

117TH CONGRESS
2D SESSION

H. R. 8538

To ensure body armor complies with safety standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2022

Mr. NEHLS (for himself, Mr. PANETTA, Mr. BANKS, Mr. CRAWFORD, Mr. BACON, Mr. DIAZ-BALART, Mr. CARBAJAL, Mr. COSTA, Mr. STEUBE, Mr. ISSA, Mr. BOST, and Mr. GIMENEZ) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To ensure body armor complies with safety standards, and
for other purposes.

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 “Body Armor Safety
5 Act of 2022”.

6 **SEC. 2. LIMITATION ON IMPORTATION.**

7 (a) IN GENERAL.—The President shall take such
8 steps as may be necessary to ensure that no body armor

1 for law enforcement use may be imported into the customs
2 territory of the United States unless it meets the applica-
3 ble requirements of and receives recognition of compliance
4 from the Compliance Testing Program of the National In-
5 stitute of Justice as described in section 232 of the Home-
6 land Security Act of 2002 (6 U.S.C. 162).

7 (b) DEFINITIONS.—In this section:

8 (1) The term “customs territory of the United
9 States” has the meaning given the term in General
10 Note 2 of the Harmonized Tariff Schedule of the
11 United States.

12 (2) The term “body armor” means ballistic-re-
13 sistant or stab-resistant panels or plates designed to
14 protect the torso and worn in a carrier against the
15 body.

16 **SEC. 3. CRIMINAL PENALTY.**

17 (a) IN GENERAL.—Chapter 47 of title 18, United
18 States Code, is amended by adding at the end the fol-
19 lowing:

20 **“§ 1041. Fraud in connection with body armor**

21 “(a) FORGERY.—Whoever forges, counterfeits, or
22 falsely alters any National Institute of Justice Standard
23 certificate, validation, mark, or any other recognition of
24 compliance with respect to any body armor shall be fined

1 under this title, imprisoned not more than 5 years, or
 2 both.

3 “(b) MISLEADING CLAIMS OF COMPLIANCE.—Who-
 4 ever engages in any conduct with intent to convey false
 5 or misleading claims of compliance with respect to any
 6 body armor such that recognition of compliance may rea-
 7 sonably be believed to have been issued by the National
 8 Institute of Justice or its Compliance Testing program
 9 shall be fined under this title, imprisoned not more than
 10 5 years, or both.

11 “(c) BODY ARMOR DEFINED.—In this section, the
 12 term ‘body armor’ means ballistic-resistant or stab-resist-
 13 ant panels or plates designed to protect the torso and worn
 14 in a carrier against the body.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
 16 for chapter 47 of title 18, United States Code, is amended
 17 by adding at the end the following:

“1041. Fraud in connection with body armor.”.

18 **SEC. 4. LIMITATION ON EVALUATIONS AND TESTING.**

19 Section 232 of the Homeland Security Act of 2002
 20 (6 U.S.C. 162) is amended by adding at the end the fol-
 21 lowing:

22 “(h) LIMITATION.—Law enforcement technology
 23 products manufactured at any company on the Entity List
 24 of the Export Administration Regulations of the Bureau
 25 of Industry Security may not be tested or evaluated or

1 otherwise certified, validated, marked, or recognized as in
2 compliance with standards established and maintained by
3 the Office in accordance with the National Technology
4 Transfer and Advancement Act of 1995 (Public Law 104–
5 113).”.

