

# Union Calendar No. 442

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4033

[Report No. 106-776]

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify the procedures and conditions for the award of matching grants for the purchase of armor vests.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2000

Mr. VISCLOSKY introduced the following bill; which was referred to the  
Committee on the Judiciary

JULY 21, 2000

Additional sponsors: Mr. LOBIONDO, Mr. KLINK, Mr. FRANKS of New Jersey, Mr. FRANK of Massachusetts, Mr. MCINNIS, Mr. NADLER, Mrs. ROUKEMA, Mr. WEINER, Mr. CUNNINGHAM, Mr. HOYER, Mr. GREENWOOD, Mr. WYNN, Mrs. JOHNSON of Connecticut, Mr. BENTSEN, Mr. WOLF, Mr. CRAMER, Mrs. MORELLA, Mr. HINCHEY, Mr. LATOURETTE, Mrs. TAUSCHER, Mr. TAYLOR of North Carolina, Mr. SANDERS, Mr. ABERCROMBIE, Mr. BISHOP, Mr. CONDIT, Mr. COSTELLO, Ms. DANNER, Mr. EDWARDS, Mr. ETHERIDGE, Mr. GREEN of Texas, Mr. HOLT, Mr. MASCARA, Mr. MCGOVERN, Ms. SANCHEZ, Mr. THOMPSON of California, Mr. TOWNS, Ms. WOOLSEY, Mr. SMITH of Washington, Mr. MCINTYRE, Mr. McDERMOTT, Mr. DELAHUNT, Mr. SOUDER, Mr. GEJDENSON, Mrs. CAPPS, Mr. MORAN of Virginia, Mr. TAYLOR of Mississippi, Ms. DELAURO, Mr. LAFALCE, Mr. BALDACCI, Mrs. THURMAN, Mr. COYNE, Mr. BERMAN, Mr. OXLEY, Mr. KILDEE, Ms. BALDWIN, Mr. BROWN of Ohio, Mr. BLAGOJEVICH, Mrs. MINK of Hawaii, Mr. TRAFICANT, Mr. BUYER, Mr. JOHN, Mr. KENNEDY of Rhode Island, Mr. STUPAK, Mr. LAHOOD, Mr. FROST, Mr. LATHAM, Mr. MCHUGH, Mr. BAKER, Mr. WELDON of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BONIOR, Mr. PAYNE, Mr. SWEENEY, Mr. STRICKLAND, Mr. DEUTSCH, Mr. DEFazio, Mr. MALONEY of Connecticut, Mr. WISE, Mr. ACKERMAN, Mr. GUTIERREZ, Mr. HOLDEN, Mr. HASTINGS of Florida, Mr. OLVER, Mr. PALLONE, Mr. RAHALL, Mr. SERRANO, Ms. MCCARTHY of Missouri, Ms. CARSON, Mr. SISISKY, Mr. SAXTON, Mr. HOBSON, Mr.

HAYES, Mr. ENGEL, Mr. KNOLLENBERG, Mr. MATSUI, Mr. LIPINSKI, Mrs. LOWEY, Mr. MENENDEZ, Mr. LEVIN, Mr. FILNER, Mr. STARK, Mr. TIERNEY, Mr. DICKS, Mr. REYES, Mr. GEORGE MILLER of California, Mr. BORSKI, Mr. CLAY, Mrs. MYRICK, Mr. SPRATT, Mr. BARCIA, Mr. GILMAN, Mr. PRICE of North Carolina, Mrs. CHRISTENSEN, Mr. RILEY, Mr. DIXON, Mr. FLETCHER, Mr. CROWLEY, Mr. INSLEE, Mr. TANNER, Ms. SLAUGHTER, Mr. COOK, Mr. EVANS, Mr. LAMPSON, Mr. WALSH, Mr. MCNULTY, Mr. SAWYER, Mr. KUCINICH, Mr. ROEMER, Mr. GOODE, Mr. KLECZKA, Mr. UDALL of Colorado, Mr. LUCAS of Kentucky, Mr. FOLEY, Mr. NEY, Mrs. EMERSON, Mr. BILBRAY, Mr. NETHERCUTT, Mrs. NORTHUP, Mr. PORTER, Mr. DOOLEY of California, Mr. RANGEL, Ms. DEGETTE, Mr. MICA, Mr. GORDON, Ms. STABENOW, Mr. PICKERING, Mr. PETERSON of Pennsylvania, Mr. SPENCE, Mr. BLUMENAUER, Mr. GILLMOR, Ms. BERKLEY, Mr. WELLER, Mr. RAMSTAD, Mr. POMEROY, Mr. DAVIS of Illinois, Mr. SKEEN, Mr. YOUNG of Florida, Mr. SHERMAN, Mr. LANTOS, Mr. BOEHLERT, Mr. HORN, Mr. BATEMAN, Ms. PELOSI, Mr. UDALL of New Mexico, Mrs. KELLY, Mrs. FOWLER, Mr. PHELPS, Mr. SHAYS, Mr. SNYDER, Mr. LEWIS of Georgia, Mr. PICKETT, Mr. BLILEY, Ms. ESHOO, Mr. MARTINEZ, Mr. BILIRAKIS, Mr. RUSH, Mr. ROMERO-BARCELO, Ms. KAPTUR, Mrs. JONES of Ohio, Mrs. MCCARTHY of New York, Mr. WAXMAN, Mr. WAMP, Mr. KIND, Mr. MOLLOHAN, Mrs. MALONEY of New York, Mr. FALEOMAVAEGA, Mr. ROTHMAN, Ms. LEE, Mr. DOYLE, Ms. RIVERS, Mr. GIBBONS, Mr. EHRlich, Mr. GRAHAM, Mr. CAMP, Mr. WEYGAND, Mr. BAIRD, Mr. MOORE, Mr. FARR of California, Mr. SABO, Mr. MEEHAN, Mr. FORBES, Ms. SCHAKOWSKY, Mr. CLEMENT, Mr. BACA, Mr. MEEKS of New York, Mr. OWENS, Mr. MURTHA, Mr. FORD, Mrs. NAPOLITANO, Ms. VELAZQUEZ, Mr. GONZALEZ, Mr. RODRIGUEZ, Mr. JENKINS, Mr. KOLBE, Mr. BECERRA, Ms. ROYBAL-ALLARD, Mr. CAPUANO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ANDREWS, Mrs. CLAYTON, Ms. MILLENDER-MCDONALD, Mr. CANNON, Mr. SANDLIN, Ms. LOFGREN, Mr. WU, Mr. HUTCHINSON, Mr. PASTOR, Mr. JACKSON of Illinois, Mr. BARRETT of Wisconsin, Mr. LARSON, Mr. LUCAS of Oklahoma, Mr. REYNOLDS, Mr. HINOJOSA, Mr. UPTON, Mr. BACHUS, Mr. OSE, Mr. COBURN, Mr. QUINN, Mr. LUTHER, Mr. CUMMINGS, Mr. SCOTT, Mr. HASTINGS of Washington, Mr. HALL of Ohio, Mr. COBLE, Mr. KANJORSKI, Ms. MCKINNEY, Ms. JACKSON-LEE of Texas, Mr. SALMON, Ms. HOOLEY of Oregon, Mr. LARGENT, Mr. KUYKENDALL, Ms. NORTON, Mr. CALVERT, Ms. DUNN, Mr. YOUNG of Alaska, Ms. KILPATRICK, Mr. THOMPSON of Mississippi, Mr. SHOWS, Mr. TERRY, Mr. PASCRELL, Mr. WELDON of Florida, Mr. MANZULLO, and Mr. SHIMKUS

JULY 20, 2000

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 20, 2000]

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## A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify the procedures and conditions for the award of matching grants for the purchase of armor vests.

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 “Bulletproof Vest Part-*  
5 *nership Grant Act of 2000”.*

6 **SEC. 2. FINDINGS.**

7 *Congress finds that—*

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

12 *(2) according to studies, between 1985 and 1994,*  
13 *709 law enforcement officers in the United States*  
14 *were feloniously killed in the line of duty;*

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

1           (4) according to studies, between 1985 and 1994,  
2           bullet-resistant materials helped save the lives of more  
3           than 2,000 law enforcement officers in the United  
4           States; and

5           (5) the Executive Committee for Indian Country  
6           Law Enforcement Improvements reports that violent  
7           crime in Indian country has risen sharply, despite a  
8           decrease in the national crime rate, and has con-  
9           cluded that there is a “public safety crisis in Indian  
10          country”.

11 **SEC. 3. MATCHING GRANT PROGRAM FOR LAW ENFORCE-**  
12 **MENT ARMOR VESTS.**

13          (a) *MATCHING FUNDS.*—Section 2501(f) (42 U.S.C.  
14 3796ll(f)) of the Omnibus Crime Control and Safe Streets  
15 Act of 1968 is amended—

16           (1) by striking “The portion” and inserting the  
17          following:

18           “(1) The portion”;

19           (2) by striking “subsection (a)” and all that fol-  
20          lows through the period at the end of the first sentence  
21          and inserting “subsection (a)—

22           “(A) may not exceed 50 percent; and

23           “(B) shall equal 50 percent, if—

1                   “(i) such grant is to a unit of local  
2                   government with fewer than 100,000 resi-  
3                   dents;

4                   “(ii) the Director of the Bureau of Jus-  
5                   tice Assistance determines that the quantity  
6                   of vests to be purchased with such grant is  
7                   reasonable; and

8                   “(iii) such portion does not cause such  
9                   grant to violate the requirements of sub-  
10                  section (e).”; and

11                  (3) by striking “Any funds” and inserting the  
12                  following:

13                  “(2) Any funds”.

14                  (b) *ALLOCATION OF FUNDS.*—Section 2501(g) (42  
15                  U.S.C. 3796ll(g)) of the Omnibus Crime Control and Safe  
16                  Streets Act of 1968 is amended to read as follows:

17                  “(g) *ALLOCATION OF FUNDS.*—Funds available under  
18                  this part shall be awarded, without regard to subsection (c),  
19                  to each qualifying unit of local government with fewer than  
20                  100,000 residents. Any remaining funds available under  
21                  this part shall be awarded to other qualifying applicants.”.

22                  (c) *APPLICATIONS.*—Section 2502 (42 U.S.C. 3796ll–  
23                  1) of the Omnibus Crime Control and Safe Streets Act of  
24                  1968 is amended by inserting after subsection (c) the fol-  
25                  lowing new subsection:

1       “(d) *APPLICATIONS IN CONJUNCTION WITH PUR-*  
2 *CHASES.—If an application under this section is submitted*  
3 *in conjunction with a transaction for the purchase of armor*  
4 *vests, grant amounts under this section may not be used*  
5 *to fund any portion of that purchase unless, before the ap-*  
6 *plication is submitted, the applicant—*

7               “(1) *receives clear and conspicuous notice that*  
8 *receipt of the grant amounts requested in the applica-*  
9 *tion is uncertain; and*

10              “(2) *expressly assumes the obligation to carry*  
11 *out the transaction regardless of whether such*  
12 *amounts are received.”.*

13       “(d) *DEFINITION OF ARMOR VEST.—Paragraph (1) of*  
14 *section 2503 (42 U.S.C. 3796ll–2) of such Act is amended—*

15              “(1) *by striking “means body armor” and insert-*  
16 *ing the following: “means—*

17                      “(A) *body armor”; and*

18              “(2) *by inserting after the semicolon at the end*  
19 *the following: “or*

20                      “(B) *body armor which has been tested*  
21 *through such voluntary compliance testing pro-*  
22 *gram, and found to meet or exceed the require-*  
23 *ments of NIJ Standard 0115.00, or any subse-*  
24 *quent revision of such standard;”.*

1           (e) *INTERIM DEFINITION OF ARMOR VEST.*—For pur-  
2 poses of part Y of title I of the Omnibus Crime Control  
3 and Safe Streets Act of 1968, as amended by this Act, the  
4 meaning of the term “armor vest” (as defined in section  
5 2503 of such Act (42 U.S.C. 37966ll–2)) shall, until the date  
6 on which a final NIJ Standard 0115.00 is first fully ap-  
7 proved and implemented, also include body armor which  
8 has been found to meet or exceed the requirements for pro-  
9 tection against stabbing established by the State in which  
10 the grantee is located.

11           (f) *AUTHORIZATION OF APPROPRIATIONS.*—Section  
12 1001(a)(23) of the Omnibus Crime Control and Safe Streets  
13 Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking  
14 the period at the end and inserting the following: “, and  
15 \$50,000,000 for each of fiscal years 2002 through 2004.”.

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