

LAW ENFORCEMENT TRIBUTE ACT

MAY 14, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SENSENBRENNER, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany H.R. 2624]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 2624) to authorize the Attorney General to make grants to honor, through permanent tributes, men and women of the United States who were killed or disabled while serving as law enforcement or public safety officers, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 2624, the “Law Enforcement Tribute Act” would authorize the Attorney General to make grants to States, units of local government, and Indian Tribes to construct permanent tributes to honor the achievements of United States law enforcement or public safety officers who were killed or disabled in the line of duty. It es-

establishes a program to award grants directly to a State, local government or Indian tribe for up to 50 percent of the cost of construction of a permanent tribute. The Federal contribution may not exceed \$150,000 for any single recipient.

BACKGROUND AND NEED FOR THE LEGISLATION

A. THE NEED FOR H.R. 2624

More than 700,000 men and women risk assault, injury and their lives to serve as law enforcement officers in this country. Each year, one in nine officers is assaulted, one in 25 is injured, and one in 4,400 is killed in the line of duty. Nationwide, 51 law enforcement officers were feloniously killed in the line of duty in the year 2000, compared with 42 in 1999, according to statistics from the Federal Bureau of Investigation (FBI). Additionally, FBI statistics also show that 83 officers were accidentally killed in the line of duty in 2000, compared with 65 accidental deaths in 1999. In 1999, 112 firefighters also died in the line of duty.

B. LEGISLATIVE HISTORY

H.R. 2624, the "Law Enforcement Tribute Act" was introduced on July 25, 2001, and referred to the House Committee on the Judiciary. It was then referred to the Subcommittee on Crime on July 27, 2001.

HEARINGS

No hearings were held on H.R. 2624, the "Law Enforcement Tribute Act."

COMMITTEE CONSIDERATION

On August 2, 2001, the Subcommittee on Crime met in open session and ordered favorably reported the bill H.R. 2624, by voice vote, a quorum being present. On April 24, 2002, the Committee met in open session and ordered favorably reported the bill H.R. 2624 without amendment by voice vote, a quorum being present.

VOTE OF THE COMMITTEE

There were no recorded votes on this legislation.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

PERFORMANCE GOALS AND OBJECTIVES

H.R. 2624, the "Law Enforcement Tribute Act" authorized appropriations of \$3,000,000 for each of fiscal years 2002 through 2006 to allow the Attorney General to may make grants to States, local governments, and Indian tribes to establish permanent tributes to men and women who were killed or disabled while serving as law

enforcement or public safety officers. No grant recipient shall receive more than \$150,000 and a 50 percent match is required.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of House rule XIII is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 2624, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 1, 2002.

Hon. F. JAMES SENSENBRENNER, Jr., *Chairman,*
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2624, the Law Enforcement Tribute Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226-2860.

Sincerely,

DAN L. CRIPPEN, *Director.*

Enclosure

cc: Honorable John Conyers, Jr.
Ranking Member

H.R. 2624—Law Enforcement Tribute Act.

SUMMARY

H.R. 2624 would authorize the appropriation of \$3 million for each of fiscal years 2002 through 2006 for the Department of Justice to make grants to State and local governments and Indian tribes to honor law enforcement or public safety officers who were killed or disabled in the line of duty. Assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 2624 would cost \$13 million over the 2002-2007 period. This legislation would not affect direct spending or receipts, so pay-as-you-go procedures would not apply.

H.R. 2624 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). The bill would benefit State, local, and tribal governments that receive the grants that it would establish. Any costs incurred to receive or administer such grants would be voluntary.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

For this estimate, CBO assumes that the amounts authorized in H.R. 2624 for 2003 through 2006 will be appropriated by the start of each fiscal year and that outlays will follow historical spending patterns for similar grant programs. We assume that amounts authorized for 2002 will be appropriated this summer. The estimated budgetary impact of H.R. 2624 is shown in the following table. The costs of this legislation fall within budget function 750 (administration of justice).

By Fiscal Year, in Millions of Dollars

	2002	2003	2004	2005	2006	2007
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Authorization Level	3	3	3	3	3	0
Estimated Outlays	0	1	3	4	3	2

PAY-AS-YOU-GO CONSIDERATIONS:

None.

ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS

H.R. 2624 contains no intergovernmental mandates as defined in UMRA. The bill would benefit State, local, and tribal governments that receive the grants that it would establish. Any costs incurred to receive or administer such grants would be voluntary.

ESTIMATED IMPACT ON THE PRIVATE-SECTOR

H.R. 2624 contains no new private-sector mandates as defined in UMRA.

ESTIMATE PREPARED BY:

Federal Costs: Mark Grabowicz (226–2860)

Impact on State, Local, and Tribal Governments: Angela Seitz
(225–3220)

Impact on the Private Sector: Cecil McPherson (226–2949)

ESTIMATE APPROVED BY:

Peter H. Fontaine

Deputy Assistant Director for Budget Analysis

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8, clause 1 and 18 of the Constitution.

SECTION-BY-SECTION ANALYSIS AND DISCUSSION

Section 1. Short Title. The short title of the bill is the “Law Enforcement Tribute Act.”

Section 2. Findings. This section of the bill makes findings regarding the number of law enforcement and public safety officers currently serving in the United States and the number assaulted, injured or killed in the line of duty each year. Congress finds that these officers risk their safety to serve the citizens of their commu-

nities. This section makes the finding that many of the communities do not have the resources to properly honor the fallen officers that have served them.

Section 3. Program Authorized. This section authorizes the Attorney General to award matching grants up to 50 percent of the cost of the tribute directly to a State, local government or Indian Tribe in an amount not to exceed \$150,000. It provides that Indian Tribes may use any funds appropriated by Congress for activities of the Bureau of Indian Affairs or Indian tribal government to meet the matching requirements.

This section also requires any application for funds under this bill to meet the criteria established by the Attorney General. Section 3 requires the Attorney General to provide an annual report to provide Congress with information regarding the number of grants awarded, the amount of funds provided for those grants, and the activities the funds were used for.

This section includes an authorization of \$3 million for each fiscal year 2002–2006, which results in a total authorization of \$15 million over 5 years.

MARKUP TRANSCRIPT

BUSINESS MEETING

WEDNESDAY, APRIL 24, 2002

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The Committee met, pursuant to notice, at 10:09 a.m., in Room 2141, Rayburn House Office Building, Hon. F. James Sensenbrenner, Jr. [Chairman of the Committee] presiding.

Chairman SENSENBRENNER. [Presiding.] The Committee will be in order.

[Intervening business.]

The next item on the agenda is the adoption of H.R. 2624, the “Law Enforcement Tribute Act.” The Chair recognizes the gentleman from Texas, Mr. Smith, Chairman of the Subcommittee on Crime, Terrorism, and Homeland Security, for a motion.

Mr. SMITH. Mr. Chairman, the Subcommittee reports favorably the bill H.R. 2624 and moves its favorable recommendation to the full House.

Chairman SENSENBRENNER. Without objection, the bill will be considered as read and open for amendment at any point.

[The bill, H.R. 2624, follows:]

107TH CONGRESS
1ST SESSION

H. R. 2624

To authorize the Attorney General to make grants to honor, through permanent tributes, men and women of the United States who were killed or disabled while serving as law enforcement or public safety officers.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2001

Mr. SCHIFF (for himself, Mr. TOM DAVIS of Virginia, Mr. STUPAK, Mr. SOUDER, Mr. FROST, Ms. JACKSON-LEE of Texas, Mr. LANTOS, Ms. MCKINNEY, Ms. ROYBAL-ALLARD, Mr. GILMAN, Mr. NADLER, Mr. CROWLEY, Mr. HOLDEN, Mr. MCNULTY, Ms. NORTON, and Mr. CRAMER) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To authorize the Attorney General to make grants to honor, through permanent tributes, men and women of the United States who were killed or disabled while serving as law enforcement or public safety officers.

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 “Law Enforcement
5 Tribute Act”.

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1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) The well-being of all citizens of the United
4 States is preserved and enhanced as a direct result
5 of the vigilance and dedication of law enforcement
6 and public safety personnel.

7 (2) More than 700,000 law enforcement offi-
8 cers, both men and women, at great risk to their
9 personal safety, serve their fellow citizens as guard-
10 ians of peace.

11 (3) Nationwide, 51 law enforcement officers
12 were killed in the line of duty in 2000, according to
13 statistics released by the Federal Bureau of Inves-
14 tigation. This number is an increase of 9 from the
15 1999 total of 42.

16 (4) In 1999, 112 firefighters died while on
17 duty, an increase of 21 deaths from the previous
18 year.

19 (5) Every year, 1 in 9 peace officers is as-
20 sailed, 1 in 25 is injured, and 1 in 4,400 is killed
21 in the line of duty.

22 (6) In addition, recent statistics indicate that
23 83 officers were accidentally killed in the perform-
24 ance of their duties in 2000, an increase of 18 from
25 the 65 accidental deaths in 1999.

1 (7) A permanent tribute is a powerful means of
2 honoring the men and women who have served our
3 Nation with distinction. However, many law enforce-
4 ment and public safety agencies lack the resources
5 to honor their fallen colleagues.

6 **SEC. 3. PROGRAM AUTHORIZED.**

7 (a) **IN GENERAL.**—From amounts made available to
8 carry out this section, the Attorney General may make
9 grants to States, units of local government, and Indian
10 tribes to carry out programs to honor, through permanent
11 tributes, men and women of the United States who were
12 killed or disabled while serving as law enforcement or pub-
13 lic safety officers.

14 (b) **USES OF FUNDS.**—Grants awarded under this
15 section shall be distributed directly to the State, unit of
16 local government, or Indian tribe, and shall be used for
17 the purposes specified in subsection (a).

18 (c) **\$150,000 LIMITATION.**—A grant under this sec-
19 tion may not exceed \$150,000 to any single recipient.

20 (d) **MATCHING FUNDS.**—

21 (1) The Federal portion of the costs of a pro-
22 gram provided by a grant under this section may not
23 exceed 50 percent.

24 (2) Any funds appropriated by Congress for the
25 activities of any agency of an Indian tribal govern-

1 ment or the Bureau of Indian Affairs performing
2 law enforcement or public safety functions on any
3 Indian lands may be used to provide the non-Federal
4 share of a matching requirement funded under this
5 subsection.

6 (e) APPLICATIONS.—To request a grant under this
7 section, the chief executive of a State, unit of local govern-
8 ment, or Indian tribe shall submit an application to the
9 Attorney General at such time, in such manner, and ac-
10 panied by such information as the Attorney General
11 may require.

12 (f) ANNUAL REPORT TO CONGRESS.—Not later than
13 November 30 of each year, the Attorney General shall sub-
14 mit a report to the Congress regarding the activities car-
15 ried out under this section. Each such report shall include,
16 for the preceding fiscal year, the number of grants funded
17 under this section, the amount of funds provided under
18 those grants, and the activities for which those funds were
19 used.

20 (g) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out this section
22 \$3,000,000 for each of fiscal years 2002 through 2006.

Chairman SENSENBRENNER. The Chair recognizes the gentleman from Texas in support of his motion.

Mr. SMITH. Thank you.

Mr. Chairman, H.R. 2624, the "Law Enforcement Tribute Act," was introduced by Representative Adam Schiff and has bipartisan support. It would authorize grants to allow States, units of local government, and Indian tribes to construct permanent tributes to honor United States law enforcement or public safety officers who have been killed or disabled in the line of duty.

Congressman Schiff's efforts on this bill are very important to the men and women of law enforcement who put their lives at risk on September 11th and continue to do so every day.

Nationwide, 135 law enforcement officers were killed in the line of duty in the year 2000. In 2001, 228 officers lost their lives in the line of duty, 71 in terrorist attacks.

Mr. Chairman, we are honored every day by the service these men and women give to their communities. This bill will allow us to give them the honor they deserve, and I thank Mr. Schiff for introducing it and will be happy to yield the balance of my time to him.

Mr. SCHIFF. I thank the gentleman for yielding, and I want to thank the Chairman for scheduling the bill for consideration this afternoon. The bill authorizes funding for grants to States and localities to help them in honoring through permanent tributes men and women in the United States who are killed or disabled while serving as law enforcement or public safety officers. To ensure the funding would allow for the development of many tributes around the country, there is a limit that no award can be greater than \$150,000. The bill further requires a 50 percent match by the State or locality requesting the funding.

It authorizes \$3 million for each of 5 years to be administered through the Department of Justice. If the maximum amount were awarded in each case, at least 20 projects could be funded each year. Over a period of 5 years, a minimum of 100 projects could be established. Senators Carnahan and Leahy have introduced a companion bill in the Senate just last week, S. 2179.

We have all, regrettably, experienced the loss of law enforcement officers in our district who have died serving our communities. In one of the communities I represent, Glendale, California, we've lost four police officers and one sheriff's deputy in the line of duty, most recently a Glendale police officer named Charles Lazzaretto, who was killed in a shootout with armed robbers.

The Glendale Police Department has worked tirelessly to raise funds for the memorial. It would be a fitting tribute for the Federal Government to assist them and other communities, providing a relatively small amount of assistance for these often strapped departments, in order to honor their fallen heroes. And I want to again take this opportunity to thank the Crime Subcommittee Chairman Lamar Smith for all of his assistance, Ranking Member Bobby Scott, for marking up the bill in Subcommittee, and, again, Mr. Chairman, I thank you for scheduling it this afternoon.

I yield back.

Chairman SENSENBRENNER. Does the gentleman from Virginia wish to say something, with the admonition that I see our reporting quorum drifting away?

Mr. SCOTT. Yes, Mr. Chairman.

Chairman SENSENBRENNER. The gentleman's recognized for 5 minutes.

Mr. SCOTT. For the reasons articulated by the gentleman from Texas and the gentleman from California, I support the bill and yield back the balance of my time.

Chairman SENSENBRENNER. Without objection, Members will be authorized to insert opening statements in the record.

Are there amendments? If there are no amendments, the Chair notes the presence of a reporting quorum. The question occurs on the motion to report the bill H.R. 2624 favorably. Those in favor will say aye? Opposed, no?

The ayes appear to have it, and the ayes have it, and the motion to report favorably is adopted.

Without objection, the Chair is authorized to move to go to conference pursuant to House rules. Without objection, the staff is directed to make any technical and conforming changes, and all Members will be given 2 days, as provided by the House rules, in which to submit additional dissenting, supplemental, or minority views.

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