

108TH CONGRESS
2D SESSION

H. R. 4276

To promote rural safety and improve rural law enforcement.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2004

Mr. CARSON of Oklahoma introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To promote rural safety and improve rural law enforcement.

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 “Rural Safety and Law
5 Enforcement Improvement Act”.

1 **TITLE I—SMALL COMMUNITY**
2 **LAW ENFORCEMENT IM-**
3 **PROVEMENT GRANTS**

4 **SEC. 101. SMALL COMMUNITY GRANT PROGRAM.**

5 Section 1703 of title I of the Omnibus Crime Control
6 and Safe Streets Act of 1968 (42 U.S.C. 3796dd–2) is
7 amended by adding at the end the following:

8 “(d) RETENTION GRANTS.—

9 “(1) IN GENERAL.—The Attorney General may
10 make grants to units of local government and tribal
11 governments located outside a Standard Metropoli-
12 tan Statistical Area, which grants shall be targeted
13 specifically for the retention for 1 additional year of
14 police officers funded through the COPS Universal
15 Hiring Program, the COPS FAST Program, the
16 Tribal Resources Grant Program-Hiring, or the
17 COPS in Schools Program.

18 “(2) PREFERENCE.—In making grants under
19 this subsection, the Attorney General shall give pref-
20 erence to grantees that demonstrate financial hard-
21 ship or severe budget constraint that impacts the en-
22 tire local budget and may result in the termination
23 of employment for police officers described in para-
24 graph (1).

1 “(3) LIMIT ON GRANT AMOUNTS.—The total
 2 amount of a grant made under this subsection shall
 3 not exceed 20 percent of the original grant to the
 4 grantee.

5 “(4) AUTHORIZATION OF APPROPRIATIONS.—

6 “(A) IN GENERAL.—There are authorized
 7 to be appropriated to carry out this subsection
 8 \$15,000,000 for each of fiscal years 2005
 9 through 2009.

10 “(B) SET-ASIDE.—Of the amount made
 11 available for grants under this subsection for
 12 each fiscal year, 10 percent shall be awarded to
 13 tribal governments.”.

14 **SEC. 102. SMALL COMMUNITY TECHNOLOGY GRANT PRO-**
 15 **GRAM.**

16 Section 1701 of title I of the Omnibus Crime Control
 17 and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is
 18 amended by striking subsection (k) and inserting the fol-
 19 lowing:

20 “(k) LAW ENFORCEMENT TECHNOLOGY PRO-
 21 GRAM.—

22 “(1) IN GENERAL.—Grants under subsection
 23 (a)(1)(C) may be made and used in accordance with
 24 this subsection to assist the police departments of
 25 units of local government and tribal governments lo-

1 cated outside a Standard Metropolitan Statistical
2 Area in employing professional, scientific, and tech-
3 nological advancements that will help those police
4 departments to—

5 “(A) improve police communications
6 through the use of wireless communications,
7 computers, software, videocams, databases and
8 other hardware and software that allow law en-
9 forcement agencies to communicate and operate
10 more effectively; and

11 “(B) develop and improve access to crime
12 solving technologies, including DNA analysis,
13 photo enhancement, voice recognition, and other
14 forensic capabilities.

15 “(2) COST SHARE REQUIREMENT.—A recipient
16 of a grant made and used in accordance with this
17 subsection shall provide matching funds from non-
18 Federal sources in an amount equal to not less than
19 10 percent of the total amount of the grant made
20 under this subsection, subject to a waiver by the At-
21 torney General for extreme hardship.

22 “(3) ADMINISTRATION.—The office of the De-
23 partment of Justice responsible for administering
24 subsection (a)(1)(C) shall administer the grant pro-
25 gram under this subsection.

1 “(4) NO SUPPLANTING.—Federal funds pro-
2 vided under this subsection shall be used to supple-
3 ment and not to supplant local funds allocated to
4 technology.

5 “(5) AUTHORIZATION OF APPROPRIATIONS.—

6 “(A) IN GENERAL.—There are authorized
7 to be appropriated \$40,000,000 for each of fis-
8 cal years 2005 through 2009 to carry out this
9 subsection.

10 “(B) SET-ASIDE.—Of the amount made
11 available for grants under this subsection for
12 each fiscal year, 10 percent shall be awarded to
13 tribal governments.”.

14 **SEC. 103. RURAL 9-1-1 SERVICE.**

15 (a) PURPOSE.—The purpose of this section is to pro-
16 vide access to, and improve a communications infrastruc-
17 ture that will ensure a reliable and seamless communica-
18 tion between, law enforcement, fire, and emergency med-
19 ical service providers in units of local government and trib-
20 al governments located outside a Standard Metropolitan
21 Statistical Area and in States.

22 (b) AUTHORITY TO MAKE GRANTS.—The Office of
23 Justice Programs of the Department of Justice shall make
24 grants, in accordance with such regulations as the Attor-
25 ney General may prescribe, to units of local government

1 and tribal governments located outside a Standard Metro-
2 politan Statistical Area for the purpose of establishing or
3 improving 9-1-1 service in those communities. Priority in
4 making grants under this section shall be given to commu-
5 nities that do not have 9-1-1 service.

6 (c) DEFINITION.—In this section, the term “9-1-1
7 service” refers to telephone service that has designated 9-
8 1-1 as a universal emergency telephone number in the
9 community served for reporting an emergency to appro-
10 priate authorities and requesting assistance.

11 (d) LIMIT ON GRANT AMOUNT.—The total amount
12 of a grant made under this section shall not exceed
13 \$250,000.

14 (e) FUNDING.—

15 (1) IN GENERAL.—There are authorized to be
16 appropriated to carry out this section \$25,000,000
17 for fiscal year 2005, to remain available until ex-
18 pended.

19 (2) SET-ASIDE.—Of the amount made available
20 for grants under this section, 10 percent shall be
21 awarded to tribal governments.

1 **TITLE II—CRACKING DOWN ON**
2 **METHAMPHETAMINE**

3 **SEC. 201. METHAMPHETAMINE TREATMENT PROGRAMS IN**
4 **RURAL AREAS.**

5 Subpart I of part B of title V of the Public Health
6 Service Act (42 U.S.C. 290bb et seq.) is amended by in-
7 serting after section 509 the following:

8 **“SEC. 510A. METHAMPHETAMINE TREATMENT PROGRAMS**
9 **IN RURAL AREAS.**

10 “(a) IN GENERAL.—The Secretary, acting through
11 the Director of the Center for Substance Abuse Treat-
12 ment, shall make grants to community-based public and
13 nonprofit private entities for the establishment of sub-
14 stance abuse (particularly methamphetamine) prevention
15 and treatment pilot programs in units of local government
16 and tribal governments located outside a Standard Metro-
17 politan Statistical Area.

18 “(b) ADMINISTRATION.—Grants made in accordance
19 with this section shall be administered by a single State
20 agency designated by a State to ensure a coordinated ef-
21 fort within that State.

22 “(c) APPLICATION.—To be eligible to receive a grant
23 under subsection (a), a public or nonprofit private entity
24 shall prepare and submit to the Secretary an application

1 at such time, in such manner, and containing such infor-
2 mation as the Secretary may require.

3 “(d) USE OF FUNDS.—A recipient of a grant under
4 this section shall use amounts received under the grant
5 to establish a methamphetamine abuse prevention and
6 treatment pilot program that serves one or more rural
7 areas. Such a pilot program shall—

8 “(1) have the ability to care for individuals on
9 an in-patient basis;

10 “(2) have a social detoxification capability, with
11 direct access to medical services within 50 miles;

12 “(3) provide neuro-cognitive skill development
13 services to address brain damage caused by meth-
14 amphetamine use;

15 “(4) provide after-care services, whether as a
16 single-source provider or in conjunction with commu-
17 nity-based services designed to continue neuro-cog-
18 nitive skill development to address brain damage
19 caused by methamphetamine use;

20 “(5) provide appropriate training for the staff
21 employed in the program; and

22 “(6) use scientifically-based best practices in
23 substance abuse treatment, particularly in meth-
24 amphetamine treatment.

1 “(e) AMOUNT OF GRANTS.—The amount of a grant
2 under this section shall be at least \$19,000 but not greater
3 than \$100,000.

4 “(f) AUTHORIZATION OF APPROPRIATIONS.—

5 “(1) IN GENERAL.—There is authorized to be
6 appropriated \$2,000,000 to carry out this section.

7 “(2) SET-ASIDE.—Of the amount made avail-
8 able for grants under this section, 10 percent shall
9 be awarded to tribal governments to ensure the pro-
10 vision of services under this section.”.

11 **SEC. 202. METHAMPHETAMINE PREVENTION EDUCATION.**

12 Section 519E of the Public Health Service Act (42
13 U.S.C. 290bb–25e) is amended—

14 (1) in subsection (c)(1)—

15 (A) in subparagraph (F), by striking
16 “and” at the end;

17 (B) in subparagraph (G), by striking the
18 period and inserting “; and”; and

19 (C) by adding at the end the following:

20 “(H) to fund programs that educate rural
21 communities, particularly parents, teachers, and
22 others who work with youth, concerning the
23 early signs and effects of methamphetamine
24 use, however, as a prerequisite to receiving
25 funding, these programs shall—

1 “(i) prioritize methamphetamine pre-
2 vention and education;

3 “(ii) have past experience in commu-
4 nity coalition building and be part of an
5 existing coalition that includes medical and
6 public health officials, educators, youth-
7 serving community organizations, and
8 members of law enforcement;

9 “(iii) utilize professional prevention
10 staff to develop research and science based
11 prevention strategies for the community to
12 be served;

13 “(iv) demonstrate the ability to oper-
14 ate a community-based methamphetamine
15 prevention and education program;

16 “(v) establish prevalence of use
17 through a community needs assessment;

18 “(vi) establish goals and objectives
19 based on a needs assessment; and

20 “(vii) demonstrate measurable out-
21 comes on a yearly basis.”;

22 (2) in subsection (e)—

23 (A) by striking “subsection (a),
24 \$10,000,000” and inserting “subsection (a)—

25 “(1) \$10,000,000”;

1 (B) by striking the period at the end and
2 inserting “; and”; and

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

4 “(2) \$5,000,000 for each of fiscal years 2005
5 through 2009 to carry out the programs referred to
6 in subsection (c)(1)(H).”; and

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

8 “(f) SET-ASIDE.—Of the amount made available for
9 grants under this section, 10 percent shall be used to as-
10 sist tribal governments.

11 “(g) AMOUNT OF GRANTS.—The amount of a grant
12 under this section, with respect to each rural community
13 involved, shall be at least \$19,000 but not greater than
14 \$100,000.”.

15 **SEC. 203. METHAMPHETAMINE CLEANUP.**

16 (a) IN GENERAL.—The Attorney General shall,
17 through the Department of Justice or through grants to
18 States or units of local government and tribal governments
19 located outside a Standard Metropolitan Statistical Area,
20 in accordance with such regulations as the Attorney Gen-
21 eral may prescribe, provide for—

22 (1) the cleanup of methamphetamine labora-
23 tories and related hazardous waste in units of local
24 government and tribal governments located outside a
25 Standard Metropolitan Statistical Area; and

1 (2) the improvement of contract-related re-
 2 sponse time for cleanup of methamphetamine labora-
 3 tories and related hazardous waste in units of local
 4 government and tribal governments located outside a
 5 Standard Metropolitan Statistical Area by providing
 6 additional contract personnel, equipment, and facili-
 7 ties.

8 (b) AUTHORIZATION OF APPROPRIATIONS.—

9 (1) IN GENERAL.—There is authorized to be
 10 appropriated \$20,000,000 for fiscal year 2005 to
 11 carry out this section.

12 (2) FUNDING ADDITIONAL.—Amounts author-
 13 ized by this section are in addition to amounts oth-
 14 erwise authorized by law.

15 (3) SET-ASIDE.—Of the amount made available
 16 for grants under this section, 10 percent shall be
 17 awarded to tribal governments.

18 **SEC. 204. PAYMENT FOR CLEANUP OF FORMER METH-**
 19 **AMPHETAMINE LABORATORIES USING DE-**
 20 **PARTMENT OF THE TREASURY FORFEITURE**
 21 **FUND.**

22 (a) IN GENERAL.—Chapter 97 of title 31, United
 23 States Code, is amended—

24 (1) by redesignating section 9703 (as added by
 25 Public Law 103–62) as section 9703A;

1 (2) by transferring section 9703 (as added by
2 Public Law 102–393) so as to appear after section
3 9702;

4 (3) by amending section 9703 (as so trans-
5 ferred) in subsection (a)(1) by adding at the end the
6 following:

7 “(K) Payment for the costs of experts and con-
8 sultants needed to clean up an area formerly used
9 as a methamphetamine laboratory, subject to the fol-
10 lowing:

11 “(i) If the area is located on public prop-
12 erty, payment for such costs shall be made to
13 the designated State, local, or tribal law en-
14 forcement, environmental, or health entity.

15 “(ii) If the area is located on private prop-
16 erty, payment under this subparagraph may not
17 be made for more than 90 percent of such
18 costs, and may be made only if the property
19 owner—

20 “(I) did not, before law enforcement
21 action to close the laboratory, have actual
22 knowledge that the laboratory was located
23 on the property; or

24 “(II) notified an appropriate law en-
25 forcement agency about the laboratory not

1 later than 24 hours after gaining actual
2 knowledge that the laboratory was located
3 on the property.”; and

4 (4) in the table of contents at the beginning of
5 such chapter—

6 (A) by redesignating the item relating to
7 section 9703 (as added by Public Law 103–62)
8 as section 9703A; and

9 (B) by transferring the item relating to
10 section 9703 (as added by Public Law 102–
11 393) so as to appear after the item relating to
12 section 9702.

13 (b) CONFORMING AMENDMENTS.—The following pro-
14 visions are each amended by striking “9703” and insert-
15 ing “9703A”:

16 (1) Sections 1115(f), 1116(d)(4), 1118(c)(3),
17 1119(d)(4), and 9704(b) of title 31, United States
18 Code.

19 (2) Section 11315(c)(3) of title 40, United
20 States Code.

21 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS RELATING**
22 **TO COPS GRANTS.**

23 (a) IN GENERAL.—In addition to any other funds au-
24 thorized to be appropriated for fiscal year 2005 for grants
25 under part Q of title I of the Omnibus Crime Control and

1 Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.),
2 known as the COPS program, there is authorized to be
3 appropriated \$20,000,000 for such purpose to provide
4 training to State and local prosecutors and law enforce-
5 ment agents for prosecution of methamphetamine of-
6 fenses.

7 (b) RURAL SET-ASIDE.—Of amounts made available
8 pursuant to subsection (a), \$5,000,000 shall be available
9 only for prosecutors and law enforcement agents for rural
10 communities.

11 (c) DEA REIMBURSEMENT.—Of amounts made
12 available pursuant to subsection (a), \$2,000,000 shall be
13 available only to reimburse the Drug Enforcement Admin-
14 istration for existing training expenses.

15 **SEC. 206. EXPANSION OF METHAMPHETAMINE HOT SPOTS**
16 **PROGRAM TO INCLUDE PERSONNEL AND**
17 **EQUIPMENT FOR ENFORCEMENT, PROSECU-**
18 **TION, AND ENVIRONMENTAL CLEANUP.**

19 Section 1701(d) of the Omnibus Crime Control and
20 Safe Streets Act of 1968 (42 U.S.C. 3796dd(d)) is amend-
21 ed—

22 (1) in paragraph (10) by striking “and” at the
23 end;

24 (2) in paragraph (11) by striking the period at
25 the end and inserting “; and”; and

1 (3) by adding at the end the following new
2 paragraph:

3 “(12) hire personnel and purchase equipment
4 for areas located outside a Standard Metropolitan
5 Statistical Area to assist in the enforcement and
6 prosecution of methamphetamine offenses and the
7 environmental cleanup of methamphetamine-affected
8 areas.”.

9 **TITLE III—LAW ENFORCEMENT** 10 **TRAINING**

11 **SEC. 301. SMALL TOWN AND RURAL TRAINING PROGRAM.**

12 (a) IN GENERAL.—There is established a Rural Po-
13 licing Institute, which shall be administered by the Na-
14 tional Center for State and Local Law Enforcement
15 Training of the Federal Law Enforcement Training Cen-
16 ter (FLETC) as part of the Small Town and Rural Train-
17 ing (STAR) Program to—

18 (1) assess the needs of law enforcement in units
19 of local government and tribal governments located
20 outside a Standard Metropolitan Statistical Area;

21 (2) develop and deliver export training pro-
22 grams regarding topics such as drug enforcement,
23 airborne counterdrug operations, domestic violence,
24 hate and bias crimes, computer crimes, law enforce-
25 ment critical incident planning related to school

1 shootings, and other topics identified in the training
2 needs assessment to law enforcement officers in
3 units of local government and tribal governments lo-
4 cated outside a Standard Metropolitan Statistical
5 Area; and

6 (3) conduct outreach efforts to ensure that
7 training programs under the Rural Policing Institute
8 reach law enforcement officers in units of local gov-
9 ernment and tribal governments located outside a
10 Standard Metropolitan Statistical Area.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—

12 (1) IN GENERAL.—There are authorized to be
13 appropriated \$10,000,000 for fiscal year 2005, and
14 \$5,000,000 for each of fiscal years 2006 through
15 2009, to carry out this section, including contracts,
16 staff, and equipment.

17 (2) SET-ASIDE.—Of the amount made available
18 for grants under this section for each fiscal year, 10
19 percent shall be awarded to tribal governments.

○