

Calendar No. 492

118TH CONGRESS
2D SESSION**S. 4305****[Report No. 118–214]**

To improve the effectiveness of body armor issued to female agents and officers of the Department of Homeland Security, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 9, 2024

Mr. PETERS (for himself, Mrs. BRITT, Mr. OSSOFF, and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

SEPTEMBER 9, 2024

Reported by Mr. PETERS, with an amendment

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

To improve the effectiveness of body armor issued to female agents and officers of the Department of Homeland Security, 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 “DHS Better Ballistic
5 Body Armor Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (a) **BALLISTIC RESISTANT BODY ARMOR.**—The term
 4 “ballistic resistant body armor” means torso ballistic pro-
 5 tection containing soft ballistic panels, hard ballistic pan-
 6 els, or a combination of both, contained within a carrier,
 7 which may be concealable for wear under a uniform shirt
 8 or external for wear over a uniform shirt, and holds panels
 9 and plates in position on the torso.

10 (b) **DEPARTMENT.**—The term “Department” means
 11 the Department of Homeland Security.

12 (c) **SECRETARY.**—The term “Secretary” means the
 13 Secretary of Homeland Security.

14 **SEC. 3. PROCUREMENT OF BALLISTIC RESISTANT BODY**
 15 **ARMOR TO ENSURE THE PROTECTION OF**
 16 **THE DEPARTMENT’S FEMALE AGENTS AND**
 17 **OFFICERS.**

18 (a) **IN GENERAL.**—The Secretary shall require com-
 19 ponents of the Department, when procuring ballistic re-
 20 sistant body armor for individuals whose body shapes are
 21 most closely associated with female agents and officers,
 22 to procure ballistic resistant body armor that—

23 (1) is specifically designed to fully protect body
 24 shapes most closely associated with female agents
 25 and officers;

1 (2) is made to conform to the individual wearer
2 and provide the best possible fit and coverage to
3 allow for either a flat or shaped front panel;

4 (3) is assessed and verified, upon delivery, to fit
5 properly and have sufficient coverage in accordance
6 with American Society for Testing and Materials
7 (ASTM International) standards for fit;

8 (4) has enhanced and advanced fit and tech-
9 nology that stops a bullet from skipping off the
10 chest at an upward angle into the throat region or
11 the spinal cord area; and

12 (5) is certified by the National Institute of Jus-
13 tice (referred to in this paragraph as “NIJ”), pursu-
14 ant to the NIJ standard for ballistic resistant body
15 armor, and listed on the associated NIJ Compliant
16 Products List as successfully passing the ballistic re-
17 sistant body armor standards in accordance with the
18 applicable ballistic protection level recommended by
19 the NIJ, including passing testing that uses—

20 (A) ballistic testing on gender-specific clay
21 or gelatin molds to ensure better contact of
22 nonplanar panels with clay or gelatin molds;

23 (B) soft body armor front panels contained
24 in soft carriers on female-shaped clay or gelatin

1 molds designed to fill the space behind the
2 panel;

3 ~~(C)~~ shots to be placed on shaping features;

4 ~~(D)~~ angled shots; and

5 ~~(E)~~ an angled shot at the chest that tests
6 the concerns of bullet skipping into the neckline
7 of each test sample to address the concern of a
8 bullet skipping.

9 ~~(b)~~ ANNUAL REPORTS.—

10 ~~(1)~~ ISSUANCE OF BALLISTIC RESISTANT BODY
11 ARMOR.—Not later than 1 year after the date of the
12 enactment of this Act, and annually thereafter for
13 the following 2 years, the head of each relevant com-
14 ponent agency of the Department shall submit a re-
15 port to the Secretary regarding the ballistic resistant
16 body armor issued to female agents and officers of
17 such component agency, including, with respect to
18 the reporting period—

19 ~~(A)~~ the number of female agents and offi-
20 cers to whom ballistic resistant body armor was
21 issued for performance of their official duties;

22 ~~(B)~~ the number of ballistic resistant body
23 armor units the use of which was discontinued
24 due to noncompliance with the requirements de-
25 scribed in subsection (a);

1 (C) the number of ballistic resistant body
 2 armor units issued to female agents and officers
 3 that are compliant with the requirements de-
 4 scribed in subsection (a); and

5 (D) the percentage of female agents and
 6 officers of such component agency who, as of
 7 the last day of the reporting period, have been
 8 issued and are regularly using ballistic resistant
 9 body armor that complies with the requirements
 10 described in subsection (a), disaggregated by
 11 duty station.

12 (2) ~~AGGREGATE REPORT.~~—Not later than 30
 13 days after receiving all of the reports required to be
 14 submitted under paragraph (1), the Secretary shall
 15 submit a report that aggregates all of the data con-
 16 tained in such reports to the Committee on Home-
 17 land Security and Governmental Affairs of the Sen-
 18 ate and the Committee on Homeland Security of the
 19 House of Representatives.

20 **SEC. 4. EFFECTIVE DATE.**

21 Not later than 3 years after the date of the enact-
 22 ment of this Act, all agents and officers of any component
 23 of the Department who have a body shape most closely
 24 associated with female agents and officers shall have been

1 issued body armor that meets the requirements described
 2 in section 3(a).

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “DHS Better Ballistic*
 5 *Body Armor Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (a) **BALLISTIC RESISTANT BODY ARMOR.**—*The term*
 9 *“ballistic resistant body armor” means torso ballistic pro-*
 10 *tection containing either soft ballistic panels, hard ballistic*
 11 *panels, or a combination of both, contained within a car-*
 12 *rier, which may be concealable for wear under a uniform*
 13 *shirt or external for wear over a uniform shirt, and holds*
 14 *panels and plates in position on the torso.*

15 (b) **DEPARTMENT.**—*The term “Department” means*
 16 *the Department of Homeland Security.*

17 (c) **SECRETARY.**—*The term “Secretary” means the*
 18 *Secretary of Homeland Security.*

19 **SEC. 3. PROCUREMENT OF BALLISTIC RESISTANT BODY**
 20 **ARMOR TO ENSURE THE PROTECTION OF THE**
 21 **DEPARTMENT’S FEMALE AGENTS AND OFFI-**
 22 **CERS.**

23 (a) **IN GENERAL.**—*The Secretary shall require compo-*
 24 *nents of the Department, when procuring ballistic resistant*
 25 *body armor for individuals whose body shapes are most*

1 *closely associated with female agents and officers, to procure*
2 *ballistic resistant body armor that—*

3 *(1) is specifically designed to fully protect body*
4 *shapes most closely associated with female agents and*
5 *officers;*

6 *(2) is made to conform to the individual wearer*
7 *and provide the best possible fit and coverage to allow*
8 *for either a flat or shaped front panel;*

9 *(3) is assessed and verified, upon delivery, to fit*
10 *properly and have sufficient coverage in accordance*
11 *with American Society for Testing and Materials*
12 *(ASTM International) standards for fit;*

13 *(4) has enhanced and advanced fit and tech-*
14 *nology that stops a bullet from skipping off the chest*
15 *at an upward angle into the throat region or the spi-*
16 *nal cord area; and*

17 *(5) is certified by the National Institute of Jus-*
18 *tice (referred to in this paragraph as “NIJ”), pursu-*
19 *ant to the NIJ standard for ballistic resistant body*
20 *armor, and listed on the associated NIJ Compliant*
21 *Products List as successfully passing the ballistic re-*
22 *sistant body armor standards in accordance with the*
23 *applicable ballistic protection level recommended by*
24 *the NIJ, including passing testing that uses, for each*
25 *test sample—*

1 (A) ballistic testing on gender-specific clay
 2 or gelatin molds to ensure better contact of
 3 nonplanar panels with clay or gelatin molds;

4 (B) soft body armor front panels contained
 5 in soft carriers on female-shaped clay or gelatin
 6 molds designed to fill the space behind the panel;

7 (C) shots to be placed on shaping features;

8 (D) angled shots;

9 (E) an angled shot at the chest to address
 10 the concern of a bullet skipping into the neckline;
 11 and

12 (F) any additional testing criteria rec-
 13 ommended by the NIJ after the date of the enact-
 14 ment of this Act.

15 (b) ANNUAL REPORTS.—

16 (1) ISSUANCE OF BALLISTIC RESISTANT BODY
 17 ARMOR.—Not later than 1 year after the date of the
 18 enactment of this Act, and annually thereafter for the
 19 following 2 years, the head of each relevant compo-
 20 nent agency of the Department shall submit a report
 21 to the Secretary regarding the ballistic resistant body
 22 armor issued to female agents and officers of such
 23 component agency, including, with respect to the re-
 24 porting period—

1 (A) the number of female agents and officers
2 to whom ballistic resistant body armor was
3 issued for performance of their official duties;

4 (B) the number of ballistic resistant body
5 armor units issued to female agents and officers,
6 the use of which was discontinued due to non-
7 compliance with the requirements described in
8 subsection (a);

9 (C) the number of ballistic resistant body
10 armor units issued to female agents and officers
11 that are compliant with the requirements de-
12 scribed in subsection (a); and

13 (D) the percentage of female agents and offi-
14 cers of such component agency who, as of the last
15 day of the reporting period, have been issued bal-
16 listic resistant body armor that complies with
17 the requirements described in subsection (a),
18 disaggregated by duty station.

19 (2) *AGGREGATE REPORT.*—Not later than 30
20 days after receiving all of the reports required to be
21 submitted under paragraph (1), the Secretary shall
22 submit a report that aggregates all of the data con-
23 tained in such reports to the Committee on Homeland
24 Security and Governmental Affairs of the Senate and

1 *the Committee on Homeland Security of the House of*
2 *Representatives.*

3 **SEC. 4. EFFECTIVE DATE.**

4 *Not later than 3 years after the date of the enactment*
5 *of this Act, all agents and officers of any component of the*
6 *Department whose duties require body armor and who have*
7 *a body shape most closely associated with female agents and*
8 *officers shall have been issued body armor that meets the*
9 *requirements described in section 3(a).*

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