

107TH CONGRESS
1ST SESSION

S. 440

To establish a matching grant program to help State and local jurisdictions purchase bullet-resistant equipment for use by law enforcement departments.

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2001

Mr. CAMPBELL introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To establish a matching grant program to help State and local jurisdictions purchase bullet-resistant equipment for use by law enforcement departments.

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 “Officer Dale Claxton
5 Bulletproof Police Protective Equipment Act of 2001”.

6 **SEC. 2. FINDINGS; PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

8 (1) Officer Dale Claxton of the Cortez, Colo-
9 rado, Police Department was shot and killed by bul-
10 lets that passed through the windshield of his police

1 car after he stopped a stolen truck, and his life may
2 have been saved if his police car had been equipped
3 with bullet-resistant equipment;

4 (2) the number of law enforcement officers who
5 are killed in the line of duty would significantly de-
6 crease if every law enforcement officer in the United
7 States had access to additional bullet-resistant
8 equipment;

9 (3) according to studies, between 1990 and
10 2000, 1,700 law enforcement officers in the United
11 States were shot and killed in the line of duty;

12 (4) the Federal Bureau of Investigation esti-
13 mates that the risk of fatality to law enforcement of-
14 ficers while not wearing bullet-resistant equipment,
15 such as an armor vest, is 14 times higher than for
16 officers wearing an armor vest; and

17 (5) the Executive Committee for Indian Coun-
18 try Law Enforcement Improvements reports that
19 violent crime in Indian country has risen sharply de-
20 spite a decrease in the national crime rate, and has
21 concluded that there is a “public safety crisis in In-
22 dian country”.

23 (b) PURPOSE.—The purpose of this Act is to save
24 lives of law enforcement officers by helping State, local,

1 and tribal law enforcement agencies provide officers with
 2 bullet-resistant equipment and video cameras.

3 **SEC. 3. MATCHING GRANT PROGRAM FOR LAW ENFORCE-**
 4 **MENT BULLET-RESISTANT EQUIPMENT.**

5 (a) IN GENERAL.—Part Y of title I of the Omnibus
 6 Crime Control and Safe Streets Act of 1968 is amended—

7 (1) by striking the part designation and part
 8 heading and inserting the following:

9 **“PART Y—MATCHING GRANT PROGRAMS FOR**
 10 **LAW ENFORCEMENT**

11 **“Subpart A—Grant Program for Armor Vests”;**

12 (2) by striking “this part” each place that term
 13 appears and inserting “this subpart”; and

14 (3) by adding at the end the following:

15 **“Subpart B—Grant Program for Bullet-Resistant**
 16 **Equipment**

17 **“SEC. 2511. PROGRAM AUTHORIZED.**

18 “(a) IN GENERAL.—The Director of the Bureau of
 19 Justice Assistance is authorized to make grants to States,
 20 units of local government, and Indian tribes to purchase
 21 bullet-resistant equipment for use by State, local, and trib-
 22 al law enforcement officers.

23 “(b) USES OF FUNDS.—Grants awarded under this
 24 section shall be—

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

3 “(2) used for the purchase of bullet-resistant
4 equipment for law enforcement officers in the juris-
5 diction of the grantee.

6 “(c) PREFERENTIAL CONSIDERATION.—In awarding
7 grants under this subpart, the Director of the Bureau of
8 Justice Assistance may give preferential consideration, if
9 feasible, to an application from a jurisdiction that—

10 “(1) has the greatest need for bullet-resistant
11 equipment based on the percentage of law enforce-
12 ment officers in the department who do not have ac-
13 cess to a vest;

14 “(2) has a violent crime rate at or above the
15 national average as determined by the Federal Bu-
16 reau of Investigation; or

17 “(3) has not received a block grant under the
18 Local Law Enforcement Block Grant program de-
19 scribed under the heading ‘State and Local Law En-
20 forcement Assistance’ of the Departments of Com-
21 merce, Justice, and State, the Judiciary, and Re-
22 lated Agencies Appropriations Act, 2001 (Public
23 Law 106–553).

24 “(d) MINIMUM AMOUNT.—Unless all eligible applica-
25 tions submitted by any State or unit of local government

1 within such State for a grant under this section have been
2 funded, such State, together with grantees within the
3 State (other than Indian tribes), shall be allocated in each
4 fiscal year under this section not less than 0.50 percent
5 of the total amount appropriated in the fiscal year for
6 grants pursuant to this section except that the United
7 States Virgin Islands, American Samoa, Guam, and the
8 Northern Mariana Islands shall each be allocated 0.25
9 percent.

10 “(e) MAXIMUM AMOUNT.—A qualifying State, unit of
11 local government, or Indian tribe may not receive more
12 than 5 percent of the total amount appropriated in each
13 fiscal year for grants under this section, except that a
14 State, together with the grantees within the State may not
15 receive more than 20 percent of the total amount appro-
16 priated in each fiscal year for grants under this section.

17 “(f) MATCHING FUNDS.—The portion of the costs of
18 a program provided by a grant under subsection (a) may
19 not exceed 50 percent. Any funds appropriated by Con-
20 gress for the activities of any agency of an Indian tribal
21 government or the Bureau of Indian Affairs performing
22 law enforcement functions on any Indian lands may be
23 used to provide the non-Federal share of a matching re-
24 quirement funded under this subsection.

1 “(g) ALLOCATION OF FUNDS.—At least half of the
 2 funds available under this subpart shall be awarded to
 3 units of local government with fewer than 100,000 resi-
 4 dents.

5 **“SEC. 2512. APPLICATIONS.**

6 “(a) IN GENERAL.—To request a grant under this
 7 subpart, the chief executive of a State, unit of local gov-
 8 ernment, or Indian tribe shall submit an application to
 9 the Director of the Bureau of Justice Assistance in such
 10 form and containing such information as the Director may
 11 reasonably require.

12 “(b) REGULATIONS.—Not later than 90 days after
 13 the date of enactment of this subpart, the Director of the
 14 Bureau of Justice Assistance shall promulgate regulations
 15 to implement this section (including the information that
 16 must be included and the requirements that the States,
 17 units of local government, and Indian tribes must meet)
 18 in submitting the applications required under this section.

19 “(c) ELIGIBILITY.—A unit of local government that
 20 receives funding under the Local Law Enforcement Block
 21 Grant program, described under the heading ‘State and
 22 Local Law Enforcement Assistance’ of the Departments
 23 of Commerce, Justice, and State, the Judiciary, and Re-
 24 lated Agencies Appropriations Act, 2001 (Public Law
 25 106–553), during a fiscal year in which it submits an ap-

1 plication under this subpart shall not be eligible for a
 2 grant under this subpart unless the chief executive officer
 3 of such unit of local government certifies and provides an
 4 explanation to the Director that the unit of local govern-
 5 ment considered or will consider using funding received
 6 under the block grant program for any or all of the costs
 7 relating to the purchase of bullet-resistant equipment, but
 8 did not, or does not expect to use such funds for such
 9 purpose.

10 **“SEC. 2513. DEFINITIONS.**

11 “In this subpart—

12 “(1) the term ‘equipment’ means windshield
 13 glass, car panels, shields, and protective gear;

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

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

23 “(4) the term ‘Indian tribe’ has the same mean-
 24 ing as in section 4(e) of the Indian Self-Determina-

1 tion and Education Assistance Act (25 U.S.C.
2 450b(e)); and

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

10 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
11 1001(a) of the Omnibus Crime Control and Safe Streets
12 Act of 1968 (42 U.S.C. 3793(a)) is amended by striking
13 paragraph (23) and inserting the following:

14 “(23) There are authorized to be appropriated
15 to carry out part Y—

16 “(A) \$25,000,000 for each of fiscal years
17 2002 through 2004 for grants under subpart A
18 of that part; and

19 “(B) \$40,000,000 for each of fiscal years
20 2002 through 2004 for grants under subpart B
21 of that part.”.

22 **SEC. 4. SENSE OF CONGRESS.**

23 In the case of any equipment or products that may
24 be authorized to be purchased with financial assistance
25 provided using funds appropriated or otherwise made

1 available by this Act, it is the sense of Congress that enti-
 2 ties receiving the assistance should, in expending the as-
 3 sistance, purchase only American-made equipment and
 4 products.

5 **SEC. 5. TECHNOLOGY DEVELOPMENT.**

6 Section 202 of title I of the Omnibus Crime Control
 7 and Safe Streets Act of 1968 (42 U.S.C. 3722) is amend-
 8 ed by adding at the end the following:

9 “(e) BULLET-RESISTANT TECHNOLOGY DEVELOP-
 10 MENT.—

11 “(1) IN GENERAL.—The Institute is authorized
 12 to—

13 “(A) conduct research and otherwise work
 14 to develop new bullet-resistant technologies (i.e.,
 15 acrylic, polymers, aluminized material, and
 16 transparent ceramics) for use in police equip-
 17 ment (including windshield glass, car panels,
 18 shields, and protective gear);

19 “(B) inventory bullet-resistant technologies
 20 used in the private sector, in surplus military
 21 property, and by foreign countries; and

22 “(C) promulgate relevant standards for,
 23 and conduct technical and operational testing
 24 and evaluation of, bullet-resistant technology

1 and equipment, and otherwise facilitate the use
2 of that technology in police equipment.

3 “(2) PRIORITY.—In carrying out this sub-
4 section, the Institute shall give priority in testing
5 and engineering surveys to law enforcement partner-
6 ships developed in coordination with high-intensity
7 drug trafficking areas.

8 “(3) AUTHORIZATION OF APPROPRIATIONS.—
9 There is authorized to be appropriated to carry out
10 this subsection \$3,000,000 for fiscal years 2002
11 through 2004.”.

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