

## Summary of Grassley/Cruz Gun Substitute

- **Increases resources and tools for prosecuting criminals** (Gun prosecutions have declined under President Obama and current proposed legislation does not address this issue)
  - **Resources:**
    - **National Project Exile Expansion.** Provides \$15 million per year for 3 years for more Assistant U.S. Attorneys and Alcohol Tobacco and Firearms agents. Applies to fifteen jurisdictions with highest violent crime rates and three tribal jurisdictions with highest rates.
    - **Cruz Task Force.** Task Force and \$10 million per year for 5 years to prosecute felons and fugitives who try to get guns. Created task force and proposes funding of \$10 million per year for five years to prosecute felons and fugitives who fail National Instant Criminal Background Check System (NICS) – funded through the Asset Forfeiture Fund.
  - **Tools:**
    - **Criminalizes straw purchasing.** In targeted, responsible way that doesn't sweep in innocent conduct.
    - **Criminalizes trafficking.** In a responsible way that doesn't turn minor gun offenses into arms trafficking offenses.
- **Increases resources for school safety** (President Obama's budget cut school safety funding)
  - **Secure Our Schools grants.** Provides \$30 million per year for 10 years under Title III funds.
- **Addresses mental health.**
  - **Increases resources for mental health.**
    - Reauthorizes Mentally Ill Offender Treatment and Crime Reduction Act. This provides \$40 million per year for five years for mental health courts, crisis intervention teams, veteran treatment courts, police academy curricula, and transitional services in prison.
    - Allows Byrne and COPS grants to be used for mental health purposes.
  - **Gives states incentives to provide mental health records to NICS federal database.**
    - Reauthorizes NICS Improvement Amendments Act grants at \$20 million per year for 5 years, so states can implement systems to report these records.
    - Increases Byrne grant penalties for states' failure to provide mental health records.
  - **Clarifies which records must be submitted NICS.**

- Codifies Obama executive order requiring the Attorney General to issue guidance to federal agencies.
  - Requires federal court information to be made available to NICS.
- **Fixes the definition of adjudicated mentally incompetent so single doctors can't infringe on 2<sup>nd</sup> Amendment rights.**
- **Includes pro-gun provisions.**
  - Allows interstate firearm sales.
  - Allows military members to buy guns in state of residence or where stationed.
  - Allows firearms dealers to access NICS to do background checks on employees (with notice and their consent).
  - Allows interstate transportation of firearms if certain conditions are met (e.g., in vehicle, unloaded, locked or in trunk), and preempts state law to the contrary.
- **Increases executive branch accountability.**
  - Federal agencies must submit a report to Congress on how many records they submit to NICS.
  - Attorney General must report to Congress on gun prosecutions.
  - Top official at DOJ must personally approve any Fast and Furious programs (selling guns to criminals).
  - Clarifies that ATF can't collect information on purchases of certain rifles in southwest border states.
  - Requires report to Congress regarding ammunition purchases by federal agencies.
- **Initiates a study by National Institute of Justice and National Academy of Sciences to solve mass shootings.**