

# Calendar No. 175

110TH CONGRESS  
1ST SESSION

# S. 368

[Report No. 110-73]

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 SENATE OF THE UNITED STATES

JANUARY 23, 2007

Mr. BIDEN (for himself, Mr. BAUCUS, Mrs. BOXER, Ms. CANTWELL, Mrs. CLINTON, Mr. DODD, Mrs. FEINSTEIN, Mr. HARKIN, Mr. KERRY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Mr. MENENDEZ, Ms. MIKULSKI, Mr. OBAMA, Mr. REED, Mr. SALAZAR, Mr. SCHUMER, Mr. SMITH, Ms. STABENOW, Mr. REID, Mr. BYRD, Mr. ROCKEFELLER, Mr. BROWN, Mrs. McCASKILL, Mr. DURBIN, Mr. NELSON of Florida, Ms. LANDRIEU, Ms. KLOBUCHAR, Mr. SPECTER, Mr. KENNEDY, Mr. CARDIN, Mr. LEVIN, Mr. SANDERS, Mrs. MURRAY, Mr. COLEMAN, Mr. CASEY, and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

MAY 24, 2007

Reported by Mr. LEAHY, without amendment

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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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “COPS Improvements  
3 Act of 2007”.

4 **SEC. 2. COPS GRANT IMPROVEMENTS.**

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

8 (1) by amending subsection (a) to read as fol-  
9 lows:

10 “(a) GRANT AUTHORIZATION.—The Attorney Gen-  
11 eral shall carry out grant programs under which the Attor-  
12 ney General makes grants to States, units of local govern-  
13 ment, Indian tribal governments, other public and private  
14 entities, multi-jurisdictional or regional consortia, and in-  
15 dividuals for the purposes described in subsections (b), (c),  
16 (d), and (e).”;

17 (2) in subsection (b)—

18 (A) by striking the subsection heading text  
19 and inserting “COMMUNITY POLICING AND  
20 CRIME PREVENTION GRANTS”;

21 (B) in paragraph (3), by striking “, to in-  
22 crease the number of officers deployed in com-  
23 munity-oriented policing”;

24 (C) in paragraph (4), by inserting “or  
25 train” after “pay for”;

1 (D) by inserting after paragraph (4) the  
2 following:

3 “(5) award grants to hire school resource offi-  
4 cers and to establish school-based partnerships be-  
5 tween local law enforcement agencies and local  
6 school systems to combat crime, gangs, drug activi-  
7 ties, and other problems in and around elementary  
8 and secondary schools;”;

9 (E) by striking paragraph (9);

10 (F) by redesignating paragraphs (10)  
11 through (12) as paragraphs (9) through (11),  
12 respectively;

13 (G) by striking paragraph (13);

14 (H) by redesignating paragraphs (14)  
15 through (17) as paragraphs (12) through (15),  
16 respectively;

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

19 (J) in paragraph (15), as so redesignated,  
20 by striking the period at the end and inserting  
21 a semicolon; and

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

23 “(16) establish and implement innovative pro-  
24 grams to reduce and prevent illegal drug manufac-  
25 turing, distribution, and use, including the manufac-

turing, distribution, and use of methamphetamine;  
and

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

(3) by striking subsection (c);

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

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

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

“(c) TROOPS-TO-COPS PROGRAMS.—

“(1) IN GENERAL.—Grants made under sub-  
section (a) may be used to hire former members of  
the Armed Forces to serve as career law enforce-  
ment officers for deployment in community-oriented  
policing, particularly in communities that are ad-  
versely affected by a recent military base closing.

“(2) DEFINITION.—In this subsection, ‘former  
member of the Armed Forces’ means a member of  
the Armed Forces of the United States who is invol-  
untarily separated from the Armed Forces within  
the meaning of section 1141 of title 10, United  
States Code.

1       “(d) COMMUNITY PROSECUTORS PROGRAM.—The  
 2 Attorney General may make grants under subsection (a)  
 3 to pay for additional community prosecuting programs, in-  
 4 cluding programs that assign prosecutors to—

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

7               “(2) address counter-terrorism problems, spe-  
 8 cific violent crime problems (including intensive ille-  
 9 gal gang, gun, and drug enforcement and quality of  
 10 life initiatives), and localized violent and other crime  
 11 problems based on needs identified by local law en-  
 12 forcement agencies, community organizations, and  
 13 others.

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

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

23                       (A) in paragraph (1), by striking “to  
 24 States, units of local government, Indian tribal

1 governments, and to other public and private  
2 entities,”;

3 (B) in paragraph (2), by striking “define  
4 for State and local governments, and other pub-  
5 lic and private entities,” and inserting “estab-  
6 lish”;

7 (C) in the first sentence of paragraph (3),  
8 by inserting “(including regional community po-  
9 licing institutes)” after “training centers or fa-  
10 cilities”; and

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

12 “(4) EXCLUSIVITY.—The Office of Community  
13 Oriented Policing Services shall be the exclusive  
14 component of the Department of Justice to perform  
15 the functions and activities specified in this para-  
16 graph.”;

17 (8) in subsection (g), as so redesignated, by  
18 striking “may utilize any component”, and all that  
19 follows and inserting “shall use the Office of Com-  
20 munity Oriented Policing Services of the Depart-  
21 ment of Justice in carrying out this part.”;

22 (9) in subsection (h), as so redesignated—

23 (A) by striking “subsection (a)” the first  
24 place that term appears and inserting “para-  
25 graphs (1) and (2) of subsection (b)”;

1 (B) by striking “in each fiscal year pursu-  
 2 ant to subsection (a)” and inserting “in each  
 3 fiscal year for purposes described in paragraph  
 4 (1) and (2) of subsection (b)”;

5 (10) in subsection (i), as so redesignated, by  
 6 striking the second sentence; and

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

8 “(j) RETENTION OF ADDITIONAL OFFICER POSI-  
 9 TIONS.—For any grant under paragraph (1) or (2) of sub-  
 10 section (b) for hiring or rehiring career law enforcement  
 11 officers, a grant recipient shall retain each additional law  
 12 enforcement officer position created under that grant for  
 13 not less than 12 months after the end of the period of  
 14 that grant, unless the Attorney General waives, wholly or  
 15 in part, the retention requirement of a program, project,  
 16 or activity.”.

17 (b) APPLICATIONS.—Section 1702 of the Omnibus  
 18 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
 19 3796dd–1) is amended—

20 (1) in subsection (c)—

21 (A) in the matter preceding paragraph (1),  
 22 by inserting “, unless waived by the Attorney  
 23 General” after “under this part shall”;

24 (B) by striking paragraph (8); and

1 (C) by redesignating paragraphs (9)  
 2 through (11) as paragraphs (8) through (10),  
 3 respectively; and  
 4 (2) by striking subsection (d).

5 (c) RENEWAL OF GRANTS.—Section 1703 of the Om-  
 6 nibus Crime Control and Safe Streets Act of 1968 (42  
 7 U.S.C. 3796dd–2) is amended to read as follows:

8 **“SEC. 1703. RENEWAL OF GRANTS.**

9 “(a) IN GENERAL.—A grant made under this part  
 10 may be renewed, without limitations on the duration of  
 11 such renewal, to provide additional funds, if the Attorney  
 12 General determines that the funds made available to the  
 13 recipient were used in a manner required under an ap-  
 14 proved application and if the recipient can demonstrate  
 15 significant progress in achieving the objectives of the ini-  
 16 tial application.

17 “(b) NO COST EXTENSIONS.—Notwithstanding sub-  
 18 section (a), the Attorney General may extend a grant pe-  
 19 riod, without limitations as to the duration of such exten-  
 20 sion, to provide additional time to complete the objectives  
 21 of the initial grant award.”.

22 (d) LIMITATION ON USE OF FUNDS.—Section 1704  
 23 of the Omnibus Crime Control and Safe Streets Act of  
 24 1968 (42 U.S.C. 3796dd–3) is amended—



1           (1) in subsection (a), by striking “that would,  
 2           in the absence of Federal funds received under this  
 3           part, be made available from State or local sources”  
 4           and inserting “that the Attorney General determines  
 5           would, in the absence of Federal funds received  
 6           under this part, be made available for the purpose  
 7           of the grant under this part from State or local  
 8           sources”; and

9           (2) by striking subsection (c).

10          (e) ENFORCEMENT ACTIONS.—

11           (1) IN GENERAL.—Section 1706 of the Omni-  
 12          bus Crime Control and Safe Streets Act of 1968 (42  
 13          U.S.C. 3796dd–5) is amended—

14           (A) in the section heading, by striking  
 15           **“REVOCATION OR SUSPENSION OF FUND-**  
 16           **ING”** and inserting **“ENFORCEMENT AC-**  
 17           **TIONS”**; and

18           (B) by striking “revoke or suspend” and  
 19           all that follows and inserting “take any enforce-  
 20           ment action available to the Department of Jus-  
 21           tice.”.

22           (2) TECHNICAL AND CONFORMING AMEND-  
 23          MENT.—The table of contents of title I of the Omni-  
 24          bus Crime Control and Safe Streets Act of 1968 (42

1 U.S.C. 3711) is amended by striking the item relat-  
 2 ing to section 1706 and inserting the following:

“Sec. 1706. Enforcement actions.”.

3 (f) DEFINITIONS.—Section 1709(1) of the Omnibus  
 4 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
 5 3796dd–8(1)) is amended—

6 (1) by inserting “who is a sworn law enforce-  
 7 ment officer” after “permanent basis”; and

8 (2) by inserting “, including officers for the  
 9 Amtrak Police Department” before the period at the  
 10 end.

11 (g) AUTHORIZATION OF APPROPRIATIONS.—Section  
 12 1001(11) of the Omnibus Crime Control and Safe Streets  
 13 Act of 1968 (42 U.S.C. 3793(11)) is amended—

14 (1) in subparagraph (A), by striking  
 15 “1,047,119,000” and inserting “1,150,000,000”;  
 16 and

17 (2) in subparagraph (B)—

18 (A) in the first sentence, by striking “3  
 19 percent” and inserting “5 percent”; and

20 (B) by striking the second sentence and in-  
 21 serting the following: “Of the funds available  
 22 for grants under part Q, not less than  
 23 \$600,000,000 shall be used for grants for the  
 24 purposes specified in section 1701(b), not more  
 25 than \$200,000,000 shall be used for grants

1 under section 1701(d), and not more than  
2 \$350,000,000 shall be used for grants under  
3 section 1701(e).’’.

4 (h) PURPOSES.—Section 10002 of the Public Safety  
5 Partnership and Community Policing Act of 1994 (42  
6 U.S.C. 3796dd note) is amended—

7 (1) in paragraph (4), by striking “development”  
8 and inserting “use”; and

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

11 (i) COPS PROGRAM IMPROVEMENTS.—

12 (1) IN GENERAL.—Section 109(b) of the Omni-  
13 bus Crime Control and Safe Streets Act of 1968 (42  
14 U.S.C. 3712h(b)) is amended—

15 (A) by striking paragraph (1);

16 (B) by redesignating paragraphs (2) and  
17 (3) as paragraphs (1) and (2), respectively; and

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

21 (2) LAW ENFORCEMENT COMPUTER SYS-  
22 TEMS.—Section 107 of the Omnibus Crime Control  
23 and Safe Streets Act of 1968 (42 U.S.C. 3712f) is  
24 amended by adding at the end the following:

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



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