or acts committed at the
4 same time shall be deemed to be one con-
5 viction if the convictions result from or re-
6 late to the same indictment, information,
7 or complaint, or plea of guilty; and

8 “(7) the term ‘destroy’ means to render a file
9 unreadable, whether paper, electronic, or otherwise
10 stored, by shredding, pulverizing, pulping, incin-
11 erating, overwriting, reformatting the media, or
12 other means.

13 **“§ 3634. Reporting**

14 “Not later than 2 years after the date of enactment
15 of this subchapter, and each year thereafter, the Attorney
16 General shall issue a public report that—

17 “(1) describes—

18 “(A) the number of expungement and seal-
19 ing petitions granted and denied; and

20 “(B) the number of instances in which the
21 office of a United States attorney supported or
22 opposed an expungement or sealing petition;
23 and

1 “(2) includes any supporting data that the
2 court determines relevant but does not name any pe-
3 titioner.”.

4 **SEC. 203. RETROACTIVE EFFECT.**

5 This Act and the amendments made by this Act apply
6 with respect to youth without regard to whether they be-
7 come involved in the Federal criminal justice system be-
8 fore, on, or after the date of the enactment of this Act.

9 **Subtitle B—Youth Prison Reduc-**
10 **tion Through Opportunities,**
11 **Mentoring, Intervention, Sup-**
12 **port, and Education**

13 **SEC. 211. SHORT TITLE.**

14 This subtitle may be cited as the “Youth Prison Re-
15 duction through Opportunities, Mentoring, Intervention,
16 Support, and Education Act” or the “Youth PROMISE
17 Act”.

18 **SEC. 212. DEFINITIONS.**

19 In this subtitle:

20 (1) **ADMINISTRATOR.**—The term “Adminis-
21 trator” means the Administrator of the Office of Ju-
22 venile Justice and Delinquency Prevention.

23 (2) **COMMUNITY.**—The term “community”
24 means a unit of local government or an Indian tribe,
25 or part of such a unit or tribe, as determined by

1 such a unit or tribe for the purpose of applying for
2 a grant under this Act.

3 (3) DESIGNATED GEOGRAPHIC AREA.—The
4 term “designated geographic area” means a 5-digit
5 postal ZIP Code assigned to a geographic area by
6 the United States Postal Service.

7 (4) EVIDENCE-BASED.—

8 (A) IN GENERAL.—The term “evidence-
9 based”, when used with respect to a practice re-
10 lating to juvenile delinquency and criminal
11 street gang activity prevention and intervention,
12 means a practice (including a service, program,
13 activity, intervention, technology, or strategy)
14 for which the Administrator has determined—

15 (i) causal evidence documents a rela-
16 tionship between the practice and its in-
17 tended outcome, based on measures of the
18 direction and size of a change, and the ex-
19 tent to which a change may be attributed
20 to the practice; and

21 (ii) the use of scientific methods rules
22 out, to the extent possible, alternative ex-
23 planations for the documented change.

1 (B) SCIENTIFIC METHODS.—For the pur-
2 poses of subparagraph (A), the term “scientific
3 methods” means—

4 (i) evaluation by an experimental trial,
5 in which participants are randomly as-
6 signed to participate in the practice that is
7 subject to such trial; or

8 (ii) evaluation by a quasi-experimental
9 trial, in which the outcomes for partici-
10 pants are compared with outcomes for a
11 control group that is made up of individ-
12 uals who are similar to such participants.

13 (5) INTERVENTION.—The term “intervention”
14 means the provision of programs and services that
15 are supported by research, are evidence-based or
16 promising practices, and are provided to youth who
17 are involved in, or who are identified by evidence-
18 based risk assessment methods as being at high risk
19 of continued involvement in, juvenile delinquency or
20 criminal street gangs, as a result of indications that
21 demonstrate involvement with problems such as tru-
22 ancy, substance abuse, mental health treatment
23 needs, or siblings who have had involvement with ju-
24 venile or criminal justice systems.

1 (6) JUVENILE DELINQUENCY AND CRIMINAL
2 STREET GANG ACTIVITY PREVENTION.—The term
3 “juvenile delinquency and criminal street gang activ-
4 ity prevention” means the provision of programs and
5 resources to children and families who have not yet
6 had substantial contact with criminal justice or juve-
7 nile justice systems, that—

8 (A) are designed to reduce potential juve-
9 nile delinquency and criminal street gang activ-
10 ity risks; and

11 (B) are evidence-based or promising edu-
12 cational, health, mental health, school-based,
13 community-based, faith-based, parenting, job
14 training, social opportunities and experiences,
15 or other programs, for youth and their families,
16 that have been demonstrated to be effective in
17 reducing juvenile delinquency and criminal
18 street gang activity risks.

19 (7) PROMISING.—The term “promising”, when
20 used with respect to a practice relating to juvenile
21 delinquency and criminal street gang activity preven-
22 tion and intervention, means a practice (including a
23 service, program, activity, intervention, technology,
24 or strategy) that, based on statistical analyses or a

1 theory of change, the Administrator has deter-
2 mined—

3 (A) has outcomes from an evaluation that
4 demonstrate such practice reduces juvenile de-
5 linquency and criminal street gang activity; and

6 (B) is part of a study being conducted to
7 determine if such a practice is evidence-based.

8 (8) STATE.—The term “State” means each of
9 the several States, the District of Columbia, the
10 Commonwealth of Puerto Rico, the Virgin Islands,
11 American Samoa, Guam, the Northern Mariana Is-
12 lands, and any other territories or possessions of the
13 United States.

14 (9) THEORY OF CHANGE.—The term “theory of
15 change” means a program planning strategy ap-
16 proved by the Administrator that outlines the types
17 of interventions and outcomes essential to achieving
18 a set of program goals.

19 (10) YOUTH.—The term “youth” means—

20 (A) an individual who is 18 years of age or
21 younger; or

22 (B) in any State in which the maximum
23 age at which the juvenile justice system of such
24 State has jurisdiction over individuals exceeds

1 18 years of age, an individual who is such max-
2 imum age or younger.

3 **SEC. 213. FINDINGS.**

4 The Congress finds as follows:

5 (1) Youth gang crime has taken a toll on a
6 number of communities, and senseless acts of gang-
7 related violence have imposed economic, social, and
8 human costs.

9 (2) Drug- and alcohol-dependent youth, and
10 youth dually diagnosed with addiction and mental
11 health disorders, are more likely to become involved
12 with the juvenile justice system than youth without
13 such risk factors, absent appropriate prevention and
14 intervention services.

15 (3) Children of color are over-represented rel-
16 ative to the general population at every stage of the
17 juvenile justice system. Black youth are 17 percent
18 of the United States population, but represent 38
19 percent of youth in secure placement juvenile facili-
20 ties, and 58 percent of youth incarcerated in adult
21 prisons.

22 (4) Research funded by the Department of Jus-
23 tice indicates that gang membership is short-lived
24 among adolescents. With very few youth remaining

1 gang-involved throughout their adolescent years, on-
2 going opportunities for intervention exist.

3 (5) Criminal justice costs have become burden-
4 some in many States and cities, requiring reductions
5 in vital educational, social, welfare, mental health,
6 and related services.

7 (6) Direct expenditures for each of the major
8 criminal justice functions, police, corrections, and ju-
9 dicial services, have increased steadily over the last
10 30 years. In fiscal year 2012, Federal, State, and
11 local governments spent an estimated
12 \$265,000,000,000 for police protection, corrections,
13 and judicial and legal services, nearly a 213-percent
14 increase since 1982.

15 (7) Estimates suggest that each year the
16 United States incurs over \$8,000,000,000 in long-
17 term costs for the confinement of young people. The
18 average annual cost to incarcerate one youth is
19 \$146,302.

20 (8) Coordinated efforts of stakeholders in the
21 juvenile justice system in a local community, to-
22 gether with other organizations and community
23 members concerned with the safety and welfare of
24 children, have a strong record of demonstrated suc-
25 cess in reducing the impact of youth and gang-re-

1 lated crime and violence, as demonstrated in Boston,
2 Massachusetts; Chicago, Illinois; Richmond, Vir-
3 ginia; Los Angeles, California; and other commu-
4 nities.

5 (9) Investment in prevention and intervention
6 programs for children and youth, including quality
7 early childhood programs, comprehensive evidence-
8 based school, after school, and summer school pro-
9 grams, mentoring programs, mental health and
10 treatment programs, evidence-based job training
11 programs, and alternative intervention programs,
12 has been shown to lead to decreased youth arrests,
13 decreased delinquency, lower recidivism, and greater
14 financial savings from an educational, economic, so-
15 cial, and criminal justice perspective.

16 (10) Quality early childhood education pro-
17 grams have been demonstrated to help children start
18 school ready to learn and to reduce delinquency and
19 criminal street gang activity risks.

20 (11) Evidence-based mentoring programs have
21 been shown to prevent youth drug abuse and vio-
22 lence.

23 (12) Evidence-based school-based comprehen-
24 sive instructional programs that pair youth with re-

1 sponsible adult mentors have been shown to have a
2 strong impact upon delinquency prevention.

3 (13) After-school programs that connect chil-
4 dren to caring adults and that provide constructive
5 activities during the peak hours of juvenile delin-
6 quency and criminal street gang activity, between 3
7 p.m. and 6 p.m., have been shown to reduce delin-
8 quency and the attendant costs imposed on the juve-
9 nile and criminal justice systems.

10 (14) States with higher levels of educational at-
11 tainment have been shown to have crime rates lower
12 than the national average. Researchers have found
13 that a 5-percent increase in male high school grad-
14 uation rates would produce an annual estimated sav-
15 ings of \$18,500,000,000 in crime-related expenses.

16 (15) Therapeutic programs that engage and
17 motivate high-risk youth and their families to
18 change behaviors that often result in criminal activ-
19 ity have been shown to significantly reduce recidi-
20 vism among juvenile offenders, and significantly re-
21 duce the attendant costs of crime and delinquency
22 imposed upon the juvenile and criminal justice sys-
23 tems.

24 (16) Comprehensive programs that target kids
25 who are already serious juvenile offenders by ad-

1 dressing the multiple factors in peer, school, neigh-
2 borhood, and family environments known to be re-
3 lated to delinquency can reduce recidivism among ju-
4 venile offenders and save the public significant eco-
5 nomic costs.

6 (17) There are many alternatives to incarceration
7 of youth that have been proven to be more ef-
8 fective in reducing crime and violence at the Na-
9 tional, State, local, and tribal levels, and the failure
10 to provide for such effective alternatives is a perva-
11 sive problem that leads to increased youth, and later
12 adult, crime and violence.

13 (18) Savings achieved through early interven-
14 tion and prevention are significant, especially when
15 noncriminal justice social, educational, mental
16 health, and economic outcomes are considered.

17 (19) The prevention of child abuse and neglect
18 can help stop a cycle of violence and save up to
19 \$5.00 for every \$1.00 invested in preventing such
20 abuse and neglect.

21 (20) Targeting interventions at special youth
22 risk groups and focusing upon relatively low-cost
23 interventions increases the probability of fiscal ben-
24 efit.

1 (21) Evidence-based intervention treatment fa-
 2 cilities have been shown to reduce youth delinquency
 3 and to be cost-effective.

4 (22) States, including Wisconsin, Ohio, New
 5 York, Texas, and Pennsylvania, have seen a reduc-
 6 tion in juvenile incarceration due to a reallocation of
 7 criminal justice funds towards prevention programs.

8 **CHAPTER 1—FEDERAL COORDINATION OF**
 9 **LOCAL AND TRIBAL JUVENILE JUS-**
 10 **TICE INFORMATION AND EFFORTS**

11 **SEC. 214. PROMISE ADVISORY PANEL.**

12 (a) ORGANIZATION OF STATE ADVISORY GROUP
 13 MEMBER REPRESENTATIVES.—Section 223(f) of the Ju-
 14 venile Justice and Delinquency Prevention Act of 1974
 15 (42 U.S.C. 5633(f)) is amended—

16 (1) in paragraph (1), by striking “an eligible
 17 organization composed of member representatives of
 18 the State advisory groups appointed under sub-
 19 section (a)(3)” and inserting “a nonpartisan, non-
 20 profit organization that is described in section
 21 501(c)(3) of the Internal Revenue Code of 1986,”;
 22 and

23 (2) by amending paragraph (2) to read as fol-
 24 lows:

1 “(2) ASSISTANCE.—To be eligible to receive
2 such assistance, such organization shall—

3 “(A) be governed by individuals who—

4 “(i) have been appointed by a chief
5 executive of a State to serve as a State ad-
6 visory group member under subsection
7 (a)(3); and

8 “(ii) are elected to serve as a gov-
9 erning officer of such organization by a
10 majority of the Chairs (or Chair-designees)
11 of all such State advisory groups;

12 “(B) include member representatives from
13 a majority of such State advisory groups, who
14 shall be representative of regionally and demo-
15 graphically diverse States and jurisdictions;

16 “(C) annually seek appointments by the
17 chief executive of each State of one State advi-
18 sory group member and one alternate State ad-
19 visory group member from each such State to
20 implement the advisory functions specified in
21 clauses (iv) and (v) of subparagraph (D), in-
22 cluding serving on the PROMISE Advisory
23 Panel, and make a record of any such appoint-
24 ments available to the public; and

1 “(D) agree to carry out activities that in-
2 clude—

3 “(i) conducting an annual conference
4 of such member representatives for pur-
5 poses relating to the activities of such
6 State advisory groups;

7 “(ii) disseminating information, data,
8 standards, advanced techniques, and pro-
9 gram models;

10 “(iii) reviewing Federal policies re-
11 garding juvenile justice and delinquency
12 prevention;

13 “(iv) advising the Administrator with
14 respect to particular functions or aspects
15 of the work of the Office, and appointing
16 a representative, diverse group of members
17 of such organization under subparagraph
18 (C) to serve as an advisory panel of State
19 juvenile justice advisors (referred to as the
20 ‘PROMISE Advisory Panel’) to carry out
21 the functions specified in subsection (g);
22 and

23 “(v) advising the President and Con-
24 gress with regard to State perspectives on
25 the operation of the Office and Federal

1 legislation pertaining to juvenile justice
2 and delinquency prevention.”.

3 (b) PROMISE ADVISORY PANEL.—Section 223 of
4 the Juvenile Justice and Delinquency Prevention Act of
5 1974 (42 U.S.C. 5633) is further amended by adding at
6 the end the following new subsection:

7 “(g) PROMISE ADVISORY PANEL.—

8 “(1) FUNCTIONS.—The PROMISE Advisory
9 Panel required under subsection (f)(2)(D) shall—

10 “(A) assess successful evidence-based and
11 promising practices related to juvenile delin-
12 quency and criminal street gang activity preven-
13 tion and intervention carried out by PROMISE
14 Coordinating Councils under such Act;

15 “(B) provide the Administrator with a list
16 of individuals and organizations with experience
17 in administering or evaluating practices that
18 serve youth involved in, or at risk of involve-
19 ment in, juvenile delinquency and criminal
20 street gang activity, from which the Adminis-
21 trator shall select individuals who shall—

22 “(i) provide to the Administrator peer
23 reviews of applications submitted by units
24 of local government and Indian tribes pur-
25 suant to title II of such Act, to ensure that

1 such applications demonstrate a clear plan
2 to—

3 “(I) serve youth as part of an en-
4 tire family unit; and

5 “(II) coordinate the delivery of
6 service to youth among agencies; and

7 “(ii) advise the Administrator with re-
8 spect to the award and allocation of
9 PROMISE Planning grants to local and
10 tribal governments that develop PROMISE
11 Coordinating Councils, and of PROMISE
12 Implementation grants to such PROMISE
13 Coordinating Councils, pursuant to title II
14 of such Act; and

15 “(C) develop performance standards to be
16 used to evaluate programs and activities carried
17 out with grants under title II of the Youth
18 PROMISE Act, including the evaluation of
19 changes achieved as a result of such programs
20 and activities related to decreases in juvenile
21 delinquency and criminal street gang activity,
22 including—

23 “(i) prevention of involvement by at-
24 risk youth in juvenile delinquency or crimi-
25 nal street gang activity;

1 “(ii) diversion of youth with a high
2 risk of continuing involvement in juvenile
3 delinquency or criminal street gang activ-
4 ity; and

5 “(iii) financial savings from deferred
6 or eliminated costs, or other benefits, as a
7 result of such programs and activities, and
8 the reinvestment by the unit or tribe of
9 any such savings.

10 “(2) ANNUAL REPORT.—Not later than 18
11 months after the date of the enactment of the Youth
12 PROMISE Act, and annually thereafter, the PROM-
13 ISE Advisory Panel shall prepare a report con-
14 taining the findings and determinations under para-
15 graph (1)(A) and shall submit such report to Con-
16 gress, the President, the Attorney General, and the
17 chief executive and chief law enforcement officer of
18 each State, unit of local government, and Indian
19 tribe.”.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
21 299(a)(1) of the Juvenile Justice and Delinquency Preven-
22 tion Act of 1974 (42 U.S.C. 5671(a)(1)) is amended by
23 striking “2003, 2004, 2005, 2006, and 2007” and insert-
24 ing “2016 through 2020”.

1 **SEC. 215. GEOGRAPHIC ASSESSMENT OF RESOURCE ALLO-**
2 **CATION.**

3 (a) GRANT FOR COLLECTION OF DATA TO DETER-
4 MINE NEED.—Subject to the availability of appropria-
5 tions, the Administrator shall award a grant, on a com-
6 petitive basis, to an organization to—

7 (1) collect and analyze data related to the exist-
8 ing juvenile delinquency and criminal street gang ac-
9 tivity prevention and intervention needs and re-
10 sources in each designated geographic area;

11 (2) use the data collected and analyzed under
12 paragraph (1) to compile a list of designated geo-
13 graphic areas that have the most need of resources,
14 based on such data, to carry out juvenile delin-
15 quency and criminal street gang activity prevention
16 and intervention;

17 (3) use the data collected and analyzed under
18 paragraph (1) to rank the areas listed under para-
19 graph (2) in descending order by the amount of need
20 for resources to carry out juvenile delinquency and
21 criminal street gang activity prevention and inter-
22 vention, ranking the area with the greatest need for
23 such resources highest; and

24 (4) periodically update the list and rankings
25 under paragraph (3) as the Administrator deter-
26 mines to be appropriate.

1 (b) DATA SOURCES.—In compiling such list and de-
2 termining such rankings, the organization shall collect and
3 analyze data relating to juvenile delinquency and criminal
4 street gang activity prevention and intervention—

5 (1) using the geographic information system
6 and Web-based mapping application known as the
7 Socioeconomic Mapping and Resource Topography
8 (SMART) system;

9 (2) from the Department of Health and Human
10 Services, the Department of Labor, the Department
11 of Housing and Urban Development, and the De-
12 partment of Education; and

13 (3) from the annual KIDS Count Data Book
14 and other data made available by the KIDS Count
15 initiative of the Annie E. Casey Foundation.

16 (c) USE OF DATA BY THE ADMINISTRATOR.—The list
17 and rankings required by this section shall be provided
18 to the Administrator to be used to provide funds under
19 this Act in the most strategic and effective manner to en-
20 sure that resources and services are provided to youth in
21 the communities with the greatest need for such resources
22 and services.

23 (d) LIMITATION ON USE OF COLLECTED DATA.—
24 The information collected and analyzed under this section
25 may not be used for any purpose other than to carry out

1 the purposes of this Act. Such information may not be
2 used for any purpose related to the investigation or pros-
3 ecution of any person, or for profiling of individuals based
4 on race, ethnicity, socio-economic status, or any other
5 characteristic.

6 (e) AUTHORIZATION AND LIMITATION OF APPRO-
7 PRIATIONS.—Of the amount made available under section
8 224 to carry out this Act—

9 (1) for fiscal year 2016, not more than 5 per-
10 cent of such amount, or \$1,000,000, whichever is
11 less, shall be made available to carry out this sec-
12 tion; and

13 (2) for fiscal years 2017 through 2020, not
14 more than 2 percent of such amount, or \$400,000,
15 whichever is less, shall be made available to carry
16 out this section.

17 **CHAPTER 2—PROMISE GRANTS**

18 **SEC. 216. PURPOSES.**

19 The purposes of the grant programs established
20 under this chapter are to—

21 (1) enable local and tribal communities to as-
22 sess the unmet needs of youth who are involved in,
23 or are at risk of involvement in, juvenile delinquency
24 or criminal street gangs;

- 1 (2) develop plans appropriate for a community
2 to address those unmet needs with juvenile delin-
3 quency and gang prevention and intervention prac-
4 tices; and
- 5 (3) implement and evaluate such plans in a
6 manner consistent with this Act.

7 **Subchapter A—PROMISE Assessment and**
8 **Planning Grants**

9 **SEC. 217. PROMISE ASSESSMENT AND PLANNING GRANTS**
10 **AUTHORIZED.**

11 (a) GRANTS AUTHORIZED.—The Administrator is
12 authorized to award grants to units of local government
13 and Indian tribes to assist PROMISE Coordinating Coun-
14 cils with planning and assessing evidence-based and prom-
15 ising practices relating to juvenile delinquency and crimi-
16 nal street gang activity prevention and intervention, espe-
17 cially for youth who are involved in, or who are at risk
18 of involvement in, juvenile delinquency and criminal street
19 gang activity. Such PROMISE Coordinating Councils
20 shall—

- 21 (1) conduct an objective needs and strengths
22 assessment in accordance with section 203; and
- 23 (2) develop a PROMISE Plan in accordance
24 with section 204, based on the assessment conducted
25 in accordance with section 203.

1 (b) GRANT DURATION, AMOUNT, AND ALLOCA-
2 TION.—

3 (1) DURATION.—A grant awarded under this
4 section shall be for a period not to exceed one year.

5 (2) MAXIMUM GRANT AMOUNT.—A grant
6 awarded under this section shall not exceed
7 \$300,000.

8 (c) ALLOCATION.—

9 (1) MINIMUM ALLOCATION.—Subject to the
10 availability of appropriations, the Administrator
11 shall ensure that the total funds allocated under this
12 section to units of local governments and Indian
13 tribes in a State shall not be less than \$1,000,000.

14 (2) RATABLE REDUCTION.—If the amount
15 made available for grants under this section for any
16 fiscal year is less than the amount required to pro-
17 vide the minimum allocation of funds under para-
18 graph (1) to units of local government and Indian
19 tribes in each State, then the amount of such min-
20 imum allocation shall be ratably reduced.

21 **SEC. 218. PROMISE COORDINATING COUNCILS.**

22 To be eligible to receive a grant under this subtitle,
23 a unit of local government or an Indian tribe shall estab-
24 lish a PROMISE Coordinating Council for each commu-
25 nity of such unit or tribe, respectively, for which such unit

1 or tribe is applying for a grant under this subtitle. Each
2 such community shall include one or more designated geo-
3 graphic areas identified on the list required under section
4 102(a)(2). The members of such a PROMISE Coordi-
5 nating Council shall be representatives of public and pri-
6 vate sector entities and individuals that—

7 (1) shall include, to the extent possible, at least
8 one representative from each of the following:

9 (A) the local chief executive's office;

10 (B) a local educational agency;

11 (C) a local health agency or provider;

12 (D) a local mental health agency or pro-
13 vider, unless the representative under subpara-
14 graph (C) also meets the requirements of this
15 subparagraph;

16 (E) a local public housing agency;

17 (F) a local law enforcement agency;

18 (G) a local child welfare agency;

19 (H) a local juvenile court;

20 (I) a local juvenile prosecutor's office;

21 (J) a private juvenile residential care enti-
22 ty;

23 (K) a local juvenile public defender's office;

24 (L) a State juvenile correctional entity;

1 (M) a local business community represent-
 2 ative; and

3 (N) a local faith-based community rep-
 4 resentative;

5 (2) shall include two representatives from each
 6 of the following:

7 (A) parents who have minor children, and
 8 who have an interest in the local juvenile or
 9 criminal justice systems;

10 (B) youth between the ages of 15 and 24
 11 who reside in the jurisdiction of the unit or
 12 tribe; and

13 (C) members from nonprofit community-
 14 based organizations that provide effective delin-
 15 quency prevention and intervention to youth in
 16 the jurisdiction of the unit or tribe; and

17 (3) may include other members, as the unit or
 18 tribe determines to be appropriate.

19 **SEC. 219. NEEDS AND STRENGTHS ASSESSMENT.**

20 (a) **ASSESSMENT.**—Each PROMISE Coordinating
 21 Council receiving funds from a unit of local government
 22 or Indian tribe under this subtitle shall conduct an objec-
 23 tive strengths and needs assessment of the resources of
 24 the community for which such PROMISE Coordinating
 25 Council was established, to identify the unmet needs of

1 youth in the community with respect to evidence-based
2 and promising practices related to juvenile delinquency
3 and criminal street gang activity prevention and interven-
4 tion. The PROMISE Coordinating Council shall consult
5 with a research partner receiving a grant under section
6 302 for assistance with such assessment. Such assessment
7 shall include, with respect to the community for which
8 such PROMISE Coordinating Council was established—

9 (1) the number of youth who are at-risk of in-
10 volvement in juvenile delinquency or street gang ac-
11 tivity;

12 (2) the number of youth who are involved in ju-
13 venile delinquency or criminal street gang activity,
14 including the number of such youth who are at high
15 risk of continued involvement;

16 (3) youth unemployment rates during the sum-
17 mer;

18 (4) the number of individuals on public finan-
19 cial assistance (including a breakdown of the num-
20 bers of men, women, and children on such assist-
21 ance);

22 (5) the estimated number of youth who are
23 chronically truant;

24 (6) the number of youth who have dropped out
25 of school in the previous year;

1 (7) for the year before such assessment, the es-
2 timated total amount expended (by the community
3 and other entities) for the incarceration of offenders
4 who were convicted or adjudicated delinquent for an
5 offense that was committed in such community, in-
6 cluding amounts expended for the incarceration of
7 offenders in prisons, jails, and juvenile facilities that
8 are located in the United States but are not located
9 in such community;

10 (8) a comparison of the amount under para-
11 graph (7) with an estimation of the amount that
12 would be expended for the incarceration of offenders
13 described in such paragraph if the number of offend-
14 ers described in such paragraph was equal to the na-
15 tional average incarceration rate per 100,000 popu-
16 lation; and

17 (9) a description of evidence-based and prom-
18 ising practices related to juvenile delinquency and
19 criminal street gang activity prevention available for
20 youth in the community, including school-based pro-
21 grams, after school programs (particularly programs
22 that have activities available for youth between 3
23 p.m. and 6 p.m. in the afternoon), weekend activities
24 and programs, youth mentoring programs, faith and

1 community-based programs, summer activities, and
2 summer jobs, if any; and

3 (10) a description of evidence-based and prom-
4 ising intervention practices available for youth in the
5 community.

6 (b) LIMITATION ON USE OF ASSESSMENT INFORMA-
7 TION.—Information gathered pursuant to this section may
8 be used for the sole purpose of developing a PROMISE
9 Plan in accordance with this subtitle.

10 **SEC. 220. PROMISE PLAN COMPONENTS.**

11 (a) IN GENERAL.—Each PROMISE Coordinating
12 Council receiving funds from a unit of local government
13 or Indian tribe under this subtitle shall develop a PROM-
14 ISE Plan to provide for the coordination of, and, as appro-
15 priate, to support the delivery of, evidence-based and
16 promising practices related to juvenile delinquency and
17 criminal street gang activity prevention and intervention
18 to youth and families who reside in the community for
19 which such PROMISE Coordinating Council was estab-
20 lished. Such a PROMISE Plan shall—

21 (1) include the strategy by which the PROM-
22 ISE Coordinating Council plans to prioritize and al-
23 locate resources and services toward the unmet
24 needs of youth in the community, consistent with the
25 needs and available resources of communities with

1 the greatest need for assistance, as determined pur-
2 suant to section 102;

3 (2) include a combination of evidence-based and
4 promising prevention and intervention practices that
5 are responsive to the needs of the community; and

6 (3) ensure that cultural and linguistic needs of
7 the community are met.

8 (b) MANDATORY COMPONENTS.—Each PROMISE
9 Plan shall—

10 (1) include a plan to connect youth identified in
11 paragraphs (1) and (2) of section 204(a) to evi-
12 dence-based and promising practices related to juve-
13 nile delinquency and criminal street gang activity
14 prevention and intervention;

15 (2) identify the amount or percentage of local
16 funds that are available to the PROMISE Coordi-
17 nating Council to carry out the PROMISE Plan;

18 (3) provide strategies to improve indigent de-
19 fense delivery systems, with particular attention
20 given to groups of children who are disproportion-
21 ately represented in the State delinquency system
22 and Federal criminal justice system, as compared to
23 the representation of such groups in the general
24 population of the State;

1 (4) provide for training (which complies with
2 the American Bar Association Juvenile Justice
3 Standards for the representation and care of youth
4 in the juvenile justice system) of prosecutors, de-
5 fenders, probation officers, judges and other court
6 personnel related to issues concerning the develop-
7 mental needs, challenges, and potential of youth in
8 the juvenile justice system (including training re-
9 lated to adolescent development and mental health
10 issues, and the expected impact of evidence-based
11 practices and cost reduction strategies);

12 (5) ensure that the number of youth involved in
13 the juvenile delinquency and criminal justice systems
14 does not increase as a result of the activities under-
15 taken with the funds provided under this subtitle;

16 (6) describe the coordinated strategy that will
17 be used by the PROMISE Coordinating Council to
18 provide at-risk youth with evidence-based and prom-
19 ising practices related to juvenile delinquency and
20 criminal street gang activity prevention and inter-
21 vention;

22 (7) propose the performance evaluation process
23 to be used to carry out section 211(d), which shall
24 include performance measures to assess efforts to
25 address the unmet needs of youth in the community

1 with evidence-based and promising practices related
2 to juvenile delinquency and criminal street gang ac-
3 tivity prevention and intervention; and

4 (8) identify the research partner the PROMISE
5 Coordinating Council will use to obtain information
6 on evidence-based and promising practices related to
7 juvenile delinquency and criminal street gang activ-
8 ity prevention and intervention, and for the evalua-
9 tion under section 211(d) of the results of the activi-
10 ties carried out with funds under this subtitle.

11 (c) VOLUNTARY COMPONENTS.—In addition to the
12 components under subsection (b), a PROMISE Plan may
13 include evidence-based or promising practices related to
14 juvenile delinquency and criminal street gang activity pre-
15 vention and intervention in the following categories:

16 (1) Early childhood development services (such
17 as prenatal and neonatal health services), early
18 childhood prevention, voluntary home visiting pro-
19 grams, nurse-family partnership programs, par-
20 enting and healthy relationship skills training, child
21 abuse prevention programs, Early Head Start, and
22 Head Start.

23 (2) Child protection and safety services (such as
24 foster care and adoption assistance programs), fam-

1 ily stabilization programs, child welfare services, and
2 family violence intervention programs.

3 (3) Youth and adolescent development services,
4 including job training and apprenticeship programs,
5 job placement and retention training, education and
6 after school programs (such as school programs with
7 shared governance by students, teachers, and par-
8 ents, and activities for youth between the hours of
9 3 p.m. and 6 p.m. in the afternoon), mentoring pro-
10 grams, conflict resolution skills training, sports,
11 arts, life skills, employment and recreation pro-
12 grams, summer jobs, and summer recreation pro-
13 grams, and alternative school resources for youth
14 who have dropped out of school or demonstrate
15 chronic truancy.

16 (4) Health and mental health services, includ-
17 ing cognitive behavioral therapy, play therapy, and
18 peer mentoring and counseling.

19 (5) Substance abuse counseling and treatment
20 services, including harm-reduction strategies.

21 (6) Emergency, transitional, and permanent
22 housing assistance (such as safe shelter and housing
23 for runaway and homeless youth).

24 (7) Targeted gang prevention, intervention, and
25 exit services such as tattoo removal, successful mod-

1 els of anti-gang crime outreach programs (such as
 2 “street worker” programs), and other criminal street
 3 gang truce or peacemaking activities.

4 (8) Training and education programs for preg-
 5 nant teens and teen parents.

6 (9) Restorative justice programs.

7 (10) Alternatives to detention and confinement
 8 programs (such as mandated participation in com-
 9 munity service, restitution, counseling, and intensive
 10 individual and family therapeutic approaches).

11 (11) Prerelease, postrelease, and reentry serv-
 12 ices to assist detained and incarcerated youth with
 13 transitioning back into and reentering the commu-
 14 nity.

15 **SEC. 221. AUTHORIZATION OF APPROPRIATIONS.**

16 For fiscal years 2016 through 2020, of the amount
 17 made available under section 224 to carry out this Act
 18 for any fiscal year, not more than 15 percent shall be
 19 made available to carry out this subtitle.

20 **Subchapter B—PROMISE Implementation** 21 **Grants**

22 **SEC. 222. PROMISE IMPLEMENTATION GRANTS AUTHOR-** 23 **IZED.**

24 (a) PROMISE IMPLEMENTATION GRANTS AUTHOR-
 25 IZED.—The Administrator of the Office of Juvenile Jus-

1 tice and Delinquency Prevention is authorized to award
2 grants to units of local government and Indian tribes to
3 assist PROMISE Coordinating Councils with imple-
4 menting PROMISE Plans developed pursuant to subtitle
5 A.

6 (b) GRANT DURATION AND AMOUNT.—

7 (1) DURATION.—A grant awarded under this
8 subtitle shall be for a 3-year period.

9 (2) MAXIMUM GRANT AMOUNT.—A grant
10 awarded under this subtitle shall not be for more
11 than \$10,000,000 per year for each year of the
12 grant period.

13 (c) NON-FEDERAL FUNDS REQUIRED.—For each fis-
14 cal year during the 3-year grant period for a grant under
15 this subtitle, each unit of local government or Indian tribe
16 receiving such a grant for a PROMISE Coordinating
17 Council shall provide, from non-Federal funds, in cash or
18 in kind, 25 percent of the costs of the activities carried
19 out with such grant.

20 (d) EVALUATION.—Of any funds provided to a unit
21 of local government or an Indian tribe for a grant under
22 this subtitle, not more than \$100,000 shall be used to pro-
23 vide a contract to a competitively selected organization to
24 assess the progress of the unit or tribe in addressing the

1 unmet needs of youth in the community, in accordance
 2 with the performance measures under section 204(b)(7).

3 **SEC. 223. PROMISE IMPLEMENTATION GRANT APPLICA-**
 4 **TION REQUIREMENTS.**

5 (a) APPLICATION REQUIRED.—To be eligible to re-
 6 ceive a PROMISE Implementation grant under this sub-
 7 title, a unit of local government or Indian tribe that re-
 8 ceived a PROMISE Assessment and Planning grant under
 9 subtitle A shall submit an application to the Administrator
 10 of the Office of Juvenile Justice and Delinquency Preven-
 11 tion not later than 1 year after the date such unit of local
 12 government or Indian tribe was awarded such grant under
 13 subtitle A, in such manner, and accompanied by such in-
 14 formation, as the Administrator, after consultation with
 15 the organization under section 223(f)(1) of the Juvenile
 16 Justice and Delinquency Prevention Act of 1974 (42
 17 U.S.C. 5633(f)(1)), may require.

18 (b) CONTENTS OF APPLICATION.—Each application
 19 submitted under subsection (a) shall—

20 (1) identify potential savings from criminal jus-
 21 tice costs, public assistance costs, and other costs
 22 avoided by utilizing evidence-based and promising
 23 practices related to juvenile delinquency and crimi-
 24 nal street gang activity prevention and intervention;

25 (2) document—

1 (A) investment in evidence-based and
2 promising practices related to juvenile delin-
3 quency and criminal street gang activity preven-
4 tion and intervention to be provided by the unit
5 of local government or Indian tribe;

6 (B) the activities to be undertaken with
7 the grants funds;

8 (C) any expected efficiencies in the juvenile
9 justice or other local systems to be attained as
10 a result of implementation of the programs
11 funded by the grant; and

12 (D) outcomes from such activities, in
13 terms of the expected numbers related to re-
14 duced criminal activity;

15 (3) describe how savings sustained from invest-
16 ment in prevention and intervention practices will be
17 reinvested in the continuing implementation of the
18 PROMISE Plan; and

19 (4) provide an assurance that the local fiscal
20 contribution with respect to evidence-based and
21 promising practices related to juvenile delinquency
22 and criminal street gang activity prevention and
23 intervention in the community for which the PROM-
24 ISE Coordinating Council was established for each
25 year of the grant period will not be less than the

1 local fiscal contribution with respect to such prac-
2 tices in the community for the year preceding the
3 first year of the grant period.

4 **SEC. 224. GRANT AWARD GUIDELINES.**

5 (a) SELECTION AND DISTRIBUTION.—Grants award-
6 ed under this subtitle shall be awarded on a competitive
7 basis. The Administrator shall—

8 (1) take such steps as may be necessary to en-
9 sure that grants are awarded to units of local gov-
10 ernments and Indian tribes in areas with the highest
11 concentrations of youth who are—

12 (A) at risk of involvement in juvenile delin-
13 quency or criminal street gang activity; and

14 (B) involved in juvenile delinquency or
15 street gang activity and who are at high-risk of
16 continued involvement; and

17 (2) give consideration to the need for grants to
18 be awarded to units of local governments and Indian
19 tribes in each region of the United States, and
20 among urban, suburban, and rural areas.

21 (b) EXTENSION OF GRANT AWARD.—The Adminis-
22 trator may extend the grant period under section
23 211(b)(1) for a PROMISE Implementation grant to a unit
24 of local government or an Indian tribe, in accordance with
25 regulations issued by the Administrator.

1 (c) RENEWAL OF GRANT AWARD.—Subject to the
2 availability of appropriations, the Administrator may
3 renew a PROMISE Implementation grant to a unit of
4 local government or an Indian tribe to provide such unit
5 or tribe with additional funds to continue implementation
6 of a PROMISE Plan. Such a renewal—

7 (1) shall be initiated by an application for re-
8 newal from a unit of local government or an Indian
9 tribe;

10 (2) shall be carried out in accordance with reg-
11 ulations issued by the Administrator; and

12 (3) shall not be granted unless the Adminis-
13 trator determines such a renewal to be appropriate
14 based on the results of the evaluation conducted
15 under section 223(a) with respect to the community
16 of such unit or tribe for which a PROMISE Coordi-
17 nating Council was established, and for which such
18 unit or tribe is applying for renewal.

19 **SEC. 225. REPORTS.**

20 Not later than 1 year after the end of the grant pe-
21 riod for which a unit of local government or an Indian
22 tribe receives a PROMISE Implementation grant, and an-
23 nually thereafter for as long as such unit or tribe con-
24 tinues to receive Federal funding for a PROMISE Coordi-
25 nating Council, such unit or tribe shall report to the Ad-

1 administrator regarding the use of Federal funds to imple-
 2 ment the PROMISE Plan developed under subtitle A.

3 **SEC. 226. AUTHORIZATION OF APPROPRIATIONS.**

4 For fiscal years 2016 through 2020, of the amount
 5 made available under section 224 to carry out this Act
 6 for any fiscal year, not more than 75 percent shall be
 7 made available to carry out this subtitle.

8 **Subchapter C—General PROMISE Grant**
 9 **Provisions**

10 **SEC. 227. NONSUPPLANTING CLAUSE.**

11 A unit of local government or Indian tribe receiving
 12 a grant under this title shall use such grant only to supple-
 13 ment, and not supplant, the amount of funds that, in the
 14 absence of such grant, would be available to address the
 15 needs of youth in the community with respect to evidence-
 16 based and promising practices related to juvenile delin-
 17 quency and criminal street gang activity prevention and
 18 intervention.

19 **SEC. 228. GRANT APPLICATION REVIEW PANEL.**

20 The Administrator of the Office of Juvenile Justice
 21 and Delinquency Prevention, in conjunction with the
 22 PROMISE Advisory Panel, shall establish and utilize a
 23 transparent, reliable, and valid system for evaluating ap-
 24 plications for PROMISE Assessment and Planning grants
 25 and for PROMISE Implementation grants, and shall de-

1 termine which applicants meet the criteria for funding,
2 based primarily on a determination of greatest need (in
3 accordance with section 102), with due consideration to
4 other enumerated factors and the indicated ability of the
5 applicant to successfully implement the program described
6 in the application.

7 **SEC. 229. EVALUATION OF PROMISE GRANT PROGRAMS.**

8 (a) **EVALUATION REQUIRED.**—Subject to the avail-
9 ability of appropriations under this title, the Adminis-
10 trator shall, in consultation with the organization provided
11 assistance under section 223(f)(1) of the Juvenile Justice
12 and Delinquency Prevention Act of 1974 (42 U.S.C.
13 5633(f)(1)), provide for an evaluation of the programs and
14 activities carried out with grants under this title. In car-
15 rying out this section, the Administrator shall—

16 (1) award grants to institutions of higher edu-
17 cation (including institutions that are eligible to re-
18 ceive funds under part F of title III of the Higher
19 Education Act of 1965 (20 U.S.C. 1067q et seq.)),
20 to facilitate the evaluation process and measurement
21 of achieved outcomes;

22 (2) identify evidence-based and promising prac-
23 tices used by PROMISE Coordinating Councils
24 under PROMISE Implementation grants that have
25 proven to be effective in preventing involvement in,

1 or diverting further involvement in, juvenile delin-
2 quency or criminal street gang activity; and

3 (3) ensure—

4 (A) that such evaluation is based on the
5 performance standards that are developed by
6 the PROMISE Advisory Panel in accordance
7 with section 223(g) of the Juvenile Justice and
8 Delinquency Prevention Act of 1974 (as added
9 by section 101(b) of this Act);

10 (B) the development of longitudinal and
11 clinical trial evaluation and performance meas-
12 urements with regard to the evidence-based and
13 promising practices funded under this title; and

14 (C) the dissemination of the practices iden-
15 tified in paragraph (2) to the National Re-
16 search Center for Proven Juvenile Justice Prac-
17 tices (established under section 301), units of
18 local government, and Indian tribes to promote
19 the use of such practices by such units and
20 tribes to prevent involvement in, or to divert
21 further involvement in, juvenile delinquency or
22 criminal street gang activity.

23 (b) RESULTS TO THE NATIONAL RESEARCH CENTER
24 FOR PROVEN JUVENILE JUSTICE PRACTICES.—The Ad-
25 ministrator shall provide the results of the evaluation

1 under subsection (a) to the National Research Center for
 2 Proven Juvenile Justice Practices established under sec-
 3 tion 301.

4 **SEC. 230. RESERVATION OF FUNDS.**

5 For fiscal years 2016 through 2020, not more than
 6 20 percent of the total amount appropriated to the Office
 7 of Juvenile Justice and Delinquency Prevention to carry
 8 out Youth Mentoring Programs for each fiscal year shall
 9 be made available to carry out this Act.

10 **CHAPTER 3—PROMISE RESEARCH**
 11 **CENTERS**

12 **SEC. 231. ESTABLISHMENT OF THE NATIONAL RESEARCH**
 13 **CENTER FOR PROVEN JUVENILE JUSTICE**
 14 **PRACTICES.**

15 (a) CENTER ESTABLISHED.—Subject to the avail-
 16 ability of appropriations, the Administrator shall award a
 17 grant to a nonprofit organization with a national reputa-
 18 tion for expertise in operating or evaluating effective, evi-
 19 dence-based practices related to juvenile delinquency and
 20 criminal street gang activity prevention or intervention to
 21 develop a National Research Center for Proven Juvenile
 22 Justice Practices. Such Center shall—

23 (1) collaborate with institutions of higher edu-
 24 cation as regional partners to create a best practices
 25 juvenile justice information-sharing network to sup-

1 port the programs and activities carried out with
2 grants under title II of this Act;

3 (2) collect, and disseminate to PROMISE Co-
4 ordinating Councils, research and other information
5 about evidence-based and promising practices related
6 to juvenile delinquency and criminal street gang ac-
7 tivity prevention and intervention to inform the ef-
8 forts of PROMISE Coordinating Councils and re-
9 gional research partners and to support the pro-
10 grams and activities carried out with grants under
11 title II of this Act;

12 (3) increase the public's knowledge and under-
13 standing of effective juvenile justice practices to pre-
14 vent crime and delinquency and reduce recidivism;
15 and

16 (4) develop, manage, and regularly update a
17 site to disseminate proven practices for successful
18 juvenile delinquency prevention and intervention.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—Of the
20 amount made available under section 224 to carry out this
21 Act—

22 (1) for fiscal year 2016, not more than 2.5 per-
23 cent of such amount shall be made available to carry
24 out this section; and

1 (2) for fiscal years 2017 through 2020, not
2 more than 4 percent of such amount shall be made
3 available to carry out this section.

4 **SEC. 232. GRANTS FOR REGIONAL RESEARCH PROVEN**
5 **PRACTICES PARTNERSHIPS.**

6 (a) GRANT PROGRAM AUTHORIZED.—The Adminis-
7 trator shall, subject to the availability of appropriations,
8 establish a grant program to award grants to institutions
9 of higher education to serve as regional research partners
10 with PROMISE Coordinating Councils that are located in
11 the same geographic region as an institution, in collabora-
12 tion with the National Research Center for Proven Juve-
13 nile Justice Practices authorized under section 301. Re-
14 gional research partners shall provide research support to
15 such PROMISE Coordinating Councils, including—

16 (1) assistance with preparing PROMISE grant
17 applications under title II, including collection of
18 baseline data for such applications;

19 (2) assistance with the needs and strengths as-
20 sessments conducted under section 203; and

21 (3) provision of support services to PROMISE
22 grant recipients for data collection and analysis to
23 assess progress under the PROMISE grant.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Of the
2 amount made available under section 224 to carry out this
3 Act—

4 (1) for fiscal year 2016, not more than 2.5 per-
5 cent of such amount shall be made available to carry
6 out this section; and

7 (2) for fiscal years 2017 through 2020, not
8 more than 4 percent of such amount shall be made
9 available to carry out this section.

10 **Subtitle C—Safe Streets and**
11 **Representative Police Forces**

12 **SEC. 241. SHORT TITLE.**

13 This subtitle may be cited as the “Safe Streets and
14 Representative Police Forces Act of 2015”.

15 **SEC. 242. GRANTS TO INCREASE THE RACIAL DIVERSITY OF**
16 **LAW ENFORCEMENT AGENCIES.**

17 Section 1701(b) of the Omnibus Crime Control and
18 Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)) is amend-
19 ed—

20 (1) in paragraph (16), by striking “and” at the
21 end;

22 (2) by redesignating paragraph (17) as para-
23 graph (18);

24 (3) by inserting after paragraph (16) the fol-
25 lowing:

1 “(17) to increase the racial diversity of law en-
2 forcement agencies by awarding grants to institu-
3 tions of higher education (as such term is defined in
4 section 101(a) of the Higher Education Act of 1965
5 (20 U.S.C. 1001)), with priority given to Predomi-
6 nantly Black Institutions (as such term is defined in
7 section 318 of the Higher Education Act of 1965
8 (20 U.S.C. 1059e)), historically Black colleges and
9 universities (as such term is defined in section 631
10 of the Higher Education Act of 1965 (20 U.S.C.
11 1132)), institutions of higher education at which not
12 less than 40 percent of the enrolled students are
13 Latino, and institutions of higher education at which
14 not less than 40 percent of the enrolled students are
15 Native American, to support majors related to crimi-
16 nal justice, including psychology, sociology, prelaw,
17 and criminal justice majors; and”;

18 (4) in paragraph (18), as so redesignated, by
19 striking “paragraphs (1) through (16)” and insert-
20 ing “paragraphs (1) through (17)”.

1 **TITLE III—COMMON SENSE GUN**
2 **VIOLENCE PREVENTION**
3 **Subtitle A—Hadiya Pendleton and**
4 **Nyasias Pryear-Yard Gun Traf-**
5 **ficking and Crime Prevention**

6 **SEC. 301. SHORT TITLE.**

7 This subtitle may be cited as the “Hadiya Pendleton
8 and Nyasias Pryear-Yard Gun Trafficking and Crime Pre-
9 vention Act of 2018”.

10 **SEC. 302. FIREARMS TRAFFICKING.**

11 (a) IN GENERAL.—Chapter 44 of title 18, United
12 States Code, is amended by adding at the end the fol-
13 lowing:

14 **“§ 932. Trafficking in firearms**

15 “(a) OFFENSES.—It shall be unlawful for any person,
16 regardless of whether anything of value is exchanged—

17 “(1) to ship, transport, transfer, or otherwise
18 dispose to a person, two or more firearms in or af-
19 fecting interstate or foreign commerce, if the trans-
20 feror knows or has reasonable cause to believe that
21 such use, carry, possession, or disposition of the fire-
22 arm would be in violation of, or would result in a
23 violation of any Federal, State, or local law punish-
24 able by a term of imprisonment exceeding 1 year;

1 “(2) to receive from a person, two or more fire-
2 arms in or affecting interstate or foreign commerce,
3 if the recipient knows or has reasonable cause to be-
4 lieve that such receipt would be in violation of, or
5 would result in a violation of any Federal, State, or
6 local law punishable by a term of imprisonment ex-
7 ceeding 1 year;

8 “(3) to make a statement to a licensed im-
9 porter, licensed manufacturer, or licensed dealer re-
10 lating to the purchase, receipt, or acquisition from
11 a licensed importer, licensed manufacturer, or li-
12 censed dealer of two or more firearms that have
13 moved in or affected interstate or foreign commerce
14 that—

15 “(A) is material to—

16 “(i) the identity of the actual buyer of
17 the firearms; or

18 “(ii) the intended trafficking of the
19 firearms; and

20 “(B) the person knows or has reasonable
21 cause to believe is false; or

22 “(4) to direct, promote, or facilitate conduct
23 specified in paragraph (1), (2), or (3).

24 “(b) PENALTIES.—

1 “(1) IN GENERAL.—Any person who violates, or
 2 conspires to violate, subsection (a) shall be fined
 3 under this title, imprisoned for not more than 20
 4 years, or both.

5 “(2) ORGANIZER ENHANCEMENT.—If a viola-
 6 tion of subsection (a) is committed by a person in
 7 concert with five or more other persons with respect
 8 to whom such person occupies a position of orga-
 9 nizer, a supervisory position, or any other position of
 10 management, such person may be sentenced to an
 11 additional term of imprisonment of not more than 5
 12 consecutive years.

13 “(c) DEFINITIONS.—In this section—

14 “(1) the term ‘actual buyer’ means the indi-
 15 vidual for whom a firearm is being purchased, re-
 16 ceived, or acquired; and

17 “(2) the term ‘term of imprisonment exceeding
 18 1 year’ does not include any offense classified by the
 19 applicable jurisdiction as a misdemeanor and punish-
 20 able by a term of imprisonment of 2 years or less.”.

21 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 22 The table of sections for chapter 44 of title 18, United
 23 States Code, is amended by adding at the end the fol-
 24 lowing:

“932. Trafficking in firearms.”.

25 (c) DIRECTIVE TO THE SENTENCING COMMISSION.—

1 (1) IN GENERAL.—Pursuant to its authority
2 under section 994(p) of title 28, United States Code,
3 the United States Sentencing Commission shall re-
4 view and, if appropriate, amend the Federal sen-
5 tencing guidelines and policy statements applicable
6 to persons convicted of offenses under section 932 of
7 title 18, United States Code (as added by subsection
8 (a)).

9 (2) REQUIREMENTS.—In carrying out this sec-
10 tion, the Commission shall—

11 (A) review the penalty structure that the
12 guidelines currently provide based on the num-
13 ber of firearms involved in the offense and de-
14 termine whether any changes to that penalty
15 structure are appropriate in order to reflect the
16 intent of Congress that such penalties reflect
17 the gravity of the offense; and

18 (B) review and amend, if appropriate, the
19 guidelines and policy statements to reflect the
20 intent of Congress that guideline penalties for
21 violations of section 932 of title 18, United
22 States Code, and similar offenses be increased
23 substantially when committed by a person who
24 is a member of a gang, cartel, organized crime
25 ring, or other such enterprise or in concert with

1 another person who is a member of a gang, car-
2 tel, organized crime ring or other such enter-
3 prise.

4 **Subtitle B—Report on Effects of**
5 **Gun Violence on Public Health**

6 **SEC. 311. REPORT ON EFFECTS OF GUN VIOLENCE ON PUB-**
7 **LIC HEALTH.**

8 Not later than 1 year after the date of the enactment
9 of this Act, and annually thereafter, the Surgeon General
10 of the Public Health Service shall submit to Congress a
11 report on the effects on public health of gun violence in
12 the United States during the relevant period, and the sta-
13 tus of actions taken to address such effects.

14 **SEC. 312. PROHIBITION ON CERTAIN AMENDMENTS TO AP-**
15 **PROPRIATIONS MEASURES.**

16 Clause 2 of rule XXI of the Rules of the House of
17 Representatives is amended by adding at the end the fol-
18 lowing new paragraph:

19 “(g) A provision prohibiting the use of funds to
20 study the public health effects of gun violence may
21 not be reported in a general appropriation bill and
22 may not be in order in any amendment thereto.”.

1 **Subtitle C—Keeping Guns From**
2 **High-Risk Individuals**

3 **SEC. 321. SHORT TITLE.**

4 This subtitle may be cited as the “Keeping Guns
5 from High-Risk Individuals Act”.

6 **SEC. 322. FIREARM PROHIBITIONS APPLICABLE WITH RE-**
7 **SPECT TO CERTAIN HIGH-RISK INDIVIDUALS.**

8 (a) SALES OR OTHER DISPOSITIONS.—Section
9 922(d) of title 18, United States Code, is amended in the
10 first sentence—

11 (1) by striking “or” at the end of paragraph
12 (8);

13 (2) by striking the period at the end of para-
14 graph (9) and inserting a semicolon; and

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

16 “(10) in the most recent 10-year period, has
17 been convicted in any court of a crime of violence
18 (as defined in section 16);

19 “(11) has not attained 25 years of age, and has
20 been adjudicated by any court as having committed
21 an offense that would have been a crime of violence
22 (as defined in section 16) if committed by an adult;

23 “(12) in any period of 3 consecutive years in
24 the most recent 10-year period, has been convicted
25 in any court, on 2 separate occasions, of an offense

1 that has, as an element, the possession or distribu-
2 tion of, or the intent to possess or distribute, alcohol
3 or a controlled substance (as so defined); or

4 “(13) has been convicted in any court of stalk-
5 ing.”.

6 (b) POSSESSION, SHIPMENT, TRANSPORTATION, OR
7 RECEIPT.—Section 922(g) of such title is amended—

8 (1) by striking “or” at the end of paragraph
9 (8);

10 (2) by striking the comma at the end of para-
11 graph (9) and inserting a semicolon; and

12 (3) by inserting after paragraph (9) the fol-
13 lowing:

14 “(10) who, in the most recent 10-year period,
15 has been convicted in any court of a crime of vio-
16 lence (as defined in section 16);

17 “(11) who has not attained 25 years of age and
18 has been adjudicated by any court as having com-
19 mitted an offense that would have been a crime of
20 violence (as defined in section 16) if committed by
21 an adult;

22 “(12) who, in any period of 3 consecutive years
23 in the most recent 10-year period, has been con-
24 victed in any court, on 2 separate occasions, of an
25 offense that has, as an element, the possession or

1 distribution of, or the intent to possess or distribute,
 2 alcohol or a controlled substance (as so defined); or
 3 “(13) who has been convicted in any court of
 4 stalking,”.

5 **Subtitle D—Strengthening Gun** 6 **Checks Act**

7 **SEC. 341. SHORT TITLE; TABLE OF CONTENTS.**

8 This subtitle may be cited as the “Strengthening Gun
 9 Checks Act of 2018”.

10 **CHAPTER 1—ENSURING THAT ALL INDIVIDUALS WHO SHOULD BE PROHIBITED FROM BUYING A GUN ARE LISTED IN THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM**

15 **SEC. 342. STATES TO MAKE DATA ELECTRONICALLY AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.**

18 (a) IN GENERAL.—Section 102(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note)
 19 is amended to read as follows:
 20

21 “(b) IMPLEMENTATION PLAN.—

22 “(1) IN GENERAL.—Within 1 year after the
 23 date of the enactment of this subsection, the Attorney General, in coordination with the States, shall
 24 establish, for each State or Indian tribal govern-
 25

1 ment, a plan to ensure maximum coordination and
2 automation of the reporting of records or making of
3 records available to the National Instant Criminal
4 Background Check System established under section
5 103 of the Brady Handgun Violence Prevention Act,
6 during a 4-year period specified in the plan.

7 “(2) BENCHMARK REQUIREMENTS.—Each such
8 plan shall include annual benchmarks, including
9 qualitative goals and quantitative measures, to en-
10 able the Attorney General to assess implementation
11 of the plan.”.

12 (b) INCENTIVE GRANTS FOR RAPID COMPLIANCE.—
13 Section 506 of the Omnibus Crime Control and Safe
14 Streets Act of 1968 (42 U.S.C. 3756) is amended by add-
15 ing at the end the following:

16 “(c) Of the total amount made available to carry out
17 this subpart for a fiscal year, the Attorney General shall
18 reserve not more than \$50,000,000 for incentive grants
19 by the Attorney General to States that comply with section
20 102(b) of the NICS Improvement Amendments Act of
21 2007 (18 U.S.C. 922 note), in accordance with the fol-
22 lowing:

23 “(1) During the 4-year period covered by a plan
24 established under such section, if the State meets
25 the benchmark established under paragraph (2) of

1 such section, the State may receive an incentive
2 grant under this paragraph.

3 “(2) The Attorney General shall allocate the
4 amounts reserved under this section equally among
5 each State receiving an incentive grant.”.

6 **SEC. 343. REQUIREMENT THAT FEDERAL AGENCIES CER-**
7 **TIFY THAT THEY HAVE SUBMITTED TO THE**
8 **NATIONAL INSTANT CRIMINAL BACKGROUND**
9 **CHECK SYSTEM ALL RECORDS IDENTIFYING**
10 **PERSONS PROHIBITED FROM PURCHASING**
11 **FIREARMS UNDER FEDERAL LAW.**

12 Section 103(e)(1) of the Brady Handgun Violence
13 Prevention Act (18 U.S.C. 922 note) is amended by add-
14 ing at the end the following:

15 “(F) SEMIANNUAL CERTIFICATION AND
16 REPORTING.—

17 “(i) IN GENERAL.—The head of each
18 Federal department or agency shall submit
19 to the Attorney General a written certifi-
20 cation indicating whether the department
21 or agency has provided to the Attorney
22 General the pertinent information con-
23 tained in any record of any person that the
24 department or agency was in possession of
25 during the time period addressed by the

1 report demonstrating that the person falls
2 within a category described in subsection
3 (g) or (n) of section 922 of title 18, United
4 States Code.

5 “(ii) SUBMISSION DATES.—The head
6 of a Federal department or agency shall
7 submit a certification under clause (i)—

8 “(I) not later than July 31 of
9 each year, which shall address any
10 record the department or agency was
11 in possession of during the period be-
12 ginning on January 1 of the year and
13 ending on June 30 of the year; and

14 “(II) not later than January 31
15 of each year, which shall address any
16 record the department or agency was
17 in possession of during the period be-
18 ginning on July 1 of the previous year
19 and ending on December 31 of the
20 previous year.

21 “(iii) CONTENTS.—A certification re-
22 quired under clause (i) shall state, for the
23 applicable period—

24 “(I) the number of records of the
25 Federal department or agency dem-

1 onstrating that a person fell within
2 each of the categories described in
3 section 922(g) of title 18, United
4 States Code;

5 “(II) the number of records of
6 the Federal department or agency
7 demonstrating that a person fell with-
8 in the category described in section
9 922(n) of title 18, United States
10 Code; and

11 “(III) for each category of
12 records described in subclauses (I)
13 and (II), the total number of records
14 of the Federal department or agency
15 that have been provided to the Attor-
16 ney General.”.

17 **SEC. 344. ADJUDICATED AS A MENTAL DEFECTIVE.**

18 (a) IN GENERAL.—Section 921(a) of title 18, United
19 States Code, is amended by adding at the end the fol-
20 lowing:

21 “(36) The term ‘adjudicated as a mental defective’
22 shall—

23 “(A) have the meaning given the term in sec-
24 tion 478.11 of title 27, Code of Federal Regulations,
25 or any successor thereto; and

1 “(B) include an order by a court, board, com-
2 mission, or other lawful authority that a person, in
3 response to mental illness, incompetency, or marked
4 subnormal intelligence, be compelled to receive serv-
5 ices—

6 “(i) including counseling, medication, or
7 testing to determine compliance with prescribed
8 medications; and

9 “(ii) not including testing for use of alco-
10 hol or for abuse of any controlled substance or
11 other drug.

12 “(37) The term ‘committed to a mental institution’
13 shall have the meaning given the term in section 478.11
14 of title 27, Code of Federal Regulations, or any successor
15 thereto.”.

16 (b) LIMITATION.—An individual who has been adju-
17 dicated as a mental defective before the effective date de-
18 scribed in section 203 may not apply for relief from dis-
19 ability under section 101(c)(2) of the NICS Improvement
20 Amendments Act of 2007 (18 U.S.C. 922 note) on the
21 basis that the individual does not meet the requirements
22 in section 921(a)(36) of title 18, United States Code, as
23 added by subsection (a).

24 (c) NICS IMPROVEMENT AMENDMENTS ACT OF
25 2007.—Section 3 of the NICS Improvement Amendments

1 Act of 2007 (18 U.S.C. 922 note) is amended by striking
2 paragraph (2) and inserting the following:

3 “(2) MENTAL HEALTH TERMS.—

4 “(A) IN GENERAL.—Except as provided in
5 subparagraph (B), the terms ‘adjudicated as a
6 mental defective’ and ‘committed to a mental
7 institution’ shall have the meaning given the
8 terms in section 921(a) of title 18, United
9 States Code.

10 “(B) EXCEPTION.—For purposes of sec-
11 tions 102 and 103, the terms ‘adjudicated as a
12 mental defective’ and ‘committed to a mental
13 institution’ shall have the same meanings as on
14 the day before the date of enactment of the Fix
15 Gun Checks Act of 2018 until the end of the
16 2-year period beginning on such date of enact-
17 ment.”.

18 **SEC. 345. CLARIFICATION THAT FEDERAL COURT INFOR-**
19 **MATION IS TO BE MADE AVAILABLE TO THE**
20 **NATIONAL INSTANT CRIMINAL BACKGROUND**
21 **CHECK SYSTEM.**

22 Section 103(e)(1) of the Brady Handgun Violence
23 Protection Act (18 U.S.C. 922 note), as amended by sec-
24 tion 102 of this Act, is amended by adding at the end
25 the following:

1 “(G) APPLICATION TO FEDERAL
2 COURTS.—In this paragraph—

3 “(i) the terms ‘department or agency
4 of the United States’ and ‘Federal depart-
5 ment or agency’ include a Federal court;
6 and

7 “(ii) for purposes of any request, sub-
8 mission, or notification, the Director of the
9 Administrative Office of the United States
10 Courts shall perform the functions of the
11 head of the department or agency.”.

12 **CHAPTER 2—REQUIRING A BACKGROUND**
13 **CHECK FOR EVERY FIREARM SALE**

14 **SEC. 346. PURPOSE.**

15 The purpose of this chapter is to extend the Brady
16 Law background check procedures to all sales and trans-
17 fers of firearms.

18 **SEC. 347. FIREARMS TRANSFERS.**

19 (a) IN GENERAL.—Section 922 of title 18, United
20 States Code, is amended—

21 (1) by striking subsection (s) and redesignating
22 subsection (t) as subsection (s);

23 (2) in subsection (s), as so redesignated—

24 (A) in paragraph (3)(C)(ii), by striking

25 “(as defined in subsection (s)(8))”; and

1 (B) by adding at the end the following:

2 “(7) In this subsection, the term ‘chief law en-
3 forcement officer’ means the chief of police, the
4 sheriff, or an equivalent officer or the designee of
5 any such individual.”; and

6 (3) by inserting after subsection (s), as so re-
7 designated, the following:

8 “(t)(1) It shall be unlawful for any person who is not
9 a licensed importer, licensed manufacturer, or licensed
10 dealer to transfer a firearm to any other person who is
11 not so licensed, unless a licensed importer, licensed manu-
12 facturer, or licensed dealer has first taken possession of
13 the firearm for the purpose of complying with subsection
14 (s). Upon taking possession of the firearm, the licensee
15 shall comply with all requirements of this chapter as if
16 the licensee were transferring the firearm from the inven-
17 tory of the licensee to the unlicensed transferee.

18 “(2) Paragraph (1) shall not apply to—

19 “(A) a transfer of a firearm by or to any law
20 enforcement agency or any law enforcement officer,
21 armed private security professional, or member of
22 the armed forces, to the extent the officer, profes-
23 sional, or member is acting within the course and
24 scope of employment and official duties;

1 “(B) a transfer between spouses, between do-
2 mestic partners, between parents and their children,
3 between siblings, or between grandparents and their
4 grandchildren;

5 “(C) a transfer to an executor, administrator,
6 trustee, or personal representative of an estate or a
7 trust that occurs by operation of law upon the death
8 of another person;

9 “(D) a temporary transfer that is necessary to
10 prevent imminent death or great bodily harm, if the
11 possession by the transferee lasts only as long as im-
12 mediately necessary to prevent the imminent death
13 or great bodily harm;

14 “(E) a transfer that is approved by the Attor-
15 ney General under section 5812 of the Internal Rev-
16 enue Code of 1986;

17 “(F) a temporary transfer if the transferor has
18 no reason to believe that the transferee will use or
19 intends to use the firearm in a crime or is prohibited
20 from possessing firearms under State or Federal
21 law, and the transfer takes place and the trans-
22 feree’s possession of the firearm is exclusively—

23 “(i) at a shooting range or in a shooting
24 gallery or other area designated and built for
25 the purpose of target shooting;

“(ii) while hunting, trapping, or fishing, if the hunting, trapping, or fishing is legal in all places where the transferee possesses the firearm and the transferee holds all licenses or permits required for such hunting, trapping, or fishing; or

“(iii) while in the presence of the transferor.

Nothing in this section shall be construed to preempt any State criminal statutory or case law related to self-defense, heat of passion, or any other justifying or mitigation action in a crime or potential crime involving a firearm.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 922.—Section 922(y)(2) of such title is amended in the matter preceding subparagraph (A), by striking “, (g)(5)(B), and (s)(3)(B)(v)(II)” and inserting “and (g)(5)(B)”.

(2) SECTION 925A.—Section 925A of such title is amended in the matter preceding paragraph (1), by striking “subsection (s) or (t) of section 922” and inserting “section 922(s)”.

(c) EFFECTIVE DATE.—The amendment made by subsection (a)(4) shall take effect 180 days after the date of the enactment of this Act.

1 **SEC. 348. LOST AND STOLEN REPORTING.**

2 (a) IN GENERAL.—Section 922 of title 18, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 “(aa) It shall be unlawful for any person who lawfully
6 possesses or owns a firearm that has been shipped or
7 transported in, or has been possessed in or affecting, inter-
8 state or foreign commerce, to fail to report the theft or
9 loss of the firearm, within 48 hours after the person dis-
10 covers the theft or loss, to the Attorney General and to
11 the appropriate local authorities.”.

12 (b) PENALTY.—Section 924(a)(1)(B) of such title is
13 amended to read as follows:

14 “(B) knowingly violates subsection (a)(4),
15 (f), (k), (q), or (aa) of section 922;”.

16 **Subtitle E—Background Check**
17 **Completion Act**

18 **SEC. 351. SHORT TITLE.**

19 This subtitle may be cited as the “Background Check
20 Completion Act”.

1 **SEC. 352. ELIMINATION OF REQUIREMENT THAT A FIRE-**
2 **ARMS DEALER TRANSFER A FIREARM IF THE**
3 **NATIONAL INSTANT CRIMINAL BACKGROUND**
4 **CHECK SYSTEM HAS BEEN UNABLE TO COM-**
5 **plete A BACKGROUND CHECK OF THE PRO-**
6 **SPECTIVE TRANSFEREE WITHIN 3 BUSINESS**
7 **DAYS.**

8 Section 922(t)(1)(B) of title 18, United States Code,
9 is amended—

- 10 (1) by striking “(i)”;
- 11 (2) by striking “; or” and inserting “; and”;
- 12 and
- 13 (3) by striking clause (ii).

○