

AMENDMENT TO H.R. 467, AS REPORTED
OFFERED BY MR. JOYCE OF OHIO

Add, at the end of the bill, the following:

1 SEC. 7. DEFINITIONS.

2 In sections 7 through 9 of this Act:

3 (1) **APPLICANT.**—The term “applicant” means
4 a law enforcement agency that applies for a grant
5 under section 8.

6 (2) **ATTORNEY GENERAL.**—The term “Attorney
7 General” means the Attorney General, acting
8 through the Director of the Office of Community
9 Oriented Policing Services.

10 (3) **CHEMICAL SCREENING DEVICE.**—The term
11 “chemical screening device” means an infrared spec-
12 trophotometer, mass spectrometer, nuclear magnetic
13 resonance spectrometer, Raman spectrophotometer,
14 ion mobility spectrometer, or any other scientific in-
15 strumentation that is able to collect data that can be
16 interpreted to determine the presence and identity of
17 a covered substance.

18 (4) **CHIEF LAW ENFORCEMENT OFFICER.**—The
19 term “chief law enforcement officer” has the mean-

1 ing given the term in section 922(s) of title 18,
2 United States Code.

3 (5) COVERED SUBSTANCE.—The term “covered
4 substance” means—

5 (A) fentanyl;

6 (B) any other synthetic opioid; and

7 (C) any other narcotic or psychoactive sub-
8 stance.

9 (6) GRANT FUNDS.—The term “grant funds”
10 means funds from a grant awarded under section 8.

11 (7) INDIAN TRIBE.—The term “Indian Tribe”
12 has the meaning given the term in section 4 of the
13 Indian Self-Determination and Education Assistance
14 Act (25 U.S.C. 5304).

15 (8) LAW ENFORCEMENT AGENCY.—The term
16 “law enforcement agency” means an agency of a
17 State, unit of local government, or Indian Tribe that
18 is authorized by law or by a government agency to
19 engage in or supervise the prevention, detection, in-
20 vestigation, or prosecution of any violation of crimi-
21 nal law.

22 (9) PERSONNEL.—The term “personnel”—

23 (A) means employees of a law enforcement
24 agency; and

1 (B) includes scientists and law enforce-
2 ment officers.

3 (10) RECIPIENT.—The term “recipient” means
4 an applicant that receives a grant under section 8.

5 (11) STATE.—The term “State” has the mean-
6 ing given the term in section 901 of title I of the
7 Omnibus Crime Control and Safe Streets Act of
8 1968 (34 U.S.C. 10251).

9 **SEC. 8. GRANTS.**

10 (a) GRANTS AUTHORIZED.—The Attorney General
11 may award grants to applicants to—

- 12 (1) purchase a chemical screening device; and
13 (2) train personnel to use, and interpret data
14 collected by, a chemical screening device.

15 (b) APPLICATIONS.—

16 (1) IN GENERAL.—The chief law enforcement
17 officer of an applicant shall submit to the Attorney
18 General an application that—

19 (A) shall include—

20 (i) a statement describing the need for
21 a chemical screening device in the jurisdic-
22 tion of the applicant; and

23 (ii) a certification—

1 (I) of the number of chemical
2 screening devices the applicant owns
3 or possesses;

4 (II) that not less than 1 em-
5 ployee of the applicant will be trained
6 to—

7 (aa) use any chemical
8 screening device purchased using
9 grant funds; and

10 (bb) interpret data collected
11 by any chemical screening device
12 purchased using grant funds; and

13 (III) that the applicant will make
14 any chemical screening device pur-
15 chased using grant funds reasonably
16 available to test a covered substance
17 seized by a law enforcement agency
18 near the jurisdiction of the applicant;
19 and

20 (B) in addition to the information required
21 under subparagraph (A), may, at the option of
22 the applicant, include—

23 (i) information relating to—

1 (I) the process used by the appli-
2 cant to identify a covered substance
3 seized by the applicant, including—

4 (aa) the approximate aver-
5 age amount of time required for
6 the applicant to identify a cov-
7 ered substance; and

8 (bb) as of the date of the
9 application, the number of cases
10 in which the applicant is awaiting
11 identification of a covered sub-
12 stance;

13 (II) any documented case of a
14 law enforcement officer, first re-
15 sponder, or treating medical personnel
16 in the jurisdiction of the applicant
17 who has suffered an accidental drug
18 overdose caused by exposure to a cov-
19 ered substance while in the line of
20 duty;

21 (III) any chemical screening de-
22 vice the applicant will purchase using
23 grant funds, including the estimated
24 cost of the chemical screening device;
25 and

1 (IV) any estimated costs relating
2 to training personnel of the applicant
3 to use a chemical screening device
4 purchased using grant funds; and
5 (ii) data relating to—

6 (I) the approximate amount of
7 covered substances seized by the ap-
8 plicant during the 2-year period end-
9 ing on the date of the application, cat-
10 egorized by the type of covered sub-
11 stance seized; and

12 (II) the approximate number of
13 covered substance overdoses in the ju-
14 risdiction of the applicant that the ap-
15 plicant investigated or responded to
16 during the 2-year period ending on
17 the date of the application, cat-
18 egorized by fatal and nonfatal
19 overdoses.

20 (2) JOINT APPLICATIONS.—

21 (A) IN GENERAL.—Two or more law en-
22 forcement agencies, including law enforcement
23 agencies located in different States, that have
24 jurisdiction over areas that are geographically

1 contiguous may submit a joint application for a
2 grant under this section that includes—

3 (i) for each law enforcement agency—

4 (I) all information required under
5 paragraph (1)(A); and

6 (II) any optional information de-
7 scribed in paragraph (1)(B) that each
8 law enforcement agency chooses to in-
9 clude;

10 (ii) a plan for the sharing of any
11 chemical screening devices purchased or
12 training provided using grant funds; and

13 (iii) a certification that not less than
14 1 employee of each law enforcement agency
15 will be trained to—

16 (I) use any chemical screening
17 device purchased using grant funds;
18 and

19 (II) interpret data collected by
20 any chemical screening device pur-
21 chased using grant funds.

22 (B) SUBMISSION.—Law enforcement agen-
23 cies submitting a joint application under sub-
24 paragraph (A) shall—

25 (i) be considered as 1 applicant; and

1 (ii) select the chief law enforcement
2 officer of one of the law enforcement agen-
3 cies to submit the joint application.

4 (c) RESTRICTIONS.—

5 (1) SUPPLEMENTAL FUNDS.—Grant funds shall
6 be used to supplement, and not supplant, State,
7 local, and Tribal funds made available to any appli-
8 cant for any of the purposes described in subsection
9 (a).

10 (2) ADMINISTRATIVE COSTS.—Not more than 3
11 percent of any grant awarded under this section may
12 be used for administrative costs.

13 (d) REPORTS AND RECORDS.—

14 (1) REPORTS.—For each year during which
15 grant funds are used, the recipient shall submit to
16 the Attorney General a report containing—

17 (A) a summary of any activity carried out
18 using grant funds;

19 (B) an assessment of whether each activity
20 described in subparagraph (A) is meeting the
21 needs described in subsection (b)(1)(A)(i) that
22 the applicant identified in the application sub-
23 mitted under subsection (b); and

1 (C) any other information relevant to the
2 purpose of this Act that the Attorney General
3 may determine appropriate.

4 (2) RECORDS.—For the purpose of an audit by
5 the Attorney General of the receipt and use of grant
6 funds, a recipient shall—

7 (A) keep—

8 (i) any record relating to the receipt
9 and use of grant funds; and

10 (ii) any other record as the Attorney
11 General may require; and

12 (B) make the records described in subpara-
13 graph (A) available to the Attorney General
14 upon request by the Attorney General.

15 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated to the Attor-
17 ney General \$20,000,000 for fiscal year 2023 to carry out
18 section 8.

