

**AMENDMENT TO DIVISION B OF RULES**  
**COMMITTEE PRINT 116-60**  
**OFFERED BY MR. BRENDAN F. BOYLE OF**  
**PENNSYLVANIA**

At the end of division B (before the short title), insert the following:

1       SEC. \_\_\_\_\_. (a) PROHIBITION ON USE BY FEDERAL  
2 OFFICERS.—A Federal law enforcement officer may not  
3 use a nonlethal round in any crowd control situation, or  
4 in response to passive resistance by a person to any order  
5 given by that officer. On each occasion that a Federal law  
6 enforcement officer uses a nonlethal round, the agency  
7 employing such officer shall submit notice to the Attorney  
8 General and to the Congressional committee with jurisdic-  
9 tion over that agency. In any case where a law enforce-  
10 ment officer uses a nonlethal round in violation of this  
11 subsection, any person injured by such use may bring a  
12 civil action for appropriate relief.

13       (b) DISCOURAGING USE BY STATE AND LOCAL OFFI-  
14 CERS.—

15           (1) LIMITING USE OF NONLETHAL ROUNDS RE-  
16       QUIREMENT.—For each fiscal year after the expira-  
17       tion of the period specified in paragraph (2) in

1       which a State or unit of local government receives  
2       a grant under part E of title I of the Omnibus  
3       Crime Control and Safe Streets Act of 1968 (34  
4       U.S.C. 3750 et seq.) or part Q of such title, the  
5       State or unit of local government shall conform its  
6       laws with the following:

7               (A) A law enforcement officer of that State  
8               or unit of local government may not use a non-  
9               lethal round in a crowd control situation, or in  
10              response to passive resistance by a person to  
11              any order given by that officer.

12             (B) On any occasion a law enforcement of-  
13             ficer of that State or unit of local government  
14             uses a nonlethal round, that State or unit of  
15             local government shall submit a report to the  
16             Attorney General.

17             (C) In any case where a law enforcement  
18             officer uses a nonlethal round in violation of  
19             subparagraph (A), any person injured by such  
20             use may bring a civil action for appropriate re-  
21             lief against the agency employing the law en-  
22             forcement officer.

23             (2) COMPLIANCE AND INELIGIBILITY.—

24             (A) COMPLIANCE DATE.—Beginning on  
25             【the first full fiscal year after the date of en-

1 actment of this Act], each State or unit of local  
2 government referred to in paragraph (1) receiv-  
3 ing a grant shall comply with paragraph (1),  
4 except that the Attorney General may grant an  
5 additional 180 days to a State or unit of local  
6 government that is making good faith efforts to  
7 comply with such paragraph.

8 (B) INELIGIBILITY FOR FUNDS.—For any  
9 fiscal year after the expiration of the period  
10 specified in subparagraph (A), a State or unit  
11 of local government that fails to comply with  
12 paragraph (1), shall, at the discretion of the At-  
13 torney General, be subject to a reduction of not  
14 more than 15 percent of the funds that would  
15 otherwise be allocated for that fiscal year to the  
16 State or unit of local government under—

17 (i) subpart 1 of part E of title I of the  
18 Omnibus Crime Control and Safe Streets  
19 Act of 1968 (34 U.S.C. 10151 et seq.),  
20 whether characterized as the Edward  
21 Byrne Memorial State and Local Law En-  
22 forcement Assistance Programs, the Local  
23 Government Law Enforcement Block  
24 Grants Program, the Edward Byrne Me-

1 memorial Justice Assistance Grant Program,  
2 or otherwise; and

3 (ii) part Q of such title (34 U.S.C.  
4 10381 et seq.).

5 (3) REALLOCATION.—Amounts not allocated  
6 under a program referred to in paragraph (2)(B)(i)  
7 to a State for failure to fully comply with paragraph  
8 (1) shall be reallocated under that program to States  
9 that have not failed to comply with such paragraph.

10 (c) INVESTIGATION.—The Attorney General shall in-  
11 vestigate and publish a report on the results of such inves-  
12 tigation in the case of any use of nonlethal rounds by a  
13 Federal, State, or local law enforcement officer.

14 (d) DEFINITIONS.—

15 (1) IN GENERAL.—Terms used in this Act have  
16 the meanings given such terms in section 901 of title  
17 I of the Omnibus Crime Control and Safe Streets  
18 Act of 1968.

19 (2) FEDERAL LAW ENFORCEMENT OFFICER.—  
20 The term “Federal law enforcement officer” means  
21 any individual that acts under the power of a federal  
22 agency or Federal branch entity.

**【NOTE: any officer or employee of the Federal gov-  
ernment acting under color of law to enforce a Federal  
law.】**

1           (3) NONLETHAL ROUND.—The term “nonlethal  
2           round” means a projectile fired from a gun, gun-  
3           like, or other apparatus used with the intension to  
4           apply nonlethal force, or for an intension other than  
5           killing the intended or unintended target, and in-  
6           cludes—

7                   (A) rubber bullets

8                   (B) plastic bullets;

9                   (C) bullets with metal core or metal exter-  
10           nal shell;

11                   (D) bullets made with hardened foam;

12                   (E) beanbag bullets; and

13                   (F) sponge bullets.

14           (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
15           tion may be construed as permitting or encouraging law  
16           enforcement to use any other type of bullet in crowd con-  
17           trol situations.

