

SEPTEMBER 21, 2022

RULES COMMITTEE PRINT 117-65
TEXT OF H.R. 6448, THE INVEST TO PROTECT
ACT OF 2022

[Showing the text of H.R. 6448, as introduced, with
modifications.]

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Invest to Protect Act
3 of 2022”.

4 **SEC. 2. GRANT PROGRAM.**

5 (a) DEFINITIONS.—In this Act:

6 (1) DE-ESCALATION TRAINING.—The term “de-
7 escalation training” means training relating to tak-
8 ing action or communicating verbally or non-verbally
9 during a potential force encounter in an attempt to
10 stabilize the situation so that more time, options,
11 and resources can be called upon to minimize the
12 need for the use of force and increase the likelihood
13 of voluntary compliance, including persuasion, warn-
14 ings, creating space, use of physical barriers, slowing
15 down the pace of an incident, and requesting addi-
16 tional resources.

17 (2) DIRECTOR.—The term “Director” means
18 the Director of the Office.

1 (3) ELIGIBLE LOCAL GOVERNMENT.—The term
2 “eligible local government” means—

3 (A) a county, municipality, town, township,
4 village, parish, borough, or other unit of general
5 government below the State level that employs
6 fewer than 125 law enforcement officers; or

7 (B) a Tribal government that employs
8 fewer than 125 law enforcement officers.

9 (4) LAW ENFORCEMENT OFFICER.—The term
10 “law enforcement officer” has the meaning given the
11 term “career law enforcement officer” in section
12 1709 of title I the Omnibus Crime Control and Safe
13 Streets Act of 1968 (34 U.S.C. 10389).

14 (5) OFFICE.—The term “Office” means the Of-
15 fice of Community Oriented Policing Services of the
16 Department of Justice.

17 (b) ESTABLISHMENT.—There is established within
18 the Office a grant program to—

19 (1) provide training and access to mental health
20 resources to local law enforcement officers; and

21 (2) improve the recruitment and retention of
22 local law enforcement officers.

23 (c) AUTHORITY.—Not later than 120 days after the
24 date of enactment of this Act, the Director shall award

1 grants to eligible local governments as a part of the grant
2 program established under subsection (b).

3 (d) APPLICATIONS.—

4 (1) BARRIERS.—The Attorney General shall de-
5 termine what barriers exist to establishing a stream-
6 lined application process for grants under this sec-
7 tion.

8 (2) REPORT.—

9 (A) IN GENERAL.—Not later than 60 days
10 after the date of enactment of this Act, the At-
11 torney General shall submit to Congress a re-
12 port that includes a plan to execute a stream-
13 lined application process for grants under this
14 section under which an eligible local government
15 seeking a grant under this section can reason-
16 ably complete the application in not more than
17 2 hours.

18 (B) CONTENTS OF PLAN.—The plan re-
19 quired under subparagraph (A) may include a
20 plan for—

21 (i) proactively providing eligible local
22 governments seeking a grant under this
23 section with information on the data such
24 eligible local governments will need to pre-

1 pare before beginning the grant applica-
2 tion; and

3 (ii) ensuring technical assistance is
4 available for eligible local governments
5 seeking a grant under this section before
6 and during the grant application process,
7 including through dedicated liaisons within
8 the Office.

9 (3) APPLICATIONS.—In selecting eligible local
10 governments to receive grants under this section, the
11 Director shall use the streamlined application proc-
12 ess described in paragraph (2)(A).

13 (4) PREFERENCE.—The Attorney General may
14 give preference to applicants who specify in their ap-
15 plications that grant amounts will be used for the el-
16 igible activities set forth in paragraphs (1), (2), (3),
17 (4), (9), and (10) of subsection (e).

18 (e) ELIGIBLE ACTIVITIES.—An eligible local govern-
19 ment that receives a grant under this section may use
20 amounts from the grant only for—

21 (1) de-escalation training for law enforcement
22 officers;

23 (2) victim-centered training for law enforcement
24 officers in handling situations of domestic violence;

1 (3) evidence-based law enforcement safety
2 training for response to calls for service involving—

3 (A) persons with substance use disorders;

4 (B) persons with mental health needs;

5 (C) veterans;

6 (D) persons with disabilities;

7 (E) vulnerable youth;

8 (F) persons who are victims of domestic vi-
9 olence, sexual assault, or trafficking; and

10 (G) persons experiencing homelessness or
11 living in poverty;

12 (4) the offsetting of overtime costs associated
13 with scheduling issues relating to the participation
14 of a law enforcement officer in the training de-
15 scribed in paragraphs (1) through (3), (9) and (10);

16 (5) a signing bonus for a law enforcement offi-
17 cer in an amount determined by the eligible local
18 government;

19 (6) a retention bonus for a law enforcement of-
20 ficer—

21 (A) in an amount determined by the eligi-
22 ble local government that does not exceed 20
23 percent of the salary of the law enforcement of-
24 ficer; and

25 (B) who—

1 (i) has been employed at the law en-
2 forcement agency for not fewer than 5
3 years;

4 (ii) has not been found by an internal
5 investigation to have engaged in serious
6 misconduct; and

7 (iii) commits to remain with the law
8 enforcement agency for a minimum 3 years
9 from the time of receipt of the bonus;

10 (7) a stipend for the graduate education of law
11 enforcement officers in the area of mental health,
12 public health, or social work, which shall not exceed
13 the lesser of—

14 (A) \$10,000; or

15 (B) the amount the law enforcement offi-
16 cer pays towards such graduate education;

17 (8) providing access to patient-centered behav-
18 ioral health services for law enforcement officers,
19 which may include resources for risk assessments,
20 evidence-based, trauma-informed care to treat post-
21 traumatic stress disorder or acute stress disorder,
22 peer support and counselor services and family sup-
23 ports, and the promotion of improved access to high
24 quality mental health care through telehealth;

1 (9) implementation of evidence-based best prac-
2 tices and training on the use of lethal and nonlethal
3 force;

4 (10) implementation of evidence-based best
5 practices and training on the duty of care and the
6 duty to intervene; and

7 (11) data collection for police practices regard-
8 ing officer and community safety.

9 (f) REPORTING REQUIREMENTS FOR GRANT RECIPI-
10 ENTS.—

11 (1) IN GENERAL.—The Director shall establish
12 reporting requirements for eligible local government
13 that receive a grant under this section in order to
14 assist with the evaluation by the Office of the pro-
15 gram established under this section.

16 (2) CONSIDERATIONS.—In establishing any re-
17 quirements under paragraph (1), the Director shall
18 consider the capacity of law enforcement agencies
19 with fewer than 125 officers to collect and report in-
20 formation.

21 (g) DISCLOSURE OF OFFICER RECRUITMENT AND
22 RETENTION BONUSES.—

23 (1) IN GENERAL.—Not later than 60 days after
24 the date on which an eligible local government that
25 receives a grant under this section awards a signing

1 or retention bonus described in paragraph (5) or (6)
2 of subsection (e), the eligible local government shall
3 disclose to the Director and make publicly available
4 on a website of the eligible local government the
5 amount of such bonus.

6 (2) REPORT.—The Attorney General shall sub-
7 mit to the appropriate congressional committees an
8 annual report that includes each signing or retention
9 bonus disclosed under paragraph (1) during the pre-
10 ceding year.

11 (h) GRANT ACCOUNTABILITY.—All grants awarded
12 by the Director under this section shall be subject to the
13 following accountability provisions:

14 (1) AUDIT REQUIREMENT.—

15 (A) DEFINITION.—In this paragraph, the
16 term “unresolved audit finding” means a find-
17 ing in the final audit report of the Inspector
18 General of the Department of Justice that the
19 audited grantee has used grant funds for an
20 unauthorized expenditure or otherwise unallow-
21 able cost that is not closed or resolved within
22 12 months from the date when the final audit
23 report is issued.

24 (B) AUDITS.—Beginning in the first fiscal
25 year beginning after the date of enactment of

1 this subsection, and in each fiscal year there-
2 after, the Inspector General of the Department
3 of Justice shall conduct audits of recipients of
4 grants under this section to prevent waste,
5 fraud, and abuse of funds by grantees. The In-
6 specter General of the Department of Justice
7 shall determine the appropriate number of
8 grantees to be audited each year.

9 (C) MANDATORY EXCLUSION.—A recipient
10 of grant funds under this section that is found
11 to have an unresolved audit finding shall not be
12 eligible to receive grant funds under this section
13 during the first 3 fiscal years beginning after
14 the end of the 12-month period described in
15 subparagraph (A).

16 (D) REIMBURSEMENT.—If an eligible local
17 government is awarded grant funds under this
18 section during the 3-fiscal-year period during
19 which the eligible local government is barred
20 from receiving grants under subparagraph (C),
21 the Attorney General shall—

22 (i) deposit an amount equal to the
23 amount of the grant funds that were im-
24 properly awarded to the grantee into the
25 General Fund of the Treasury; and

1 (ii) seek to recoup the costs of the re-
2 payment to the fund from the grant recipi-
3 ent that was erroneously awarded grant
4 funds.

5 (2) ANNUAL CERTIFICATION.—Beginning in the
6 fiscal year during which audits commence under
7 paragraph (1)(B), the Attorney General shall submit
8 to the Committee on the Judiciary and the Com-
9 mittee on Appropriations of the Senate and the
10 Committee on the Judiciary and the Committee on
11 Appropriations of the House of Representatives an
12 annual certification—

13 (A) indicating whether—

14 (i) all audits issued by the Office of
15 the Inspector General of the Department
16 of Justice under paragraph (1) have been
17 completed and reviewed by the appropriate
18 Assistant Attorney General or Director;

19 (ii) all mandatory exclusions required
20 under paragraph (1)(C) have been issued;
21 and

22 (iii) all reimbursements required
23 under paragraph (1)(E) have been made;
24 and

1 (B) that includes a list of any grant recipi-
2 ents excluded under paragraph (1) from the
3 previous year.

4 (i) PROGRAM EVALUATION.—The Attorney General
5 shall, on an annual basis, conduct analyses of the informa-
6 tion provided by grant recipients pursuant to subsection
7 (f) to evaluate the efficacy of training programs funded
8 through the grant program established by this Act in re-
9 ducing the incidence of use of force by the law enforcement
10 agency.

11 (j) PREVENTING DUPLICATIVE GRANTS.—

12 (1) IN GENERAL.—Before the Director awards
13 a grant to an eligible local government under this
14 section, the Attorney General shall compare poten-
15 tial grant awards with other grants awarded by the
16 Attorney General to determine if grant awards are
17 or have been awarded for a similar purpose.

18 (2) REPORT.—If the Attorney General awards
19 grants to the same applicant for a similar purpose,
20 whether through the grant program established by
21 this Act or other grant programs provided by the
22 Department of Justice, the Attorney General shall
23 submit to the Committee on the Judiciary of the
24 Senate and the Committee on the Judiciary of the
25 House of Representatives a report that includes—

1 (A) a list of all such grants awarded, in-
2 cluding the total dollar amount of any such
3 grants awarded; and

4 (B) the reason the Attorney General
5 awarded multiple grants to the same applicant
6 for a similar purpose.

7 (k) FUNDING.—

8 (1) IN GENERAL.—There is authorized to be
9 appropriated \$60,000,000 for each of fiscal years
10 2023 through 2027 to carry out the grant program
11 under this section.

12 (2) LIMITATION.—In carrying out this section
13 for a fiscal year, if the amounts made available in
14 appropriations Acts for that fiscal year is not less
15 than the amount authorized to be appropriated
16 under paragraph (1), the Director shall use not less
17 than 20 percent of such amounts in that fiscal year
18 for grants under this section to eligible local govern-
19 ments that will use the grants to carry out one or
20 more of the eligible activities set forth in paragraphs
21 (1), (2), (3), (4), (9), and (10) of subsection (e).

