

# Union Calendar No. 90

110TH CONGRESS  
1ST SESSION

# H. R. 1700

[Report No. 110-150]

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2007

Mr. WEINER (for himself, Mr. SCOTT of Virginia, and Mr. KELLER of Florida) introduced the following bill; which was referred to the Committee on the Judiciary

MAY 14, 2007

Additional sponsors: Mr. PATRICK MURPHY of Pennsylvania, Mr. WILSON of Ohio, Mr. MARKEY, Ms. SUTTON, Ms. CORRINE BROWN of Florida, Mr. BRADY of Pennsylvania, Mrs. MCCARTHY of New York, Mrs. NAPOLITANO, Mr. HINOJOSA, Mr. RODRIGUEZ, Mr. ORTIZ, Ms. BERKLEY, Mr. NADLER, Mr. REYES, Mr. ELLISON, Mr. LATOURETTE, Mr. CONYERS, Mr. SCHIFF, Mr. RYAN of Ohio, Mr. ANDREWS, Mr. STUPAK, Mr. REICHERT, Mr. RAMSTAD, Mr. HIGGINS, Ms. BORDALLO, Mr. MCGOVERN, Mr. JOHNSON of Georgia, Ms. WASSERMAN SCHULTZ, Mr. EMANUEL, Mr. PASCRELL, Mr. DOYLE, Mr. MAHONEY of Florida, Mr. HARE, Mr. GRIJALVA, Mr. ETHERIDGE, Mr. FILNER, Mr. VISCLOSKY, Ms. JACKSON-LEE of Texas, Mr. COHEN, Mr. LARSON of Connecticut, Mr. RAHALL, Mr. WU, Mr. DELAHUNT, Ms. WATSON, Mr. SIRES, Mr. MORAN of Virginia, Mr. SESTAK, Mr. HOLDEN, Mr. SHULER, Ms. HIRONO, Mr. CUELLAR, Mr. LAMPSON, Mr. ELLSWORTH, Mr. MOORE of Kansas, Mrs. CAPPS, Mr. HILL, Mr. DONNELLY, Mr. HALL of New York, Mr. CLEAVER, Mr. MICHAUD, Mrs. JONES of Ohio, Mr. COURTNEY, Mr. ARCURI, Mr. SPACE, Ms. LORETTA SANCHEZ of California, Ms. DEGETTE, Mr. DAVIS of Illinois, Mr. WELCH of Vermont, Mr. BISHOP of Georgia, Ms. SHEA-PORTER, Mr. ALTMIRE, Mr. CAPUANO, Mr. YARMUTH, Ms. HOOLEY, Mr. MURPHY of Connecticut, Mrs. LOWEY, Mr. WALZ of Minnesota, Mr. SARBANES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. THOMPSON of Mississippi, Mr. VAN HOLLEN, Mr. UDALL of New Mexico, Mr. MURTHA, Mr. MCNERNEY, Mr. LOEBSACK, Ms.

McCOLLUM of Minnesota, Mr. WEXLER, Mr. KLEIN of Florida, Mr. PERLMUTTER, Mrs. BOYDA of Kansas, Mr. HODES, Mr. KAGEN, Mr. FOSSELLA, Mr. HOLT, Mrs. GILLIBRAND, Mr. CARNEY, Mr. ENGEL, Mr. MATHESON, and Ms. LEE

MAY 14, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 26, 2007]

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## A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, 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 “COPS Improvements*  
 5       *Act of 2007”.*

6       **SEC. 2. COPS GRANT IMPROVEMENTS.**

7       *(a) IN GENERAL.—Section 1701 of the Omnibus Crime*  
 8       *Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd)*  
 9       *is amended—*

10               *(1) by amending subsection (a) to read as fol-*  
 11       *lows:*

12       *“(a) GRANT AUTHORIZATION.—The Attorney General*  
 13       *shall carry out grant programs under which the Attorney*  
 14       *General makes grants to States, units of local government,*

1 *Indian tribal governments, other public and private enti-*  
2 *ties, multi-jurisdictional or regional consortia, and individ-*  
3 *uals for the purposes described in subsections (b), (c), (d),*  
4 *and (e).”;*

5 (2) *in subsection (b)—*

6 (A) *by striking the subsection heading text*  
7 *and inserting “COMMUNITY POLICING AND*  
8 *CRIME PREVENTION GRANTS”;*

9 (B) *in paragraph (3), by striking “, to in-*  
10 *crease the number of officers deployed in commu-*  
11 *nity-oriented policing”;*

12 (C) *by amending paragraph (4) to read as*  
13 *follows:*

14 “(4) *award grants to pay for or train officers*  
15 *hired to perform intelligence, anti-terror, or homeland*  
16 *security duties;”;*

17 (D) *by inserting after paragraph (4) the fol-*  
18 *lowing:*

19 “(5) *award grants to hire school resource officers*  
20 *and to establish school-based partnerships between*  
21 *local law enforcement agencies and local school sys-*  
22 *tems to combat crime, gangs, drug activities, and*  
23 *other problems in and around elementary and sec-*  
24 *ondary schools;”;*

25 (E) *by striking paragraph (9);*

1           (F) by redesignating paragraphs (10)  
2 through (12) as paragraphs (9) through (11), re-  
3 spectively;

4           (G) by striking paragraph (13);

5           (H) by redesignating paragraphs (14)  
6 through (17) as paragraphs (12) through (15),  
7 respectively;

8           (I) in paragraph (14), as so redesignated,  
9 by striking “and” at the end;

10          (J) in paragraph (15), as so redesignated,  
11 by striking the period at the end and inserting  
12 a semicolon; and

13          (K) by adding at the end the following:

14           “(16) establish and implement innovative pro-  
15 grams to reduce and prevent illegal drug manufac-  
16 turing, distribution, and use, including the manufac-  
17 turing, distribution, and use of methamphetamine;

18           “(17) establish criminal gang enforcement task  
19 forces, consisting of members of Federal, State, and  
20 local law enforcement authorities (including Federal,  
21 State, and local prosecutors), for the coordinated in-  
22 vestigation, disruption, apprehension, and prosecu-  
23 tion of criminal gangs and offenders involved in local  
24 or multi-jurisdictional gang activities; and

1           “(18) award enhancing community policing and  
2           crime prevention grants that meet emerging law en-  
3           forcement needs, as warranted.”;

4           (3) by striking subsection (c);

5           (4) by striking subsections (h) and (i);

6           (5) by redesignating subsections (d) through (g)  
7           as subsections (f) through (i), respectively;

8           (6) by inserting after subsection (b) the fol-  
9           lowing:

10          “(c) *TROOPS-TO-COPS PROGRAMS.*—

11           “(1) *IN GENERAL.*—Grants made under sub-  
12           section (a) may be used to hire former members of the  
13           Armed Forces to serve as career law enforcement offi-  
14           cers for deployment in community-oriented policing,  
15           particularly in communities that are adversely af-  
16           fected by a recent military base closing.

17           “(2) *DEFINITION.*—In this subsection, ‘former  
18           member of the Armed Forces’ means a member of the  
19           Armed Forces of the United States who has been hon-  
20           orably discharged from the Armed Forces of the  
21           United States.

22          “(d) *COMMUNITY PROSECUTORS PROGRAM.*—The At-  
23           torney General may make grants under subsection (a) to  
24           pay for additional community prosecuting programs, in-  
25           cluding programs that assign prosecutors to—

1           “(1) handle cases from specific geographic areas;  
2           and

3           “(2) address counter-terrorism problems, specific  
4           violent crime problems (including intensive illegal  
5           gang, gun, and drug enforcement and quality of life  
6           initiatives), and localized violent and other crime  
7           problems based on needs identified by local law en-  
8           forcement agencies, community organizations, and  
9           others.

10          “(e) *TECHNOLOGY GRANTS.*—The Attorney General  
11          may make grants under subsection (a) to develop and use  
12          new technologies (including interoperable communications  
13          technologies, modernized criminal record technology, and  
14          forensic technology) to assist State and local law enforce-  
15          ment agencies in reorienting the emphasis of their activities  
16          from reacting to crime to preventing crime and to train  
17          law enforcement officers to use such technologies.”;

18                 (7) in subsection (f), as so redesignated—

19                         (A) in paragraph (1), by striking “to  
20                         States, units of local government, Indian tribal  
21                         governments, and to other public and private en-  
22                         tities,”;

23                         (B) in paragraph (2), by striking “define  
24                         for State and local governments, and other pub-

1            *lic and private entities,” and inserting “estab-*  
2            *lish”;*

3            *(C) in the first sentence of paragraph (3),*  
4            *by inserting “(including regional community po-*  
5            *licing institutes)” after “training centers or fa-*  
6            *cilities”; and*

7            *(D) by adding at the end the following:*

8            *“(4) EXCLUSIVITY.—The Office of Community*  
9            *Oriented Policing Services shall be the exclusive com-*  
10           *ponent of the Department of Justice to perform the*  
11           *functions and activities specified in this paragraph.”;*

12           *(8) in subsection (g), as so redesignated, by strik-*  
13           *ing “may utilize any component”, and all that fol-*  
14           *lows and inserting “shall use the Office of Commu-*  
15           *nity Oriented Policing Services of the Department of*  
16           *Justice in carrying out this part.”;*

17           *(9) in subsection (h), as so redesignated—*

18           *(A) by striking “subsection (a)” the first*  
19           *place that term appears and inserting “para-*  
20           *graphs (1) and (2) of subsection (b)”;* and

21           *(B) by striking “in each fiscal year pursu-*  
22           *ant to subsection (a)” and inserting “in each fis-*  
23           *cal year for purposes described in paragraph (1)*  
24           *and (2) of subsection (b)”;*

25           *(10) in subsection (i), as so redesignated—*

1           (A) by striking “the Federal share shall de-  
2           crease from year to year for up to 5 years” and  
3           inserting “unless the Attorney General waives  
4           the non-Federal contribution requirement as de-  
5           scribed in the preceding sentence, the non-Fed-  
6           eral share of the costs of hiring or rehiring such  
7           officers may be less than 25 percent of such costs  
8           for any year during the grant period, provided  
9           that the non-Federal share of such costs shall not  
10          be less than 25 percent in the aggregate for the  
11          entire grant period, but the State or local gov-  
12          ernment should make an effort to increase the  
13          non-Federal share of such costs during the grant  
14          period”; and

15          (B) by adding at the end the following new  
16          sentence: “The preceding sentences shall not  
17          apply with respect to any program, project, or  
18          activity provided by a grant made pursuant to  
19          subsection (b)(4).”; and

20          (11) by adding at the end the following:

21          “(j) *RETENTION OF ADDITIONAL OFFICER POSI-*  
22          *TIONS.—For any grant under paragraph (1) or (2) of sub-*  
23          *section (b) for hiring or rehiring career law enforcement*  
24          *officers, a grant recipient shall retain each additional law*  
25          *enforcement officer position created under that grant for not*

1 *less than 12 months after the end of the period of that grant,*  
2 *unless the Attorney General waives, wholly or in part, the*  
3 *retention requirement of a program, project, or activity.”.*

4 (b) *APPLICATIONS.—Section 1702 of the Omnibus*  
5 *Crime Control and Safe Streets Act of 1968 (42 U.S.C.*  
6 *3796dd-1) is amended—*

7 (1) *in subsection (c)—*

8 (A) *in the matter preceding paragraph (1),*  
9 *by inserting “, unless waived by the Attorney*  
10 *General” after “under this part shall”; and*

11 (B) *in paragraph (8), by striking “share of*  
12 *the cost” and all that follows and inserting*  
13 *“share of the costs during the grant period, how*  
14 *the applicant will maintain the increased hiring*  
15 *level of the law enforcement officers, and how the*  
16 *applicant will eventually assume responsibility*  
17 *for all of the costs for such officers;”;* and

18 (2) *by striking subsection (d).*

19 (c) *RENEWAL OF GRANTS.—Section 1703 of the Omni-*  
20 *bus Crime Control and Safe Streets Act of 1968 (42 U.S.C.*  
21 *3796dd-2) is amended to read as follows:*

22 **“SEC. 1703. RENEWAL OF GRANTS.**

23 *“(a) IN GENERAL.—Except as provided in subsection*  
24 *(b), a grant made under this part may be renewed, without*  
25 *limitations on the duration of such renewal, to provide ad-*

1 *ditional funds if the Attorney General determines that the*  
2 *funds made available to the recipient were used in a man-*  
3 *ner required under an approved application and if the re-*  
4 *ipient can demonstrate significant progress in achieving*  
5 *the objectives of the initial application.*

6       “(b) *GRANTS FOR HIRING.*—Grants made under this  
7 *part for hiring or rehiring additional career law enforce-*  
8 *ment officers may be renewed for up to 5 years, except that*  
9 *the Attorney General may waive such 5-year limitation for*  
10 *good cause.*

11       “(c) *NO COST EXTENSIONS.*—Notwithstanding sub-  
12 *sections (a) and (b), the Attorney General may extend a*  
13 *grant period, without limitations as to the duration of such*  
14 *extension, to provide additional time to complete the objec-*  
15 *tives of the initial grant award.”.*

16       “(d) *LIMITATION ON USE OF FUNDS.*—Section 1704 of  
17 *the Omnibus Crime Control and Safe Streets Act of 1968*  
18 *(42 U.S.C. 3796dd-3) is amended—*

19               (1) *in subsection (a)—*

20                       (A) *by striking “that would, in the absence*  
21 *of Federal funds received under this part, be*  
22 *made available from State or local sources” and*  
23 *inserting “that the Attorney General determines*  
24 *would, in the absence of Federal funds received*  
25 *under this part, be made available for the pur-*

1           *pose of the grant under this part from State or*  
2           *local sources”;* and

3                   *(B) by adding at the end the following new*  
4           *sentence: “The preceding sentence shall not apply*  
5           *with respect to funds made available under this*  
6           *part by a grant made pursuant to subsection (a)*  
7           *for the purposes described in subsection (b)(4).”;*  
8           and

9           *(2) by striking subsection (c).*

10          *(e) STUDY OF PROGRAM EFFECTIVENESS.—Section*  
11          *1705 of the Omnibus Crime Control and Safe Streets Act*  
12          *of 1968 (42 U.S.C. 3796dd–4) is amended by adding at the*  
13          *end the following new subsection:*

14                *“(d) STUDY OF PROGRAM EFFECTIVENESS.—*

15                    *“(1) IN GENERAL.—The Attorney General shall*  
16            *provide for a scientific study of the effectiveness of the*  
17            *programs, projects, and activities funded under this*  
18            *part in reducing crime.*

19                    *“(2) STUDY.—The Attorney General shall select*  
20            *one or more institutions of higher education, includ-*  
21            *ing historically Black colleges and universities, to*  
22            *conduct the study described in paragraph (1).*

23                    *“(3) REPORTS.—Not later than 4 years after the*  
24            *date of the enactment of the COPS Improvements Act*  
25            *of 2007, the institution or institutions selected under*

1 paragraph (2) shall report the findings of the study  
2 described in paragraph (1) to the Attorney General.  
3 Not later than 30 days after the receipt of such re-  
4 port, the Attorney General shall report such findings  
5 to the appropriate committees of Congress, along with  
6 any recommendations the Attorney General may have  
7 relating to the effectiveness of the programs, projects,  
8 and activities funded under this part in reducing  
9 crime.”.

10 (f) *ENFORCEMENT ACTIONS*.—Section 1706 of the Om-  
11 nibus Crime Control and Safe Streets Act of 1968 (42  
12 U.S.C. 3796dd–5) is amended—

13 (1) in the section heading, by striking “**REV-**  
14 **OCATION OR SUSPENSION OF FUNDING**” and in-  
15 sserting “**ENFORCEMENT ACTIONS**”; and

16 (2) by striking “revoke or suspend” and all that  
17 follows and inserting “take any enforcement action  
18 available to the Department of Justice.”.

19 (g) *DEFINITIONS*.—Section 1709(1) of the Omnibus  
20 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
21 3796dd–8(1)) is amended by inserting “who is a sworn law  
22 enforcement officer” after “permanent basis”.

23 (h) *AUTHORIZATION OF APPROPRIATIONS*.—Section  
24 1001(a)(11) of the Omnibus Crime Control and Safe Streets  
25 Act of 1968 (42 U.S.C. 3793(a)(11)) is amended—

1           (1) *in subparagraph (A), by striking*  
2           *“1,047,119,000 for each of fiscal years 2006 through*  
3           *2009” and inserting “1,150,000,000 for each of fiscal*  
4           *years 2008 through 2013”;* and

5           (2) *in subparagraph (B)—*

6                 (A) *in the first sentence, by striking “3 per-*  
7                 *cent may be used for technical assistance under*  
8                 *section 1701(d)” and inserting “5 percent may*  
9                 *be used for technical assistance under section*  
10                *1701(f)”;* and

11               (B) *by striking the second sentence and in-*  
12                *serting the following: “Of the funds available for*  
13                *grants under part Q, not less than \$600,000,000*  
14                *shall be used for grants for the purposes specified*  
15                *in section 1701(b), not more than \$200,000,000*  
16                *shall be used for grants under section 1701(d),*  
17                *and not more than \$350,000,000 shall be used*  
18                *for grants under section 1701(e).”.*

19           (i) *PURPOSES.—Section 10002 of the Public Safety*  
20           *Partnership and Community Policing Act of 1994 (42*  
21           *U.S.C. 3796dd note) is amended—*

22                 (1) *in paragraph (4), by striking “development”*  
23                 *and inserting “use”;* and

24                 (2) *in the matter following paragraph (4), by*  
25                 *striking “for a period of 6 years”.*

1       (j) *COPS PROGRAM IMPROVEMENTS.*—

2               (1) *IN GENERAL.*—Section 109(b) of the *Omnibus Crime Control and Safe Streets Act of 1968* (42 U.S.C. 3712h(b)) is amended—

5                       (A) by striking paragraph (1);

6                       (B) by redesignating paragraphs (2) and  
7                       (3) as paragraphs (1) and (2), respectively; and

8                       (C) in paragraph (2), as so redesignated, by  
9                       inserting “, except for the program under part Q  
10                      of this title” before the period.

11       (2) *LAW ENFORCEMENT COMPUTER SYSTEMS.*—

12       Section 107 of the *Omnibus Crime Control and Safe Streets Act of 1968* (42 U.S.C. 3712f) is amended by  
13       adding at the end the following:  
14       

15       “(c) *EXCEPTION.*—This section shall not apply to any  
16       grant made under part Q of this title.”.

17       **SEC. 3. REPORT BY INSPECTOR GENERAL REQUIRED.**

18       (a) *REPORT.*—Not later than 180 days after the date  
19       of the enactment of this Act, the Inspector General of the  
20       Department of Justice shall submit to Congress a report on  
21       the *Public Safety and Community Policing (“COPS ON  
22       THE BEAT”)* grant program authorized by part Q of title  
23       I of the *Omnibus Crime Control and Safe Streets Act of  
24       1968* (42 U.S.C. 3796dd et seq.), including the elements de-  
25       scribed in subsection (b).

1       **(b) ELEMENTS OF REPORT.**—*The report submitted*  
2 *under subsection (a) shall include information on the fol-*  
3 *lowing, with respect to the grant program described in such*  
4 *subsection:*

5           (1) *The effect of the program on the rate of vio-*  
6 *lent crime, drug offenses, and other crimes.*

7           (2) *The degree to which State and local govern-*  
8 *ments awarded a grant under the program contribute*  
9 *State and local funds, respectively, for law enforce-*  
10 *ment programs and activities.*

11          (3) *Any waste, fraud, or abuse within the pro-*  
12 *gram.*

13       **(c) RANDOM SAMPLING REQUIRED.**—*For purposes of*  
14 *subsection (a), the Inspector General of the Department of*  
15 *Justice shall audit and review a random sampling of State*  
16 *and local law enforcement agencies. Such sampling shall*  
17 *include—*

18           (1) *law enforcement agencies of various sizes;*

19           (2) *law enforcement agencies that serve various*  
20 *populations; and*

21           (3) *law enforcement agencies that serve areas of*  
22 *various crime rates.*

**Union Calendar No. 90**

110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 1700**

[Report No. 110-150]

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**A BILL**

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MAY 14, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed