

105TH CONGRESS
1ST SESSION

H. R. 1524

To establish a National Center for Rural Law Enforcement, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 1997

Mr. HUTCHINSON (for himself, Mr. BALDACCI, Mr. TAYLOR, Mr. COOKSEY, Mr. BOUCHER, Mr. MCGOVERN, Mr. FROST, and Mr. BUNNING) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish a National Center for Rural Law Enforcement, 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 “Rural Law Enforce-
5 ment Assistance Act of 1997”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Effective and impartial enforcement of the
2 law is one of the most important functions of gov-
3 ernment.

4 (2) The preservation of our form of government
5 and the rights of our citizens are dependent upon
6 competent and professional law enforcement agen-
7 cies.

8 (3) Responsibility for law enforcement in the
9 United States reposes primarily with State and local
10 governments.

11 (4) Approximately 22,400 local government en-
12 tities exist in the 50 states; one-third of all Ameri-
13 cans live in nonurban areas; of the 17,120 law en-
14 forcement agencies, 90 percent serve populations of
15 less than 25,000 residents and 75 percent serve a
16 population of fewer than 10,000 residents.

17 (5) Rural violent crime has increased over 53
18 percent from 1983 to 1995, and is taking a toll on
19 small town and rural citizens and small town and
20 rural law enforcement personnel.

21 (6) Rural law enforcement agencies totaling
22 12,735 (police departments and sheriffs offices serv-
23 ing a population of under 25,000) have needs in the
24 areas of providing management education and train-
25 ing, a clearinghouse, professional evaluation, tech-

1 nical assistance, practical research and analyses, and
2 computer and forensic education and training as
3 identified by the National Center for Rural Law En-
4 forcement and the Federal Bureau of Investigation.

5 (7) The National Center for Rural Law En-
6 forcement has cooperated in the past and will con-
7 tinue to cooperate with the FBI, the Department of
8 Justice, and the Department of Agriculture to pro-
9 mote the development and implementation of man-
10 agement education and training, a clearinghouse,
11 professional evaluation, technical assistance, prac-
12 tical research and analyses, and computer and foren-
13 sic education and training for rural law enforcement
14 agencies.

15 **SEC. 3. ESTABLISHMENT OF NATIONAL CENTER FOR**
16 **RURAL LAW ENFORCEMENT.**

17 (a) IN GENERAL.—For the purpose of assisting rural
18 law enforcement agencies with management education and
19 training, maintaining a clearinghouse, evaluation, tech-
20 nical assistance, research, computer and forensic edu-
21 cation and training, and providing such other support as
22 may be necessary or useful, there is authorized to be es-
23 tablished a private, nonprofit corporation, to be known as
24 the National Center for Rural Law Enforcement which

1 shall be neither an agency nor establishment of the United
2 States Government.

3 (b) INCORPORATORS.—The Board of Directors first
4 appointed shall be deemed the incorporators, and the in-
5 corporation shall be deemed to have been effected from
6 the date of the first meeting of the Board.

7 (c) RESIDENCE.—The Center shall be located in, and
8 shall be considered, for purposes of venue in civil actions,
9 to be a resident of Little Rock, Arkansas, or at such other
10 place as the Board may subsequently direct.

11 **SEC. 4. CORPORATE POWERS.**

12 The Center—

13 (1) shall have succession, and may sue and be
14 sued, in its corporate name;

15 (2) may adopt and use a corporate seal which
16 shall be judicially noticed;

17 (3) may adopt, amend, and repeal bylaws;

18 (4) may purchase, lease, or otherwise acquire
19 and hold such property as it deems necessary or con-
20 venient in the transaction of its business, and may
21 dispose of any such property;

22 (5) shall be eligible to apply for and to make
23 grants from or to, and to enter into contracts or co-
24 operative agreements without regard to the Federal
25 Procurement Acquisition Regulations with, Federal,

1 State, and local governments, public or private insti-
2 tutions, organizations, entities, and individuals nec-
3 essary or convenient to the exercise of the functions
4 or powers conferred explicitly or implicitly by this
5 Act;

6 (6) may arrange, as permitted by law, for the
7 loan, detail or assistance, or use of facilities, person-
8 nel, or equipment from Federal, State, or local agen-
9 cies, departments, or entities on a reimbursable or
10 nonreimbursable basis;

11 (7) may request from any Federal department
12 or agency such information, data, and materials as
13 may be necessary or convenient to the exercise of the
14 functions or powers conferred explicitly or implicitly
15 by this Act although the head of such department or
16 agency may decline to comply with such a request;

17 (8) may solicit and accept gifts, devises, grants
18 and donations of property, including cash or services
19 in furtherance of its function and mission;

20 (9) shall have such other powers as may be nec-
21 essary or appropriate for the exercise of the func-
22 tions or powers conferred specifically or implicitly by
23 this Act; and

24 (10) is prohibited from supporting any political
25 party or candidate for elective or appointive office.

1 **SEC. 5. BOARD OF DIRECTORS.**

2 (a) COMPOSITION.—The Board of the Center shall be
3 composed of 18 members as follows:

4 (1) Two members from each of the 6 regions
5 (Northeast, Northwest, Southeast, Southwest, Mid-
6 west, and West) shall be appointed from rural law
7 enforcement agencies serving rural areas.

8 (2) One member shall be appointed from the
9 International Association of Directors of State Law
10 Enforcement Training.

11 (3) Two members shall be selected from person-
12 nel of the Federal Bureau of Investigation, and shall
13 hold membership on the Board in an ex officio ca-
14 pacity. The members shall be selected by and serve
15 at the pleasure of the Director of the FBI.

16 (4) The president of the University of Arkansas
17 shall be an ex officio Board member.

18 (5) The Executive Director of the Center shall
19 be an ad hoc Board member.

20 (6) One resident of a rural area shall be se-
21 lected to serve as an ad hoc member.

22 (b) INITIAL BOARD.—

23 (1) SELECTION OF MEMBERS.—Appointive
24 members of the initial Board of Directors shall be
25 selected cooperatively by the president of the Univer-
26 sity of Arkansas, the Director of the FBI, and the

1 Executive Director of the preexisting National Cen-
2 ter for Rural Law Enforcement at the University of
3 Arkansas.

4 (2) DESIGNATION OF CHAIRMAN.—The presi-
5 dent of the University of Arkansas and the Director
6 of the FBI shall designate a chairman from among
7 the appointees to the initial Board.

8 (3) TERM OF OFFICE.—The term of office for
9 appointive members of the initial Board shall be 3
10 years.

11 (4) SELECTION OF SUCCESSORS.—Not later
12 than 90 days before the expiration of such 3-year
13 term, the Board shall select, with the advice and
14 counsel of the president of the University of Arkan-
15 sas and the Director of the FBI, successors to the
16 initial appointive members.

17 (c) SUBSEQUENT BOARDS.—

18 (1) TERM OF OFFICE.—The term of office for
19 appointive members to subsequent Boards shall be 6
20 years.

21 (2) STAGGERED TERMS.—The successor ap-
22 pointive Board members, at their first meeting, will
23 draw lots from 1 to 6 years.

24 (3) SUBSEQUENT SELECTIONS.—The Board
25 shall select, with the advice and counsel of the presi-

1 dent of the University of Arkansas and the Director
2 of the FBI, successors as may be necessary or ap-
3 propriate to replace members who resign or other-
4 wise vacate their offices or whose terms of office ex-
5 pire within 90 days.

6 (4) TERM LIMIT.—No member shall serve more
7 than 1 uninterrupted 6-year term.

8 (5) ELECTION OF CHAIRMAN.—After the initial
9 Board has been replaced, as appropriate or nec-
10 essary, the Board shall elect a chairman from among
11 its appointive members. The chairman’s term of of-
12 fice shall be coextensive with that individual’s term
13 of office on the Board.

14 (d) FUNCTIONS.—The Board shall direct the exercise
15 of all of the business and powers of the Center, including
16 the adoption, amendment, and repeal of bylaws. The
17 Board shall appoint (subject to specific provisions herein)
18 and oversee the Executive Director and other corporate
19 officers in the performance of their duties.

20 (e) QUORUMS.—Vacancies on the Board shall not im-
21 pair the powers of the Board to execute the functions of
22 the Center if there are not less than 7 voting members
23 in office. Such number shall also constitute a quorum for
24 the transaction of the business of the Board.

25 (f) COMPENSATION AND STATUS.—

1 (1) IN GENERAL.—The members of the Board
2 shall serve without compensation from the Center
3 but are authorized to receive whatever pay, allow-
4 ances, and benefits to which they are otherwise enti-
5 tled by virtue of their Federal, State, or local gov-
6 ernment employment.

7 (2) EXPENSES.—The members may be com-
8 pensated for travel and per diem expenses by the
9 Center at rates authorized under subchapter I of
10 chapter 57 of title 5, United States Code, while
11 away from their permanent duty stations in the per-
12 formance of Center business.

13 (3) STATUS.—Other than the 2 ex officio mem-
14 bers from the FBI, members of the Board shall not
15 be considered officers or employees of the United
16 States for any purpose.

17 **SEC. 6. OFFICERS AND EMPLOYEES.**

18 (a) EXECUTIVE DIRECTOR.—

19 (1) INITIAL EXECUTIVE DIRECTOR.—The Exec-
20 utive Director of the preexisting National Center for
21 Rural Law Enforcement at the University of Arkan-
22 sas shall serve as the initial Executive Director for
23 the Center with a term of 3 years.

24 (2) SUBSEQUENT APPOINTMENTS.—After the
25 initial 3-year term of the first Executive Director,

1 the Board of Directors shall select and appoint,
2 without regard to the provisions of the civil service
3 laws applicable to officers and employees of the
4 United States, and after consultation with the Direc-
5 tor of the FBI and the president of the University
6 of Arkansas, a successor whose term of office shall
7 be 5 years.

8 (3) VACANCY.—The Board may at any time se-
9 lect and appoint, after consultation with the Director
10 of the FBI and the president of the University of
11 Arkansas, a successor to replace an Executive Direc-
12 tor who resigns or otherwise vacates office or whose
13 term of office will expire within 30 days. An Execu-
14 tive Director appointed to fill a vacancy occurring
15 prior to the expiration of the term for which the
16 predecessor was selected and appointed shall serve
17 for the remainder of such term.

18 (4) CONSECUTIVE TERMS.—No person shall
19 serve as the Executive Director for more than 2 con-
20 secutive terms, excluding the term of the initial Ex-
21 ecutive Director.

22 (5) COMPENSATION.—The Board shall fix the
23 Executive Director's compensation, benefits, and al-
24 lowances.

1 (6) DUTIES.—The Executive Director shall be
2 responsible to the Board of Directors for—

3 (A) the management and administration of
4 the Center,

5 (B) the conduct of its day-to-day affairs
6 and business,

7 (C) the performance of its officers, agents,
8 and employees, and

9 (D) the establishment of an advisory board
10 to assist the Executive Director with policy is-
11 sues.

12 (b) ADDITIONAL STAFF.—The Executive Director
13 shall select and nominate for appointment by the Board
14 such other senior officers, assistants, and employees as
15 may be necessary for the transaction of the Center’s busi-
16 ness and subject to Board concurrence, fix their com-
17 pensation and define their duties. Officers may be removed
18 by the Executive Director for cause subject to the concur-
19 rence of the Board. Assistants and other employees may
20 be removed by the Executive Director without Board con-
21 currence.

22 (c) FBI STAFF.—To assist the Center in carrying out
23 its functions and programs, the Director of the FBI may
24 assign, on a full-time basis, not more than 4 FBI person-
25 nel to the Center on a nonreimbursable basis. Personnel

1 so assigned will remain employees of the Federal Govern-
2 ment for all purposes and will not become employees of
3 the Center for any purpose.

4 (d) STATUS.—Unless otherwise an employee of the
5 Federal Government, officers and employees of the Center
6 shall not be considered to be employees of the United
7 States for any purpose.

8 **SEC. 7. FUNCTIONS.**

9 (a) IN GENERAL.—In cooperation with the FBI, the
10 Center, an educational entity, shall provide for the devel-
11 opment of a rural law enforcement educational program
12 through consultation with institutions of higher learning
13 and the Board. The Center shall provide for—

14 (1) the development and delivery of manage-
15 ment education and training, clearinghouse, evalua-
16 tion, technical assistance, practical research and
17 evaluation, and computer and forensic education and
18 training for and to rural law enforcement agency
19 personnel, including supervisory and executive man-
20 agers;

21 (2) the delivery of technical assistance, includ-
22 ing research and studies into the causes and preven-
23 tion of criminal activity, to rural law enforcement
24 agencies;

25 (3) equitable education opportunities;

1 (4) the development, promotion, and voluntary
2 adoption of national educational and training stand-
3 ards and accreditation certification programs for
4 rural law enforcement agencies and personnel;

5 (5) the development and dissemination of infor-
6 mation designed to assist States and units of local
7 government in small town and rural areas through-
8 out the country;

9 (6) grants to, and contracts with, Federal,
10 State, and local government, units of local rural law
11 enforcement, public and private agencies, edu-
12 cational institutions, organizations and individuals to
13 carry out this subtitle;

14 (7) the establishment and maintenance of a
15 clearinghouse and information center for the collec-
16 tion, preparation, and dissemination of information
17 on criminal justice and rural law enforcement, in-
18 cluding programs for the prevention of crime and re-
19 cidivism;

20 (8) the delivery of assistance, in a consulting
21 capacity, to criminal justice agencies in the develop-
22 ment, establishment, maintenance, and coordination
23 of programs, facilities and services, training, and re-
24 search relating to crime in rural areas;

1 (9) encouragement and assistance to Federal,
2 State, and local government programs and services;

3 (10) the development of technical education and
4 training teams to aid in the development of semi-
5 nars, workshops, education and training programs
6 within the States and with the State and local agen-
7 cies that work with small town and rural law en-
8 forcement managers;

9 (11) conducting, encouraging, and coordinating
10 research relating to law enforcement and criminal
11 justice issues, including the causes, assessment, eval-
12 uation, analysis, and prevention of criminal activity;

13 (12) the formulation and recommendation of
14 rural law enforcement policy, goals, and standards
15 applicable to involved criminal justice agencies, orga-
16 nizations, institutions, and personnel; and

17 (13) the evaluation by institutions of higher
18 learning for the purpose of encouraging programs of
19 study for rural law enforcement.

20 (b) DISCRETIONARY ACTIVITIES.—The Center
21 may—

22 (1) create an organizational structure with re-
23 gional representation for the purpose of—

24 (A) delivering management education and
25 training;

1 (B) conducting research focused on small
2 town and rural law enforcement needs;

3 (C) providing technical assistance;

4 (D) creating a clearinghouse focused on
5 small town and rural law enforcement;

6 (E) conducting evaluations for the benefit
7 of small town and rural law enforcement;

8 (F) providing education and training in
9 forensics; and

10 (G) providing education and training in
11 computers;

12 (2) confer with and request the assistance, serv-
13 ices, records, and facilities of State and local govern-
14 ments or other public or private agencies, organiza-
15 tions, and individuals; and

16 (3) procure the services of experts and consult-
17 ants in accordance with section 3109 of title 5,
18 United States Code, at rates of compensation not to
19 exceed the daily equivalent of the rate authorized for
20 members of the Senior Executive Service, ES-6,
21 Level V, as authorized by section 5352 of title 5,
22 United States Code.

23 **SEC. 8. METHODS.**

24 In carrying out its functions under this section, the
25 Center shall—

1 (1) utilize consensus building; and

2 (2) work in cooperation with—

3 (A) small town and rural, non urban law
4 enforcement agencies;

5 (B) agencies of Federal, State, and local
6 governments; and

7 (C) institutions of higher learning, law en-
8 forcement associations and other not-for-profit
9 organizations;

10 (3) request and receive from other Federal de-
11 partments and agencies such statistics, data, pro-
12 gram reports, and other materials necessary for the
13 Center to carry out its functions;

14 (4) arrange with and reimburse the heads of
15 other Federal departments and agencies for the use
16 of personnel, facilities, or equipment of such depart-
17 ments and agencies; and

18 (5) use the assistance, services, records, and fa-
19 cilities of State and local governments or other pub-
20 lic or private agencies, organizations, and individ-
21 uals.

22 **SEC. 9. DEFINITIONS.**

23 For purposes of this Act:

1 (1) The term “Board” means the Board of Di-
2 rectors of the National Center for Rural Law En-
3 forcement.

4 (2) The term “Center” means the National
5 Center for Rural Law Enforcement.

6 (3) The term “Executive Director” means the
7 Executive Director of the National Center for Rural
8 Law Enforcement.

9 (4) The term “FBI” means the Federal Bureau
10 of Investigation.

11 (5) The term “rural area” means an area with
12 a population of 25,000 or less.

13 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

14 There are authorized to be appropriated to carry out
15 this Act—

16 (1) \$12,000,000 for fiscal year 1997; and

17 (2) such sums as may be necessary for each of
18 fiscal years 1998 through 2002.

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