

**AMENDMENT TO H.R. 7120, AS REPORTED  
OFFERED BY MS. OCASIO-CORTEZ OF NEW YORK**

Add at the end of the bill the following:

1 **TITLE VI—PROHIBITING LAW**  
2 **ENFORCEMENT USE OF**  
3 **CHEMICAL WEAPONS**

4 **SECTION 601. SHORT TITLE.**

5 This title may be cited as the “Prohibiting Law En-  
6 forcement Use of Chemical Weapons Act”.

7 **SEC. 602. PROHIBITION ON LAW ENFORCEMENT OFFICER**  
8 **USE OF CHEMICAL WEAPONS.**

9 (a) FEDERAL LAW ENFORCEMENT OFFICERS.—No  
10 Federal law enforcement officer may use a chemical weap-  
11 on in the course of policing activities in the United States.

12 (b) STATE AND LOCAL LAW ENFORCEMENT OFFI-  
13 CERS.—Beginning in the first fiscal year that begins after  
14 the date of enactment of this Act, in order to be eligible  
15 to receive funds under subpart 1 of part E of title 1 of  
16 the Omnibus Crime Control and Safe Streets Act of 1968  
17 (34 U.S.C. 10151 et seq.) and part Q of title I of such  
18 Act (34 U.S.C. 10381 et seq.), a State or unit of local  
19 government shall have in place a law or policy, and be  
20 in substantial compliance with such law or policy, prohib-

1 iting law enforcement officers in that jurisdiction from  
2 using a chemical weapon in the course of policing activi-  
3 ties.

4 **SEC. 603. PROPER DISPOSAL.**

5 (a) **IN GENERAL.**—Not later than one year after the  
6 date of enactment of this Act, a Federal, State, or local  
7 law enforcement agency that has in its possession a chem-  
8 ical weapon that was acquired for a use that, in the case  
9 of a Federal law enforcement agency, would violate section  
10 602(a), or in the case of a State or local law enforcement  
11 agency, would violate the law described in section 602(b),  
12 shall surrender such each such chemical weapon to the At-  
13 torney General for disposal in a manner that complies with  
14 any applicable environmental and safety regulations re-  
15 lated to the disposal of such chemical weapon.

16 (b) **INSPECTOR GENERAL OVERSIGHT.**—The Inspec-  
17 tor General of the Department of Justice shall conduct  
18 audits to ensure the appropriate disposal of chemical  
19 weapons under subsection (a), and shall, on an annual  
20 basis, report the findings of such audits to the Committees  
21 on the Judiciary of the House of Representatives and of  
22 the Senate.

23 **SEC. 604. DEFINITIONS.**

24 In this title:

1           (1) The term “chemical weapon” means the fol-  
2           lowing, together or separately:

3                   (A) A toxic chemical and its precursors.

4                   (B) A munition or device, specifically de-  
5                   signed to cause death or other harm through  
6                   toxic properties of those toxic chemicals speci-  
7                   fied in paragraph (1), which would be released  
8                   as a result of the employment of such munition  
9                   or device.

10                  (C) Any equipment specifically designed  
11                  for use directly in connection with the employ-  
12                  ment of munitions or devices specified in para-  
13                  graph (2).

14           Such term does not include oleoresin capsicum  
15           spray, or any munition, device, or equipment related  
16           to such spray.

17           (2) The term “law enforcement officer” means  
18           any officer of the United States, a State, or unit of  
19           local government, who is empowered by law to con-  
20           duct investigations of, or make arrests because of,  
21           offenses against the United States, the District of  
22           Columbia, a State, or a political subdivision of a  
23           State, and includes a member of the Armed Forces  
24           (including any reserve component) under orders to  
25           act in a policing capacity in the United States.

1           (3) The terms “precursor” and “toxic chem-  
2           ical” have the meanings given such terms in section  
3           229F of title 18, United States Code.

4           (4) The terms “State” and “unit of local gov-  
5           ernment” have the meanings given such terms in  
6           section 901 of the Omnibus Crime Control and Safe  
7           Streets Act of 1968 (34 U.S.C. 10251).

