

117TH CONGRESS
2D SESSION

H. R. 9001

To secure schools, to increase access to mental health resources, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2022

Mrs. FLORES introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Education and Labor, and Ways and Means, 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 secure schools, to increase access to mental health resources, 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.**

4 This Act may be cited as the “RGV Act of 2022”
5 or the “Reduce Gun Violence Act of 2022”.

6 **SEC. 2. INCREASED AUTHORIZATION OF FUNDING FOR**
7 **CERTAIN PROGRAMS.**

8 (a) BYRNE-JAG.—

1 (1) CYBER MONITORING.—Section 501(a)(1) of
2 the Omnibus Crime Control and Safe Streets Act of
3 1968 (34 U.S.C. 10152(a)(1)) is amended by adding
4 at the end the following:

5 “(J) Cyber monitoring programs for school
6 safety on school issued devices and school net-
7 works in—

8 “(i) public elementary and secondary
9 schools (as those terms are defined in sec-
10 tion 8101 of the Elementary and Sec-
11 ondary Education Act of 1965 (20 U.S.C.
12 7801)); and

13 “(ii) public institutions of higher edu-
14 cation (as defined in section 101 of the
15 Higher Education Act of 1965 (20 U.S.C.
16 1001)).

17 “(K) Assessment and identification of
18 school security risks before implementing secu-
19 rity changes in schools and institutions of high-
20 er education described in subparagraph (J).”.

21 (2) PHYSICAL SECURITY TO STOP SCHOOL VIO-
22 LENCE.—For fiscal year 2023, there is authorized to
23 be appropriated to the Attorney General to carry out
24 the grant program under subpart 1 of part E of title
25 I of the Omnibus Crime Control and Safe Streets

1 Act of 1968 (34 U.S.C. 10151 et seq.), in addition
2 to any amounts made available for such purpose,
3 \$2,000,000,000, to remain available until expended:
4 *Provided*, That such amounts shall be used as pro-
5 vided in subparagraphs (J) and (K) of section
6 501(a)(1) of the Omnibus Crime Control and Safe
7 Streets Act of 1968 (34 U.S.C. 10152(a)(1)).

8 (b) COPS.—For fiscal year 2023, there is authorized
9 to be appropriated to the Attorney General to carry out
10 the grant program under part Q of title I of the Omnibus
11 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
12 10381 et seq.), in addition to any amounts made available
13 for such purpose, \$2,000,000,000, to remain available
14 until expended: *Provided*, That such amounts shall be used
15 as provided under paragraph (2) of section 1701(b) of
16 such Act (34 U.S.C. 10381(b)).

17 (c) STOP SCHOOL VIOLENCE.—Subsection (a) of
18 section 2705 of title I of the Omnibus Crime Control and
19 Safe Streets Act of 1968 (34 U.S.C. 10555) is amended
20 to read as follows:

21 “(a) IN GENERAL.—There is authorized to be appro-
22 priated \$1,000,000,000 for each of fiscal years 2023
23 through 2027, of which—

24 “(1) \$700,000,000 shall be made available to
25 the BJA Director to carry out this part; and

1 “(2) \$300,000,000 shall be made available to
2 the COPS Director to carry out this part.”.

3 (d) GRANTS FOR MENTAL HEALTH GUIDANCE
4 COUNSELORS.—Title IV of the Elementary and Secondary
5 Education Act of 1965 (20 U.S.C. 7101 et seq.) is amend-
6 ed by adding at the end the following:

7 **“PART G—MENTAL HEALTH COUNSELING**
8 **“SEC. 4701. GRANTS FOR MENTAL HEALTH GUIDANCE**
9 **COUNSELORS.**

10 “(a) IN GENERAL.—The Secretary shall carry out a
11 program under which the Secretary makes allocations to
12 States, in accordance with subsection (b), to enable States
13 to provide funds to local educational agencies for the pro-
14 vision of mental health guidance counselors and related
15 services in schools as described in subsection (c)(3).

16 “(b) ALLOCATIONS TO STATES.—

17 “(1) IN GENERAL.—From the amount appro-
18 priated to carry out this part for each fiscal year
19 under subsection (g), each State that has a plan ap-
20 proved by the Secretary under paragraph (2) shall
21 be allocated an amount determined by the Secretary
22 based on the formula established under paragraph
23 (3).

24 “(2) STATE PLAN.—To be eligible for an alloca-
25 tion under paragraph (1), a State shall submit to

1 the Secretary a plan for the use of such allocation
2 at such time, in such manner, and containing such
3 information as the Secretary may require.

4 “(3) ALLOCATION FORMULA.—The Secretary
5 shall develop a formula for the allocation of funds to
6 States under paragraph (1). The formula shall be
7 based on such factors as the Secretary determines
8 appropriate, which may include a State’s anticipated
9 or proven need for mental health guidance coun-
10 selors in elementary and secondary schools.

11 “(c) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
12 CIES.—

13 “(1) IN GENERAL.—From amounts allocated to
14 a State under subsection (b), the State shall award
15 grants to local educational agencies, on a competitive
16 basis, to carry out the activities described in para-
17 graph (3).

18 “(2) APPLICATION.—To be considered for a
19 grant under paragraph (1), a local educational agen-
20 cy shall submit an application to the State at such
21 time, in such manner, and containing such informa-
22 tion as the State may require.

23 “(3) USE OF FUNDS.—A local educational
24 agency that receives a grant under paragraph (1)
25 shall use the grant—

1 “(A) for the hiring and training of mental
2 health guidance counselors in elementary and
3 secondary schools; and

4 “(B) to provide in-person and virtual men-
5 tal health counseling to students of such
6 schools.

7 “(d) REPORT TO CONGRESS.—Not later than one
8 year after the date of enactment of this Act, and annually
9 thereafter, the Secretary shall submit to Congress a report
10 that includes—

11 “(1) a compilation of best practices for the hir-
12 ing and training of mental health guidance coun-
13 selors in schools; and

14 “(2) with respect to the year preceding the date
15 of the report—

16 “(A) the number of States that sought al-
17 locations under subsection (b);

18 “(B) the total amount allocated to each
19 State under such subsection;

20 “(C) information on the grant program
21 carried out by each State under subsection (c),
22 including—

23 “(i) the number of local educational
24 agencies that applied for grants;

1 “(ii) the number of such agencies that
2 received grants and the amount of each
3 grant awarded;

4 “(iii) the total number students served
5 by such agencies;

6 “(iv) demographic information on the
7 students serviced by such agencies; and

8 “(v) the average student-to-teacher
9 ratio in the schools served by such agen-
10 cies.

11 “(e) LIMITATION.—None of the funds made available
12 under this part may be used—

13 “(1) to advance critical race theory; or

14 “(2) to affirm or promote gender reassignment
15 or gender reassignment medical intervention.

16 “(f) DEFINITION.—In this part:

17 “(1) CRITICAL RACE THEORY.—The term ‘crit-
18 ical race theory’ means the theory that—

19 “(A) one race or sex is inherently superior
20 to another race or sex;

21 “(B) the United States is fundamentally
22 racist or sexist;

23 “(C) an individual, by virtue of his or her
24 race or sex, is inherently racist, sexist, or op-
25 pressive, whether consciously or unconsciously;

1 “(D) an individual should be discriminated
2 against or receive adverse treatment solely or
3 partly because of his or her race or sex;

4 “(E) members of one race or sex cannot
5 and should not attempt to treat others without
6 respect to race or sex;

7 “(F) an individual’s moral character is
8 necessarily determined by his or her race or sex;

9 “(G) an individual, by virtue of his or her
10 race or sex, bears responsibility for actions com-
11 mitted in the past by other members of the
12 same race or sex;

13 “(H) any individual should feel discomfort,
14 guilt, anguish, or any other form of psycho-
15 logical distress on account of his or her race or
16 sex; or

17 “(I) meritocracy or traits such as a hard
18 work ethic are racist or sexist, or were created
19 by a particular race to oppress another.

20 “(2) GENDER REASSIGNMENT MEDICAL INTER-
21 VENTION.—The term ‘gender reassignment medical
22 intervention’ means—

23 “(A) performing a surgery that sterilizes
24 an individual, including castration, vasectomy,
25 hysterectomy, oophorectomy, metoidioplasty,

1 penectomy, phalloplasty, and vaginoplasty, to
2 change the body of such individual to cor-
3 respond to a sex that is discordant with biologi-
4 cal sex;

5 “(B) performing a mastectomy on an indi-
6 vidual for the purpose described in subpara-
7 graph (A); and

8 “(C) administering or supplying to an indi-
9 vidual medications for the purpose described in
10 subparagraph (A), including—

11 “(i) GnRH agonists or other puberty-
12 blocking drugs to stop or delay normal pu-
13 berty;

14 “(ii) testosterone or other androgens
15 to biological females at doses that are
16 supraphysiologic to the female sex; and

17 “(iii) estrogen to biological males at
18 doses that are supraphysiologic to the male
19 sex.

20 “(3) MENTAL HEALTH GUIDANCE COUN-
21 SELOR.—The term ‘mental health guidance coun-
22 selor’ means a person who counsels individuals and
23 groups to promote optimum mental health.

24 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to carry out this part

1 \$200,000,000 for each of fiscal years 2023 through
2 2027.”.

3 (e) OFFSET.—Of the unobligated balances from
4 amounts made available under section 10301 of Public
5 Law 117–169 (commonly known as the “Inflation Reduc-
6 tion Act of 2022”) on the date of enactment of this Act,
7 \$11,001,000,000 is rescinded as of such date.

8 **SEC. 3. SAFERSCHOOLS.GOV.**

9 (a) ESTABLISHMENT.—The Attorney General, in
10 consultation with the Secretary of Education, the Sec-
11 retary of Health and Human Services, and an appointee
12 of the President, shall establish a website, designated as
13 saferschools.gov, to be managed by a task force, known
14 as the School Safety Best Practices Task Force (in this
15 section, referred to as the “Task Force”).

16 (b) TASK FORCE.—

17 (1) DUTIES.—The duties of the Task Force
18 shall be to review, compile, and publish school safety
19 best practices on the saferschools.gov website.

20 (2) NUMBER AND APPOINTMENT.—The Task
21 Force shall be composed of 5 members appointed by
22 the Attorney General.

23 (3) TERMS.—

1 (A) IN GENERAL.—Each member shall be
2 appointed to the Task Force for a term of 5
3 years.

4 (B) VACANCIES.—Any members appointed
5 to fill a vacancy occurring before the expiration
6 of the term for which the member's predecessor
7 was appointed shall be appointed only for the
8 remainder of that term.

9 (4) PAY.—Members of the Task Force shall
10 serve without pay.

11 (5) MEETINGS.—The Task Force shall meet at
12 the call of the Chairperson and not less than quar-
13 terly.

14 (6) NO APPLICABILITY.—

15 (A) PAPERWORK REDUCTION.—The Paper-
16 work Reduction Act (44 U.S.C. 3501) shall not
17 apply to this section.

18 (B) ADVISORY COMMITTEE.—The Federal
19 Advisory Committee Act (5 U.S.C. App.) shall
20 not apply to this section.

21 (c) FUNCTION OF WEBSITE.—The saferschools.gov
22 website shall be designed to receive comments from inter-
23 ested parties, which shall be published on such website.

24 (d) DEFINITIONS.—In this section:

1 (1) The term “interested parties” includes stu-
2 dents, teachers, parents, law enforcement officers,
3 and any person with an interest in school safety best
4 practices.

5 (2) The term “parent” has the meaning given
6 such term in section 8101 of the Elementary and
7 Secondary Education Act of 1965 (20 U.S.C. 7801).

8 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated \$1,000,000 to carry out this
10 section for fiscal year 2023.

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