

115TH CONGRESS  
2D SESSION

# S. 2868

To enhance the Bulletproof Vest Partnership Program to assist law enforcement agencies in protecting law enforcement officers.

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IN THE SENATE OF THE UNITED STATES

MAY 16, 2018

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

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## A BILL

To enhance the Bulletproof Vest Partnership Program to assist law enforcement agencies in protecting law enforcement officers.

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 “Law Enforcement Pro-  
5 tection Act”.

6 **SEC. 2. IMPROVEMENTS TO THE BULLETPROOF VEST**  
7 **PARTNERSHIP PROGRAM.**

8 (a) USES OF FUNDS.—Section 2501(b) of title I of  
9 the Omnibus Crime Control and Safe Streets Act of 1968  
10 (34 U.S.C. 10531(b)) is amended—

1 (1) by redesignating paragraphs (1) and (2) as  
2 subparagraphs (A) and (B), respectively, and adjust-  
3 ing the margins accordingly;

4 (2) in the matter preceding subparagraph (A),  
5 as so redesignated, by striking “Grants awarded  
6 under this section” and inserting the following:

7 “(1) IN GENERAL.—Except as provided in para-  
8 graph (2), grants awarded under this part”;

9 (3) in paragraph (1)(B), as so redesignated, by  
10 inserting “subject to paragraph (2),” before “used  
11 for”; and

12 (4) by adding at the end the following:

13 “(2) TYPE III BODY ARMOR GRANTS.—A type  
14 III body armor grant shall be—

15 “(A) distributed in accordance with para-  
16 graph (1)(A); and

17 “(B) used for the purchase of body armor  
18 that meets the standards for type III body  
19 armor, as determined by the National Institute  
20 of Justice, in an amount that is proportionate  
21 to the number of sworn law enforcement offi-  
22 cers employed by the grantee on the date of the  
23 application submitted by the grantee under sec-  
24 tion 2502.”.

1 (b) MINIMUM AMOUNT.—Section 2501(d) of title I  
2 of the Omnibus Crime Control and Safe Streets Act of  
3 1968 (34 U.S.C. 10531(d)) is amended by striking “Un-  
4 less” and inserting “With respect to grants awarded under  
5 this part that are not type III body armor grants, unless”.

6 (c) MAXIMUM AMOUNT.—Section 2501(e) of title I  
7 of the Omnibus Crime Control and Safe Streets Act of  
8 1968 (34 U.S.C. 10531(e)) is amended by striking “A  
9 qualifying” and inserting “With respect to grants awarded  
10 under this part that are not type III body armor grants,  
11 a qualifying”.

12 (d) MATCHING FUNDS.—Section 2501(f) of title I of  
13 the Omnibus Crime Control and Safe Streets Act of 1968  
14 (34 U.S.C. 10531(f)) is amended—

15 (1) in paragraph (1), in the matter preceding  
16 subparagraph (A), by striking “The portion” and in-  
17 serting “Except as otherwise provided in this sub-  
18 section, the portion”; and

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

20 “(5) TYPE III BODY ARMOR GRANTS.—A type  
21 III body armor grant shall not be subject to the  
22 matching requirement under paragraph (1).”.

23 (e) EXPIRATION OF APPROPRIATED FUNDS.—Sec-  
24 tion 2501(h) of title I of the Omnibus Crime Control and

1 Safe Streets Act of 1968 (34 U.S.C. 10531(h)) is amend-  
2 ed—

3 (1) by striking paragraph (1) and inserting the  
4 following:

5 “(1) DEFINITION.—In this subsection, the term  
6 ‘appropriated funds’—

7 “(A) means any amount appropriated for  
8 any of fiscal years 2016 through 2023; and

9 “(B) does not include any amount appro-  
10 priated to the Bulletproof Vest Partnership  
11 Program Type III Body Armor Fund.”;

12 (2) in paragraph (2)—

13 (A) by striking “2022” and inserting  
14 “2025”; and

15 (B) by striking “2023” and inserting  
16 “2026”; and

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

18 “(3) FUNDS APPROPRIATED TO THE BULLETPROOF VEST PARTNERSHIP PROGRAM TYPE III BODY  
19 PROOF VEST PARTNERSHIP PROGRAM TYPE III BODY  
20 ARMOR FUND.—All funds that are appropriated to  
21 the Bulletproof Vest Partnership Program Type III  
22 Body Armor Fund shall remain available until ex-  
23 pended.”.

24 (f) BULLETPROOF VEST PARTNERSHIP PROGRAM  
25 TYPE III BODY ARMOR FUND.—Section 2501 of title I

1 of the Omnibus Crime Control and Safe Streets Act of  
2 1968 (34 U.S.C. 10531) is amended by adding at the end  
3 the following:

4 “(i) BULLETPROOF VEST PARTNERSHIP PROGRAM  
5 TYPE III BODY ARMOR FUND.—

6 “(1) ESTABLISHMENT.—There is established in  
7 the Treasury a fund to be known as the ‘Bulletproof  
8 Vest Partnership Program Type III Body Armor  
9 Fund’.

10 “(2) USE OF FUNDS.—The Attorney General  
11 may, without further appropriation, use amounts in  
12 the Bulletproof Vest Partnership Program Type III  
13 Body Armor Fund to award type III body armor  
14 grants under this part.”.

15 (g) DEFINITIONS.—Section 2503 of the Omnibus  
16 Crime Control and Safe Streets Act of 1968 (34 U.S.C.  
17 10533) is amended—

18 (1) in paragraph (4), by striking the semicolon  
19 and inserting a period;

20 (2) in paragraph (5), by striking “and” at the  
21 end;

22 (3) in paragraph (6), by striking the period and  
23 inserting a semicolon;

1           (4) by redesignating paragraph (4) as para-  
2           graph (9) and moving paragraph (9), as so redesign-  
3           nated, to follow paragraph (6);

4           (5) by inserting after paragraph (6) the fol-  
5           lowing:

6           “(7) the term ‘sworn law enforcement officer’  
7           means a law enforcement officer who is formally au-  
8           thorized to make arrests while acting within the  
9           scope of explicit legal authority;

10          “(8) the term ‘type III body armor grant’  
11          means a grant that is—

12                 “(A) awarded under this part using funds  
13                 from the Bulletproof Vest Partnership Program  
14                 Type III Body Armor Fund; and

15                 “(B) to be used in accordance with section  
16                 2501(b)(2); and”;

17          (6) by redesignating paragraphs (5) and (6) as  
18          paragraphs (4) and (5), respectively;

19          (7) by redesignating paragraph (3) as para-  
20          graph (6) and moving paragraph (6), as so redesign-  
21          nated, to follow paragraph (5), as so redesignated;  
22          and

23          (8) by inserting after paragraph (2) the fol-  
24          lowing:

1           “(3) the term ‘Bulletproof Vest Partnership  
2           Program Type III Body Armor Fund’ means the  
3           fund established under section 2501(i);”.

4           (h) AUTHORIZATION OF APPROPRIATIONS.—Section  
5           1001(a) of title I of the Omnibus Crime Control and Safe  
6           Streets Act of 1968 (34 U.S.C. 10261(a)) is amended—

7           (1) in paragraph (23), by striking  
8           “\$25,000,000 for each of fiscal years 2016 through  
9           2020” and inserting “\$50,000,000 for each of fiscal  
10          years 2019 through 2023, of which \$3,000,000 shall  
11          be made available each fiscal year to the National  
12          Institute of Standards and Technology for research  
13          and development of body armor, as defined in sec-  
14          tion 2503 of that part.”; and

15          (2) by adding at the end the following:

16          “(28) There is authorized to be appropriated to the  
17          Bulletproof Vest Partnership Program Type III Body  
18          Armor Fund established under section 2501(i) of part Y  
19          \$1,100,000,000.”.

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