

105TH CONGRESS
2^D SESSION

S. 1605

AMENDMENTS

In the House of Representatives, U. S.,

May 12, 1998.

Resolved, That the bill from the Senate (S. 1605) entitled “An Act to establish a matching grant program to help States, units of local government, and Indian tribes to purchase armor vests for use by law enforcement officers”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Bulletproof Vest Part-*
3 *nership Grant Act of 1998”.*

4 ***SEC. 2. FINDINGS; PURPOSE.***

5 *(a) FINDINGS.—Congress finds that—*

6 *(1) the number of law enforcement officers who*
7 *are killed in the line of duty would significantly de-*
8 *crease if every law enforcement officer in the United*
9 *States had the protection of an armor vest;*

10 *(2) according to studies, between 1985 and 1994,*
11 *709 law enforcement officers in the United States*
12 *were feloniously killed in the line of duty;*

1 (3) *the Federal Bureau of Investigation estimates*
2 *that the risk of fatality to law enforcement officers*
3 *while not wearing an armor vest is 14 times higher*
4 *than for officers wearing an armor vest;*

5 (4) *the Department of Justice estimates that ap-*
6 *proximately 150,000 State, local, and tribal law en-*
7 *forcement officers, nearly 25 percent, are not issued*
8 *body armor;*

9 (5) *according to studies, between 1985 and 1994,*
10 *bullet-resistant materials helped save the lives of more*
11 *than 2,000 law enforcement officers in the United*
12 *States; and*

13 (6) *the Executive Committee for Indian Country*
14 *Law Enforcement Improvements reports that violent*
15 *crime in Indian country has risen sharply, despite a*
16 *decrease in the national crime rate, and has con-*
17 *cluded that there is a “public safety crisis in Indian*
18 *country”.*

19 (b) *PURPOSE.—The purpose of this Act is to save lives*
20 *of law enforcement officers by helping State, local, and trib-*
21 *al law enforcement agencies provide officers with armor*
22 *vests.*

1 **SEC. 3. MATCHING GRANT PROGRAM FOR LAW ENFORCE-**
 2 **MENT ARMOR VESTS.**

3 (a) *IN GENERAL.*—*Title I of the Omnibus Crime Con-*
 4 *trol and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.)*
 5 *is amended—*

6 (1) *by redesignating part Y as part Z;*

7 (2) *by redesignating section 2501 as section*
 8 *2601; and*

9 (3) *by inserting after part X the following new*
 10 *part:*

11 **“PART Y—MATCHING GRANT PROGRAM FOR LAW**
 12 **ENFORCEMENT ARMOR VESTS**

13 **“SEC. 2501. PROGRAM AUTHORIZED.**

14 “(a) *IN GENERAL.*—*The Director of the Bureau of Jus-*
 15 *tice Assistance is authorized to make grants to States, units*
 16 *of local government, and Indian tribes to purchase armor*
 17 *vests for use by State, local, and tribal law enforcement offi-*
 18 *cers.*

19 “(b) *USES OF FUNDS.*—*Grants awarded under this*
 20 *section shall be—*

21 “(1) *distributed directly to the State, unit of*
 22 *local government, or Indian tribe; and*

23 “(2) *used for the purchase of armor vests for law*
 24 *enforcement officers in the jurisdiction of the grantee.*

25 “(c) *PREFERENTIAL CONSIDERATION.*—*In awarding*
 26 *grants under this part, the Director of the Bureau of Justice*

1 *Assistance may give preferential consideration, if feasible,*
2 *to an application from a jurisdiction that—*

3 “(1) *has the greatest need for armor vests based*
4 *on the percentage of law enforcement officers in the*
5 *department who do not have access to a vest;*

6 “(2) *has, or will institute, a mandatory wear*
7 *policy that requires on-duty law enforcement officers*
8 *to wear armor vests whenever feasible; and*

9 “(3) *has a violent crime rate at or above the na-*
10 *tional average as determined by the Federal Bureau*
11 *of Investigation; or*

12 “(4) *has not received a block grant under the*
13 *Local Law Enforcement Block Grant program de-*
14 *scribed under the heading ‘Violent Crime Reduction*
15 *Programs, State and Local Law Enforcement Assist-*
16 *ance’ of the Departments of Commerce, Justice, and*
17 *State, the Judiciary, and Related Agencies Appro-*
18 *propriations Act, 1998 (Public Law 105–119).*

19 “(d) *MINIMUM AMOUNT.—Unless all eligible applica-*
20 *tions submitted by any State or unit of local government*
21 *within such State for a grant under this section have been*
22 *funded, such State, together with grantees within the State*
23 *(other than Indian tribes), shall be allocated in each fiscal*
24 *year under this section not less than 0.50 percent of the*
25 *total amount appropriated in the fiscal year for grants pur-*

1 *suant to this section, except that the United States Virgin*
2 *Islands, American Samoa, Guam, and the Northern Mari-*
3 *ana Islands shall be each be allocated .25 percent.*

4 “(e) *MAXIMUM AMOUNT.*—*A qualifying State, unit of*
5 *local government, or Indian tribe may not receive more*
6 *than 5 percent of the total amount appropriated in each*
7 *fiscal year for grants under this section, except that a State,*
8 *together with the grantees within the State may not receive*
9 *more than 20 percent of the total amount appropriated in*
10 *each fiscal year for grants under this section.*

11 “(f) *MATCHING FUNDS.*—*The portion of the costs of*
12 *a program provided by a grant under subsection (a) may*
13 *not exceed 50 percent. Any funds appropriated by Congress*
14 *for the activities of any agency of an Indian tribal govern-*
15 *ment or the Bureau of Indian Affairs performing law en-*
16 *forcement functions on any Indian lands may be used to*
17 *provide the non-Federal share of a matching requirement*
18 *funded under this subsection.*

19 “(g) *ALLOCATION OF FUNDS.*—*At least half of the*
20 *funds available under this part shall be awarded to units*
21 *of local government with fewer than 100,000 residents.*

22 “**SEC. 2502. APPLICATIONS.**

23 “(a) *IN GENERAL.*—*To request a grant under this*
24 *part, the chief executive of a State, unit of local government,*
25 *or Indian tribe shall submit an application to the Director*

1 *of the Bureau of Justice Assistance in such form and con-*
2 *taining such information as the Director may reasonably*
3 *require.*

4 “(b) *REGULATIONS.*—*Not later than 90 days after the*
5 *date of the enactment of this part, the Director of the Bu-*
6 *reau of Justice Assistance shall promulgate regulations to*
7 *implement this section (including the information that*
8 *must be included and the requirements that the States,*
9 *units of local government, and Indian tribes must meet)*
10 *in submitting the applications required under this section.*

11 “(c) *ELIGIBILITY.*—*A unit of local government that re-*
12 *ceives funding under the Local Law Enforcement Block*
13 *Grant program (described under the heading ‘Violent Crime*
14 *Reduction Programs, State and Local Law Enforcement*
15 *Assistance’ of the Departments of Commerce, Justice, and*
16 *State, the Judiciary, and Related Agencies Appropriations*
17 *Act, 1998 (Public Law 105–119)) during a fiscal year in*
18 *which it submits an application under this part shall not*
19 *be eligible for a grant under this part unless the chief execu-*
20 *tive officer of such unit of local government certifies and*
21 *provides an explanation to the Director that the unit of*
22 *local government considered or will consider using funding*
23 *received under the block grant program for any or all of*
24 *the costs relating to the purchase of armor vests, but did*
25 *not, or does not expect to use such funds for such purpose.*

1 **“SEC. 2503. DEFINITIONS.**

2 *“For purposes of this part—*

3 *“(1) the term ‘armor vest’ means body armor, no*
4 *less than Type I, which has been tested through the*
5 *voluntary compliance testing program operated by the*
6 *National Law Enforcement and Corrections Tech-*
7 *nology Center of the National Institute of Justice*
8 *(NIJ), and found to meet or exceed the requirements*
9 *of NIJ Standard 0101.03, or any subsequent revision*
10 *of such standard;*

11 *“(2) the term ‘body armor’ means any product*
12 *sold or offered for sale as personal protective body*
13 *covering intended to protect against gunfire, stabbing,*
14 *or other physical harm;*

15 *“(3) the term ‘State’ means each of the 50 States,*
16 *the District of Columbia, the Commonwealth of Puer-*
17 *to Rico, the United States Virgin Islands, American*
18 *Samoa, Guam, and the Northern Mariana Islands;*

19 *“(4) the term ‘unit of local government’ means a*
20 *county, municipality, town, township, village, parish,*
21 *borough, or other unit of general government below*
22 *the State level;*

23 *“(5) the term ‘Indian tribe’ has the same mean-*
24 *ing as in section 4(e) of the Indian Self-Determina-*
25 *tion and Education Assistance Act (25 U.S.C.*
26 *450b(e)); and*

1 “(6) the term ‘law enforcement officer’ means
2 any officer, agent, or employee of a State, unit of
3 local government, or Indian tribe authorized by law
4 or by a government agency to engage in or supervise
5 the prevention, detection, or investigation of any vio-
6 lation of criminal law, or authorized by law to super-
7 vise sentenced criminal offenders.”.

8 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
9 1001(a) of the Omnibus Crime Control and Safe Streets Act
10 of 1968 (42 U.S.C. 3793(a)) is amended by adding at the
11 end the following new paragraph:

12 “(23) There are authorized to be appropriated to carry
13 out part Y, \$25,000,000 for each of fiscal years 1999
14 through 2001.”.

15 **SEC. 4 SENSE OF THE CONGRESS.**

16 *In the case of any equipment or products that may*
17 *be authorized to be purchased with financial assistance pro-*
18 *vided using funds appropriated or otherwise made available*
19 *by this Act, it is the sense of the Congress that entities re-*
20 *ceiving the assistance should, in expending the assistance,*
21 *purchase only American-made equipment and products.*

Amend the title so as to read “An Act to establish a matching grant program to help State and local jurisdictions purchase armor vests for use by law enforcement departments.”.

Attest:

Clerk.