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REPORT
106–718

SECURE OUR SCHOOLS ACT

JULY 10, 2000.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HYDE, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany H.R. 4108]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 4108) amending the Omnibus Crime Control and Safe Streets Act of 1968 to make grants to improve security at schools, including the placement and use of metal detectors, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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79–006

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Secure Our Schools Act".

SEC. 2. MATCHING GRANT PROGRAM FOR SCHOOL SECURITY.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by inserting after part Z the following new part:

"PART AA—MATCHING GRANT PROGRAM FOR SCHOOL SECURITY

"SEC. 2701. PROGRAM AUTHORIZED.

"(a) IN GENERAL.—The Attorney General is authorized to make grants to States, units of local government, and Indian tribes to provide improved security, including the placement and use of metal detectors and other deterrent measures, at schools and on school grounds.

"(b) USES OF FUNDS.—Grants awarded under this section shall be distributed directly to the State, unit of local government, or Indian tribe, and shall be used to improve security at schools and on school grounds in the jurisdiction of the grantee through one or more of the following:

"(1) Placement and use of metal detectors, locks, lighting, and other deterrent measures.

"(2) Security assessments.

"(3) Security training of personnel and students.

"(4) Coordination with local law enforcement.

"(5) Any other measure that, in the determination of the Attorney General, may provide a significant improvement in security.

"(c) PREFERENTIAL CONSIDERATION.—In awarding grants under this part, the Attorney General shall give preferential consideration, if feasible, to an application from a jurisdiction that has a demonstrated need for improved security, has a demonstrated need for financial assistance, and has evidenced the ability to make the improvements for which the grant amounts are sought.

"(d) MATCHING FUNDS.—

"(1) The portion of the costs of a program provided by a grant under subsection (a) may not exceed 50 percent.

"(2) Any funds appropriated by Congress for the activities of any agency of an Indian tribal government or the Bureau of Indian Affairs performing law enforcement functions on any Indian lands may be used to provide the non-Federal share of a matching requirement funded under this subsection.

"(3) The Attorney General may provide, in the guidelines implementing this section, for the requirement of paragraph (1) to be waived or altered in the case of a recipient with a financial need for such a waiver or alteration.

"(e) EQUITABLE DISTRIBUTION.—In awarding grants under this part, the Attorney General shall ensure, to the extent practicable, an equitable geographic distribution among the regions of the United States and among urban, suburban, and rural areas.

"(f) ADMINISTRATIVE COSTS.—The Attorney General may reserve not more than 2 percent from amounts appropriated to carry out this Act for administrative costs.

"SEC. 2702. APPLICATIONS.

"(a) IN GENERAL.—To request a grant under this part, the chief executive of a State, unit of local government, or Indian tribe shall submit an application to the Attorney General at such time, in such manner, and accompanied by such information as the Attorney General may require. Each application shall—

"(1) include a detailed explanation of—

"(A) the intended uses of funds provided under the grant; and

"(B) how the activities funded under the grant will meet the purpose of this part; and

"(2) be accompanied by an assurance that the application was prepared after consultation with individuals not limited to law enforcement officers (such as school violence researchers, child psychologists, social workers, teachers, principals, and other school personnel) to ensure that the improvements to be funded under the grant are—

"(A) consistent with a comprehensive approach to preventing school violence; and

"(B) individualized to the needs of each school at which those improvements are to be made.

"(b) GUIDELINES.—Not later than 90 days after the date of the enactment of this part, the Attorney General shall promulgate guidelines to implement this section (including the information that must be included and the requirements that the States, units of local government, and Indian tribes must meet) in submitting the applications required under this section.

"SEC. 2703. ANNUAL REPORT TO CONGRESS.

"Not later than November 30th of each year, the Attorney General shall submit a report to the Congress regarding the activities carried out under this part. Each such report shall include, for the preceding fiscal year, the number of grants funded under this part, the amount of funds provided under those grants, and the activities for which those funds were used.

"SEC. 2704. DEFINITIONS.

"For purposes of this part—

"(1) the term 'school' means a public elementary or secondary school;

"(2) the term 'unit of local government' means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level; and

"(3) the term 'Indian tribe' has the same meaning as in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

"SEC. 2705. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part the following amounts:

"(1) $60,000,000 for fiscal year 2001.

"(2) $60,000,000 for fiscal year 2002.

"(3) $60,000,000 for fiscal year 2003.".

PURPOSE AND SUMMARY

The purpose of H.R. 4108, the "Secure Our Schools Act," is to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to authorize the appropriation of $60 million for each of fiscal years 2001 through 2003 in grants to State and local governments and Indian tribes to improve security at schools. Up to 50% of the costs of security enhancement programs would be paid by the Federal Government through such grants, and money would be distributed directly to qualifying States, units of local government, and Indian tribes. Grants could be used for the placement and use of metal detectors, locks, lighting, and other deterrent measures, security assessments, security training of personnel and students, coordination with local law enforcement, and any other measure that the Attorney General determines may provide a significant improvement in security.

BACKGROUND AND NEED FOR THE LEGISLATION

Over the past few years, public concern over school safety has grown tremendously, fueled in part by tragic shootings at Columbine High School in Littleton, Colorado, and Westside Middle School in Jonesboro, Arkansas. The shootings in these and other schools across the Nation have demonstrated the continued need to improve school safety. Safe and secure schools facilitate teaching and learning, while violence, or the threat of violence, diverts attention and valuable resources away from the educational mission.

The safety of children in the Nation's schools is a community and national concern, and as such, schools alone should not be solely responsible for providing funding for security measures. H.R. 4108 would give State and local governments an incentive to improve school security by providing matching grants.

COMMITTEE CONSIDERATION

On May 24, 2000, the Committee on the Judiciary met in open session and ordered reported favorably the bill H.R. 4108, as amended, by voice vote, a quorum being present.

VOTE OF THE COMMITTEE

Mr. Rothman offered an amendment that would make several technical and clarifying changes to the bill that improve the administration of the program. The amendment was adopted by voice vote.

Mr. Scott offered an amendment requiring additional input in connection with the application to ensure a comprehensive approach to preventing school violence. The amendment was agreed to by voice vote.

Vote on final passage: passed by voice vote.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the committee reports that the findings and recommendations of the committee, based in oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

COMMITTEE ON GOVERNMENT REFORM FINDINGS

No findings or recommendations of the Committee on Government Reform and Oversight were received as referred to in clause 3(c)(4) of rule XIII of the Rules of the House of Representatives.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of House Rule XIII is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the committee sets forth, with respect to the bill H.R. 4108, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 5, 2000.

Hon. HENRY J. HYDE, *Chairman,*
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4108, the Secure Our Schools Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226–2860.

Sincerely,

DAN L. CRIPPEN, *Director.*

Enclosure

cc: Honorable John Conyers Jr.
Ranking Democratic Member

H.R. 4108—Secure Our Schools Act.

SUMMARY

H.R. 4108 would authorize the appropriation of $60 million for each of fiscal years 2001 through 2003 for the Department of Justice to make grants to state and local governments and Indian tribes to improve security at schools. Assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 4108 would cost $177 million over the 2001–2005 period. This legislation would not affect direct spending or receipts, so pay-as-you-go procedures would not apply.

H.R. 4108 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and could benefit state, local, and tribal governments that receive the grants established by the bill. Any costs incurred by these governments to provide matching funds would be voluntary.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

For this estimate, CBO assumes that the amounts authorized in H.R. 4108 will be appropriated by the start of each fiscal year and that outlays will follow historical spending patterns for similar grant programs. The estimated budgetary impact of H.R. 4108 is shown in the following table. The costs of this legislation fall within budget function 750 (administration of justice).

By fiscal year, in millions of dollars

	2001	2002	2003	2004	2005
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Authorization Level	60	60	60	0	0
Estimated Outlays	13	36	57	47	24

PAY-AS-YOU-GO CONSIDERATIONS:

None.

ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS

H.R. 4108 contains no intergovernmental mandates as defined in UMRA. The bill would establish a matching grant program for state, local, and tribal governments to provide improved security at schools and on school grounds. The grant funds could be used for specific security activities and equipment, with preferential consideration given to the neediest schools. The bill would require that a recipient provide at least 50 percent matching funds, unless the Attorney General waives or alters the requirement based on the recipient's financial need. The bill also would require the grants to

be distributed in an geographically equitable manner. Any costs incurred by state, local, and tribal governments to provide matching funds would be voluntary.

ESTIMATED IMPACT ON THE PRIVATE-SECTOR

H.R. 4108 would impose no new private-sector mandates as defined in UMRA.

ESTIMATE PREPARED BY:

Federal Costs: Mark Grabowicz (226–2860)
Impact on State, Local, and Tribal Governments: Shelley Finlayson (225–3220)
Impact on the Private Sector: John Harris (226–2618)

ESTIMATE APPROVED BY:

Peter H. Fontaine
Deputy Assistant Director for Budget Analysis

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to 3(d)(1) of rule XIII of the Rules of the House of Representatives, the committee finds the authority for this legislation in Article I, section 8 of the Constitution.

SECTION-BY-SECTION ANALYSIS AND DISCUSSION

Sec. 1 Short Title.

This section provides that the short title of the bill is the "Secure Our Schools Act."

Sec. 2. Matching Grant Program for School Security.

This section amends title I of the Omnibus Crime Control and Safe Streets Act of 1968 by creating a matching grant program for school security. This program would be inserted as "Part AA—Matching Grant Program for School Security," and is comprised of five sections, sections 2701 through 2705. Section 2701 authorizes the Attorney General to establish the grant program and award grants directly to States, units of local government, and Indian tribes to improve school security. Section 2701 also delineates how grant money may be used to improve security in schools and on school grounds, and it would permit the Attorney General to give preferential consideration to grant applications that have demonstrated a need for improved security or a need for financial assistance. Additionally, section 2701 establishes the matching funds criteria and requires that the Attorney General, to the extent practicable, ensure equitable geographic distribution of grant money among the regions of the United States and among urban, suburban and rural areas.

Section 2702 provides that applications for grants be submitted to the Attorney General. Each application shall include a detailed explanation of the intended use of the funds and how the activities funded under the grant will meet the purpose of this legislation. Additionally, section 2702 specifies that, within 90 days after enactment of the act, the Attorney General shall promulgate guidelines for submitting grant applications.

Section 2703 provides that not later than November 30th of each year, the Attorney General shall submit a report to the Congress regarding the activities carried out under this act.

Section 2704 defines several terms used in the act.

Section 2705 authorizes $60 million in appropriations annually for fiscal years 2001 through 2003.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

PART AA OF THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

PART AA—MATCHING GRANT PROGRAM FOR SCHOOL SECURITY

SEC. 2701. PROGRAM AUTHORIZED.

(a) IN GENERAL.—The Attorney General is authorized to make grants to States, units of local government, and Indian tribes to provide improved security, including the placement and use of metal detectors and other deterrent measures, at schools and on school grounds.

(b) USES OF FUNDS.—Grants awarded under this section shall be distributed directly to the State, unit of local government, or Indian tribe, and shall be used to improve security at schools and on school grounds in the jurisdiction of the grantee through one or more of the following:

(1) Placement and use of metal detectors, locks, lighting, and other deterrent measures.

(2) Security assessments.

(3) Security training of personnel and students.

(4) Coordination with local law enforcement.

(5) Any other measure that, in the determination of the Attorney General, may provide a significant improvement in security.

(c) PREFERENTIAL CONSIDERATION.—In awarding grants under this part, the Attorney General shall give preferential consideration, if feasible, to an application from a jurisdiction that has a demonstrated need for improved security, has a demonstrated need for financial assistance, and has evidenced the ability to make the improvements for which the grant amounts are sought.

(d) MATCHING FUNDS.—

(1) The portion of the costs of a program provided by a grant under subsection (a) may not exceed 50 percent.

(2) Any funds appropriated by Congress for the activities of any agency of an Indian tribal government or the Bureau of Indian Affairs performing law enforcement functions on any In-

dian lands may be used to provide the non-Federal share of a matching requirement funded under this subsection.

(3) The Attorney General may provide, in the guidelines implementing this section, for the requirement of paragraph (1) to be waived or altered in the case of a recipient with a financial need for such a waiver or alteration.

(e) EQUITABLE DISTRIBUTION.—In awarding grants under this part, the Attorney General shall ensure, to the extent practicable, an equitable geographic distribution among the regions of the United States and among urban, suburban, and rural areas.

(f) ADMINISTRATIVE COSTS.—The Attorney General may reserve not more than 2 percent from amounts appropriated to carry out this Act for administrative costs.

SEC. 2702. APPLICATIONS.

(a) IN GENERAL.—To request a grant under this part, the chief executive of a State, unit of local government, or Indian tribe shall submit an application to the Attorney General at such time, in such manner, and accompanied by such information as the Attorney General may require. Each application shall—

(1) include a detailed explanation of—

(A) the intended uses of funds provided under the grant; and

(B) how the activities funded under the grant will meet the purpose of this part; and

(2) be accompanied by an assurance that the application was prepared after consultation with individuals not limited to law enforcement officers (such as school violence researchers, child psychologists, social workers, teachers, principals, and other school personnel) to ensure that the improvements to be funded under the grant are—

(A) consistent with a comprehensive approach to preventing school violence; and

(B) individualized to the needs of each school at which those improvements are to be made.

(b) GUIDELINES.—Not later than 90 days after the date of the enactment of this part, the Attorney General shall promulgate guidelines to implement this section (including the information that must be included and the requirements that the States, units of local government, and Indian tribes must meet) in submitting the applications required under this section.

SEC. 2703. ANNUAL REPORT TO CONGRESS.

Not later than November 30th of each year, the Attorney General shall submit a report to the Congress regarding the activities carried out under this part. Each such report shall include, for the preceding fiscal year, the number of grants funded under this part, the amount of funds provided under those grants, and the activities for which those funds were used.

SEC. 2704. DEFINITIONS.

For purposes of this part—

(1) the term "school" means a public elementary or secondary school;

(2) the term "unit of local government" means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level; and

(3) the term "Indian tribe" has the same meaning as in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

SEC. 2705. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this part the following amounts:

(1) $60,000,000 for fiscal year 2001.
(2) $60,000,000 for fiscal year 2002.
(3) $60,000,000 for fiscal year 2003.

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