

115TH CONGRESS
1ST SESSION

H. R. 445

To establish a gun buyback grant program.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 11, 2017

Mr. DEUTCH (for himself, Mr. QUIGLEY, and Mr. CONNOLLY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish a gun buyback grant program.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Buyback Our Safety
5 Act”.

6 **SEC. 2. GUN BUYBACK GRANT PROGRAM.**

7 (a) IN GENERAL.—The Attorney General, through
8 the Assistant Attorney General for the Office of Justice
9 Programs of the Department of Justice, shall establish a
10 gun buyback grant program under which the Assistant At-
11 torney General may make grants to law enforcement agen-
12 cies of States, units of local government, and Indian tribal

1 governments to assist in funding gun buyback programs
2 carried out by such agencies.

3 (b) GUN BUYBACK PROGRAM DEFINED.—For pur-
4 poses of this section, the term “gun buyback program”
5 means, with respect to a law enforcement agency of a
6 State, unit of local government, or Indian tribal govern-
7 ment, a program carried out by such agency under which
8 guns are purchased or surrendered to such agency.

9 (c) APPLICATIONS.—A law enforcement agency de-
10 scribed in subsection (a) desiring a grant under this sec-
11 tion shall submit to the Assistant Attorney General for
12 the Office of Justice Programs an application for the
13 grant, in accordance with subsection (d) and which shall
14 be in such form and contain such information as the As-
15 sistant Attorney General may require.

16 (d) REQUIREMENTS.—The Assistant Attorney Gen-
17 eral may make a grant under this section to a law enforce-
18 ment agency described in subsection (a), with respect to
19 a gun buyback program, only if the application submitted
20 under subsection (c) by such agency provides assurances
21 that—

- 22 (1) the law enforcement agency will adequately
23 advertise such program to the public;
- 24 (2) such program will be administered by law
25 enforcement personnel;

1 (3) all guns received through such program will
2 remain in the possession of law enforcement per-
3 sonnel;

4 (4) adequate safeguards will be established and
5 followed to prevent the occurrence of fraud in such
6 program;

7 (5) the law enforcement agency will have in
8 place a process to test on site a gun purchased from
9 an individual through such program before payment
10 is provided to such individual; and

11 (6) an adequate process will be in place to de-
12 stroy all guns received through such program.

13 (e) MATCHING REQUIREMENT.—

14 (1) IN GENERAL.—Subject to paragraph (2), to
15 be eligible for a grant under this section, a law en-
16 forcement agency must certify that the law enforce-
17 ment agency will match all Federal funds provided
18 under such grant with an equal amount of cash or
19 in-kind goods or services from other non-Federal
20 sources.

21 (2) WAIVER.—The Assistant Attorney General
22 for the Office of Justice Programs may waive, whol-
23 ly or in part, the matching requirement under para-
24 graph (1) with respect to a grant made under this
25 section to a law enforcement agency for a gun

1 buyback program if such program provides for ob-
2 taining only the guns identified by the National
3 Academy of Sciences pursuant to subsection (f).

4 (f) NATIONAL ACADEMY OF SCIENCES STAND-
5 ARDS.—The Attorney General, through the Assistant At-
6 torney General for the Office of Justice Programs, shall
7 enter into an arrangement with the National Academy of
8 Sciences to develop standards for identifying, and identify,
9 guns that are the most likely to be used in violent crimes
10 and establish a pricing scale for purchasing guns so identi-
11 fied through gun buyback programs receiving grants
12 under this section.

13 (g) REPORTS.—

14 (1) REPORTS REQUIRED BY GRANTEEES.—In the
15 case of a law enforcement agency described in sub-
16 section (a) receiving a grant under this section with
17 respect to a gun buyback program, such agency shall
18 submit to the Assistant Attorney General for the Of-
19 fice of Justice Programs—

20 (A) not later than 90 days after receipt of
21 such grant and every 90 days thereafter during
22 the period for which the program is carried out,
23 a report including—

1 (i) the number and types of guns col-
2 lected and destroyed through such program
3 during such period; and

4 (ii) recommendations for improving
5 future gun buyback programs in the juris-
6 diction of such agency; and

7 (B) not later than 90 days after the last
8 day of such program, a final report including
9 the information described in each of subclauses
10 (I) and (II) of clause (i) with respect to the du-
11 ration of the program.

12 (2) REPORTS BY THE OFFICE OF JUSTICE PRO-
13 GRAMS.—Not later than one year after the date of
14 the enactment of this section and annually there-
15 after, the Assistant Attorney General for the Office
16 of Justice Programs shall submit to Congress a re-
17 port on—

18 (A) the number of gun buyback programs
19 that received funding under this section;

20 (B) the number of guns received through
21 each such gun buyback program;

22 (C) the total number of guns purchased
23 through all such gun buyback programs; and

1 (D) recommendations on improving the
2 grant program under this section and gun
3 buyback programs.

4 (h) DEFINITIONS.—For purposes of this section:

5 (1) STATE.—The term “State” means each of
6 the 50 States, the District of Columbia, the Com-
7 monwealth of Puerto Rico, the United States Virgin
8 Islands, American Samoa, Guam, and the Northern
9 Mariana Islands.

10 (2) UNIT OF LOCAL GOVERNMENT.—The term
11 “unit of local government” means a county, munici-
12 pality, town, township, village, parish, borough, or
13 other unit of general government below the State
14 level.

15 (3) VIOLENT CRIME.—The term “violent crime”
16 means murder, non-negligent manslaughter, forcible
17 rape, robbery, and aggravated assault, as reported
18 by the Federal Bureau of Investigation for purposes
19 of the Uniform Crime Report.

20 (i) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out this section
22 \$15,000,000 for the period of fiscal years 2018 through
23 2022.

○