

117TH CONGRESS
1ST SESSION

S. 556

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

IN THE SENATE OF THE UNITED STATES

MARCH 3, 2021

Mr. CASEY (for himself, Mr. MARKEY, Mr. MENENDEZ, Ms. DUCKWORTH, Ms. KLOBUCHAR, Ms. HIRONO, Mr. WYDEN, Ms. CORTEZ MASTO, Ms. ROSEN, Mr. BLUMENTHAL, Mr. DURBIN, Mr. BROWN, Ms. WARREN, Mrs. SHAHEEN, Ms. SMITH, Mr. VAN HOLLEN, and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Resources for Victims
5 of Gun Violence Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) In the United States, more than 100 indi-
9 viduals are killed with guns every day, totaling near-

1 ly 40,000 individuals who die from gun violence
2 every year.

3 (2) Additionally, more than 230 individuals sus-
4 tain a nonfatal gun injury every day. According to
5 a recent national poll, an estimated 10,000,000 indi-
6 viduals in the United States have been shot and in-
7 jured in their lifetimes.

8 (3) In that same poll, approximately 58 percent
9 of adults in the United States reported that they, or
10 someone they care for, have experienced a form of
11 gun violence, including a gun suicide, a gun homi-
12 cide, domestic violence involving a gun, or an unin-
13 tentional shooting.

14 (4) Nearly two-thirds of gun-related deaths in
15 the United States are suicides. Most individuals who
16 attempt suicide do not die—unless they use a gun.
17 Approximately 90 percent of gun suicide attempts
18 end in death, whereas 4 percent of suicide attempts
19 not involving a firearm result in death.

20 (5) This is particularly concerning for veterans,
21 children, and teenagers. Veterans are 1.5 times more
22 likely than non-veterans to die by suicide, and in
23 2017, 69 percent of veteran suicides were by gun.
24 Among children and teenagers, the rate of gun sui-
25 cide has increased 59 percent over the past 10 years.

1 (6) An estimated 40,000,000 adults in the
2 United States report someone they cared for had at-
3 tempted or died by suicide with a gun.

4 (7) More than one-third of gun-related deaths
5 in the United States are homicides, and in 2015, the
6 gun homicide rate in the United States was nearly
7 25 times higher than in other high-income countries.

8 (8) Gun homicides in the United States occur
9 disproportionately in cities, particularly in racially
10 segregated neighborhoods with high rates of poverty.
11 Gun homicide disproportionately affects communities
12 of color, and Black Americans represent the major-
13 ity of gun homicide victims.

14 (9) More than 600 mass shootings, defined as
15 shootings in which 4 or more individuals were shot
16 and killed or injured, took place in the United States
17 in 2020, and more than 2,600 mass shootings have
18 taken place since the shooting at Sandy Hook Ele-
19 mentary School in Newtown, Connecticut, in 2012.

20 (10) Firearms are the leading cause of death
21 for children and teenagers. In 2019, more than
22 3,300 children and teenagers were shot and killed.
23 Each year, approximately 15,600 children and teen-
24 agers are shot and injured. Black children and teen-

1 agers are 14 times more likely than their white peers
2 to die by gun homicide.

3 (11) During an average year in the United
4 States, more than 600 women are shot to death by
5 an intimate partner, and many more women are shot
6 and injured by an intimate partner. Nearly
7 1,000,000 women in the United States who are alive
8 today have been shot or shot at by an intimate part-
9 ner, and approximately 4,500,000 women in the
10 United States today have been threatened with a
11 gun by an intimate partner.

12 (12) More than 10,300 violent hate crimes com-
13 mitted in the United States in an average year in-
14 volve a gun, or more than 28 each day. The vast
15 majority of hate crimes are directed against commu-
16 nities of color, religious minorities, and individuals
17 in the LGBTQ+ community.

18 (13) In 2020, communities and cities across the
19 United States experienced an increase in gun vio-
20 lence and gun homicides as the country struggled
21 with the economic and social uncertainty caused by
22 the COVID-19 pandemic.

23 (14) From March 2020 through November
24 2020, an estimated 17,400,000 guns were sold, an
25 81 percent increase over the same period in 2019.

1 This unprecedented surge in gun sales put children,
2 victims of domestic abuse, and communities of color
3 at an even greater risk of gun violence.

4 (15) The individuals who survive gun violence
5 every year in the United States face a lifelong pro-
6 cess of physical and emotional healing, in addition to
7 the heavy economic costs faced by those survivors,
8 their families and communities, and society as a
9 whole. Furthermore, victims of gun violence are
10 often unaware of or have trouble accessing many
11 available resources that could help them in their re-
12 covery.

13 (16) Victims of gun violence experience per-
14 sistent mental health problems, including post-trau-
15 matic stress, depression, self-harm, anxiety, and sub-
16 stance abuse. The National Center for PTSD (Post-
17 Traumatic Stress Disorder) of the Department of
18 Veterans Affairs estimates that 28 percent of indi-
19 viduals who witness a mass shooting develop PTSD,
20 and about one-third of those individuals develop
21 acute stress disorder. Victims of gun violence suffer
22 from increased rates of unemployment, and young
23 victims of gun violence are more likely to have lower
24 grades and more absences from school.

1 (17) Young people who survive gun-related inci-
2 dents are also at risk of experiencing gun violence
3 again in the future. One study estimated that nearly
4 one-fourth of the individuals who survive a gun
5 shooting at age 24 or younger will be shot again
6 within the next 10 years.

7 (18) Given the immense physical and emotional
8 toll of gun violence on victims, Congress must do
9 more to ensure that victims of gun violence have ac-
10 cess to the resources they need to recover from their
11 trauma—especially for victims experiencing common,
12 everyday gun violence in racially segregated neigh-
13 borhoods with high rates of poverty and chronic dis-
14 investment.

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

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

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

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

24 (B) The Committee on the Judiciary of the
25 Senate.

1 (C) The Committee on Education and
2 Labor of the House of Representatives.

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

5 (E) The Committee on the Judiciary of the
6 House of Representatives.

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

11 (3) GUN VIOLENCE.—The term “gun violence”
12 means—

13 (A) suicide involving firearms;

14 (B) homicide involving firearms;

15 (C) domestic violence involving firearms;

16 (D) hate crimes involving firearms;

17 (E) youth violence involving firearms;

18 (F) mass shootings;

19 (G) unintentional shootings;

20 (H) non-fatal shootings; and

21 (I) threats or exposure to violent acts in-
22 volving firearms.

23 (4) VICTIM ASSISTANCE PROFESSIONAL.—The
24 term “victim assistance professional” means a pro-

1 professional who assists victims of gun violence, includ-
2 ing—

3 (A) a medical professional, including an
4 emergency medical professional;

5 (B) a social worker;

6 (C) a provider of long-term services or
7 care; and

8 (D) a victim advocate.

9 (5) VICTIM OF GUN VIOLENCE.—The term “vic-
10 tim of gun violence” means—

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

13 (B) an individual who has been threatened
14 with an act of gun violence;

15 (C) an individual who has witnessed an act
16 of gun violence; and

17 (D) a relative, classmate, coworker, or
18 other associate of—

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

21 (ii) an individual described in sub-
22 paragraph (A) or (B).

1 **SEC. 4. ADVISORY COUNCIL TO SUPPORT VICTIMS OF GUN**
2 **VIOLENCE.**

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

5 (b) MEMBERSHIP.—

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

9 (A) The Secretary of Health and Human
10 Services.

11 (B) The Attorney General.

12 (C) The Secretary of Education.

13 (D) The Secretary of Housing and Urban
14 Development.

15 (E) The Secretary of Veterans Affairs.

16 (F) The Commissioner of the Social Secu-
17 rity Administration.

18 (G) The Assistant Secretary for Mental
19 Health and Substance Use.

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

22 (I) The Director of the National Institutes
23 of Health.

24 (J) The Administrator of the Administra-
25 tion for Community Living.

1 (K) The Director of the Office on Violence
2 Against Women.

3 (L) The Director of the Office for Victims
4 of Crime.

5 (M) The chairman of the Board of the
6 Legal Services Corporation.

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

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

16 (A) Not fewer than 2 and not more than
17 5 victims of gun violence, who shall be ap-
18 pointed by the Secretary of Health and Human
19 Services.

20 (B) Not fewer than 2 and not more than
21 5 victim assistance professionals, who shall be
22 appointed by the Secretary of Health and
23 Human Services.

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

4 (c) DUTIES.—

5 (1) ASSESSMENT.—The Advisory Council
6 shall—

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

12 (B) conduct a literature review and assess
13 past or ongoing programs designed to assist vic-
14 tims of gun violence or individuals with similar
15 needs to determine—

16 (i) the effectiveness of the programs;

17 and

18 (ii) best and promising practices for
19 assisting victims of gun violence; and

20 (C) assess the administration of compensa-
21 tion funds established after mass shootings to
22 determine best and promising practices to di-
23 rect victims of gun violence to sources of fund-
24 ing.

25 (2) INFORMATION.—

1 (A) IN GENERAL.—The Advisory Council
2 shall identify, promote, coordinate, and dissemi-
3 nate to the public information, resources, and
4 best and promising practices available to help
5 victims of gun violence—

6 (i) meet their medical, financial, edu-
7 cational, workplace, housing, transpor-
8 tation, assistive technology, and accessi-
9 bility needs;

10 (ii) maintain their mental health and
11 emotional well-being;

12 (iii) seek legal redress for their inju-
13 ries and protection against any ongoing
14 threats to their safety; and

15 (iv) access government programs,
16 services, and benefits for which they may
17 be eligible or to which they may be enti-
18 tled.

19 (B) CONTACT INFORMATION.—The Advi-
20 sory Council shall include in the information
21 disseminated under subparagraph (A) the
22 websites and telephone contact information for
23 helplines of relevant Federal agencies, State
24 agencies, and nonprofit organizations.

1 (C) AVAILABILITY.—The Advisory Council
2 shall make the information described in sub-
3 paragraphs (A) and (B) available—

4 (i) online through a public website;

5 and

6 (ii) by submitting a hard copy and
7 making available additional hard copies
8 to—

9 (I) each Member of Congress;

10 (II) each field office of the Social
11 Security Administration;

12 (III) each State agency that is
13 responsible for administering health
14 and human services, for dissemination
15 to medical facilities;

16 (IV) each State agency that is re-
17 sponsible for administering education
18 programs, for dissemination to
19 schools; and

20 (V) the office of each State attor-
21 ney general, for dissemination to local
22 prosecutor's offices.

23 (3) REPORT.—Not later than 180 days after
24 the date of enactment of this Act, the Advisory
25 Council shall—

1 (A) prepare a report that—

2 (i) includes the best and promising
3 practices, resources, and other useful infor-
4 mation for victims of gun violence identi-
5 fied under paragraph (2);

6 (ii) identifies any gaps in items de-
7 scribed in clause (i); and

8 (iii) if applicable, identifies any addi-
9 tional Federal or State legislative authority
10 necessary to implement the activities de-
11 scribed in clause (i) or address the gaps
12 described in clause (ii);

13 (B) submit the report prepared under sub-
14 paragraph (A) to—

15 (i) the appropriate committees;

16 (ii) each State agency that is respon-
17 sible for administering health and human
18 services;

19 (iii) each State agency that is respon-
20 sible for administering education pro-
21 grams; and

22 (iv) the office of each State attorney
23 general; and

1 (C) make the report prepared under sub-
2 paragraph (A) available to the public online in
3 an accessible format.

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

8 (A) submit to the entities described in sub-
9 paragraph (B) of that paragraph a follow-up re-
10 port that includes the information identified in
11 subparagraph (A) of that paragraph; and

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

15 (5) PUBLIC INPUT.—

16 (A) IN GENERAL.—The Advisory Council
17 shall establish a process to collect public input
18 to inform the development of, and provide up-
19 dates to, the best and promising practices, re-
20 sources, and other information described in
21 paragraph (2), including by conducting out-
22 reach to entities and individuals described in
23 subparagraph (B) of this paragraph that—

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

4 (ii) include representation from com-
5 munities disproportionately affected by gun
6 violence.

7 (B) ENTITIES AND INDIVIDUALS.—The en-
8 tities and individuals described in this subpara-
9 graph are—

10 (i) States, local governments, and or-
11 ganizations that provide information to, or
12 support for, victims of gun violence;

13 (ii) victims of gun violence; and

14 (iii) victim assistance professionals.

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

18 (i) information, resources, and best
19 and promising practices available, includ-
20 ing identification of any gaps and unmet
21 needs;

22 (ii) recommendations that would help
23 victims of gun violence—

24 (I) better meet their medical, fi-
25 nancial, educational, workplace, hous-

1 ing, transportation, assistive tech-
2 nology, and accessibility needs;

3 (II) maintain their mental health
4 and emotional well-being;

5 (III) seek legal redress for their
6 injuries and protection against any
7 ongoing threats to their safety; and

8 (IV) access government pro-
9 grams, services, and benefits for
10 which the victims may be eligible or to
11 which the victims may be entitled; and

12 (iii) any other subject areas discovered
13 during the process that would help victims
14 of gun violence.

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

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

19 (f) SUNSET.—The Advisory Council shall terminate
20 on the date that is 5 years after the date of establishment
21 of the Advisory Council.

○