

113TH CONGRESS
1ST SESSION

H. R. 838

To provide grants to States in order to prevent racial profiling.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2013

Ms. NORTON introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To provide grants to States in order to prevent racial
profiling.

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 “Racial Profiling Pre-
5 vention Act”.

6 **SEC. 2. GRANT PROGRAM TO PROHIBIT RACIAL PROFILING.**

7 (a) GRANTS.—Subject to the requirements of this
8 section, the Secretary shall make grants to a State that—

9 (1)(A) has enacted and is enforcing a law that
10 prohibits the use of racial profiling in the enforce-

1 ment of State laws regulating the use of Federal-aid
2 highways; and

3 (B) is maintaining and allows public inspection
4 of statistical information for each motor vehicle stop
5 made by a law enforcement officer on a Federal-aid
6 highway in the State regarding the race and eth-
7 nicity of the driver and any passengers; or

8 (2) provides assurances satisfactory to the Sec-
9 retary that the State is undertaking activities to
10 comply with the requirements of paragraph (1).

11 (b) ELIGIBLE ACTIVITIES.—A grant received by a
12 State under subsection (a) shall be used by the State—

13 (1) in the case of a State eligible under sub-
14 section (a)(1), for costs of—

15 (A) collecting and maintaining of data on
16 traffic stops;

17 (B) evaluating the results of the data; and

18 (C) developing and implementing programs
19 to reduce the occurrence of racial profiling, in-
20 cluding programs to train law enforcement offi-
21 cers; and

22 (2) in the case of a State eligible under sub-
23 section (a)(2), for costs of—

24 (A) activities to comply with the require-
25 ments of subsection (a)(1); and

1 (B) any eligible activity under paragraph
2 (1).

3 (c) RACIAL PROFILING.—

4 (1) IN GENERAL.—To meet the requirement of
5 subsection (a)(1), a State law shall prohibit, in the
6 enforcement of State laws regulating the use of Fed-
7 eral-aid highways, a State or local law enforcement
8 officer from using the race or ethnicity of the driver
9 or passengers to any degree in making routine or
10 spontaneous law enforcement decisions, such as ordi-
11 nary traffic stops on Federal-aid highways.

12 (2) LIMITATION.—Nothing in this subsection
13 shall alter the manner in which a State or local law
14 enforcement officer considers race or ethnicity when-
15 ever there is trustworthy information, relevant to the
16 locality or time frame, that links persons of a par-
17 ticular race or ethnicity to an identified criminal in-
18 cident, scheme, or organization.

19 (d) LIMITATIONS.—

20 (1) MAXIMUM AMOUNT OF GRANTS.—The total
21 amount of grants made to a State under this section
22 in a fiscal year may not exceed 5 percent of the
23 amount made available to carry out this section in
24 the fiscal year.

1 (2) ELIGIBILITY.—A State may not receive a
2 grant under subsection (a)(2) in more than 2 fiscal
3 years.

4 (e) AUTHORIZATION OF APPROPRIATIONS.—

5 (1) IN GENERAL.—There is authorized to be
6 appropriated from the Highway Trust Fund (other
7 than the Mass Transit Account) to carry out this
8 section \$7,500,000 for each of fiscal years 2013
9 through 2017.

10 (2) CONTRACT AUTHORITY.—Funds authorized
11 by this subsection shall be available for obligation in
12 the same manner as if the funds were apportioned
13 under chapter 1 of title 23, United States Code, ex-
14 cept the Federal share of the cost of activities car-
15 ried out using such funds shall be 80 percent, and
16 such funds shall remain available until expended and
17 shall not be transferable.

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