

FEDERAL LAW ENFORCEMENT RECRUITMENT AND
RETENTION ACT OF 2011

NOVEMBER 22, 2011.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. SMITH of Texas, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany H.R. 1550]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 1550) to establish programs in the Department of Justice and in the Department of Homeland Security to help States that have high rates of homicide and other violent crime, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

CONTENTS

	Page
The Amendments	2
Purpose and Summary	2
Background and Need for the Legislation	3
Hearings	3
Committee Consideration	3
Committee Votes	3
Committee Oversight Findings	3
New Budget Authority and Tax Expenditures	3
Congressional Budget Office Cost Estimate	4
Performance Goals and Objectives	5
Advisory on Earmarks	5
Section-by-Section Analysis	5

The Amendments

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Law Enforcement Recruitment and Retention Act of 2011”.

SEC. 2. DEPARTMENT OF JUSTICE PROGRAM.

(a) CREATION OF PROGRAM.—The Attorney General shall establish a program within the Department of Justice to address the need to recruit, assign, and retain Federal law enforcement officers in States and jurisdictions with a high rate of homicide or other violent crime as reported pursuant to the Uniform Federal Crime Reporting Act of 1988 (28 U.S.C. 534 note).

(b) FEDERAL COORDINATOR.—The Attorney General shall designate an official within the Department of Justice to be the Federal coordinator of the program established under this section.

(c) DUTIES OF COORDINATOR.—The Federal coordinator appointed under this section shall—

(1) consult with the States and units of local government with a high rate of homicide or other violent crime to determine how additional Federal law enforcement officers may assist those States and units of local government; and

(2) coordinate the implementation of the program established under this section.

SEC. 3. ESTABLISHMENT OF PROGRAM.

The Attorney General shall establish the program described in section 2 not later than 120 days after the date of the enactment of this Act.

SEC. 4. REPORTING REQUIREMENT.

The Attorney General shall provide a report annually on the implementation of the program described in section 2 as part of the report on program performance prepared pursuant to section 4(b) of the Government Performance and Results Act of 1993, as amended (31 U.S.C. 1116). The report required by this section shall describe—

(1) the actions taken by the Attorney General to improve the recruitment, assignment, and retention of Federal law enforcement officers in States and jurisdictions with a high rate of homicide or other violent crime;

(2) any recommendations for additional authorities in law to improve recruitment and retention of Federal law enforcement officers; and

(3) the results of the actions described in paragraph (1).

SEC. 5. DEFINITION OF “STATE”.

In this Act, the term “State” means any State of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, American Samoa, Guam, or the Northern Mariana Islands.

Amend the title so as to read:

A bill to establish a program in the Department of Justice to improve recruitment, assignment, and retention of Federal law enforcement officers in States, territories, and jurisdictions that have a high rate of homicide or other violent crime.

Purpose and Summary

H.R. 1550, as amended, addresses the problem of high crime areas of the country by directing the Department of Justice to establish a program within the Department to consider, in consultation with State and local governments, the need to recruit, assign, and retain Federal law enforcement officers in jurisdictions that experience a high rate of homicides and other violent crimes. This legislation also provides the Department of Justice 120 days to implement this program and directs the Department to report to Congress any actions the Department has taken to improve the recruitment, assignment, and retention in high-crime areas, the result of such actions, and any other recommendations the Department may

have. H.R. 1550 does not authorize any additional spending, but instead directs the Department to consider how its current resources can be used to address the problem of high crime areas.

Background and Need for the Legislation

Violent crime is continuing a decades-long decline in the United States. However, there are areas of the country where homicides and other violent crimes remain a serious problem and, in some cases, are even on the rise. For example, Puerto Rico had a homicide rate of 22.5 per 100,000 inhabitants in 2009, as compared to the national average of 5 homicides per 100,000 inhabitants. The crime in these areas of the United States is often further compounded by the fact that many Federal law enforcement positions remain unfilled in high-crime jurisdictions. In 2000, a representative of the Drug Enforcement Administration testified before the House Government Reform Committee that “few personnel from the Continental United States are willing to accept a transfer to Puerto Rico.”

Hearings

The Committee on the Judiciary held no hearings on H.R. 1550.

Committee Consideration

On July 20, 2011, the Committee met in open session and ordered the bill H.R. 1550 favorably reported with an amendment in the nature of a substitute, by voice vote, a quorum being present.

Committee Votes

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that there were no recorded votes during the Committee’s consideration of H.R. 1550. The Committee approved by voice vote an amendment in the nature of a substitute offered by Mr. Pierluisi. The substitute amendment struck the requirement that a similar program be established in the Department of Homeland Security, provided that the Department of Justice has 120 days to implement the program, and directed the Department of Justice to report to Congress on its efforts to address the recruitment, assignment, and retention of law enforcement in areas with high rates of violent crime.

Committee Oversight Findings

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises 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.

New Budget Authority and Tax Expenditures

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives 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. 1550, 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, November 14, 2011.

Hon. LAMAR SMITH, 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. 1550, the “Federal Law Enforcement Recruitment and Retention Act of 2011.”

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,

DOUGLAS W. ELMENDORF,
DIRECTOR.

Enclosure

cc: Honorable John Conyers, Jr.
Ranking Member

H.R. 1550—Federal Law Enforcement Recruitment and Retention Act of 2011.

As ordered reported by the House Committee on the Judiciary on
July 20, 2011

CBO estimates that implementing H.R. 1550 would cost about \$1 million annually from appropriated funds. Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 1550 would direct the Department of Justice (DOJ) to establish a program to improve the recruiting and retention of Federal law enforcement officers in States with high rates of violent crime. Based on information from DOJ, we expect the department would hire a small number of additional staff to carry out the program. Implementation costs would include salaries, benefits, and travel expenses.

CBO anticipates that H.R. 1550 would be implemented so as to increase the number of Federal law enforcement officers working in States with high rates of violent crime, and that any increase in the cost to deploy additional law enforcement officers would be insignificant. If DOJ sought appropriated funds to increase the overall number of law enforcement officers, the cost to implement this legislation could be considerably greater.

H.R. 1550 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on State, local, or tribal governments.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

Performance Goals and Objectives

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 1550 establishes a program within the Department of Justice to address the need to recruit, assign, and retain Federal law enforcement officers in jurisdictions that experience a high rate of homicides and other violent crimes.

Advisory on Earmarks

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 1550 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of Rule XXI.

Section-by-Section Analysis

The following discussion describes the bill as reported by the Committee.

Sec. 1: Short Title

Section 1 provides that the short title of H.R. 1550 is the “Federal Law Enforcement and Recruitment Act of 2011.”

Sec. 2: Department of Justice Program

Section 2 directs the Attorney General to establish, within the Department of Justice, a program to address the need to recruit, assign, and retain Federal law enforcement officers in States and other jurisdictions with a high rate of homicide or other violent crime (“Program”). This section also directs the coordinator of the Program to consult with the States and units of local government on how additional Federal law enforcement officers could be used.

Sec. 3: Establishment of Program

Section 3 directs the Attorney General to establish the Program no later than 120 days after enactment.

Sec. 4: Reporting Requirement

Section 4 directs the Department of Justice to report to Congress on the actions taken under the Program, the results of such actions, and any additional recommendations for how to improve the recruitment and retention of Federal law enforcement officers.

Sec. 5: Definition of “State”

Section 5 defines the term “State” to include any state of the United States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, or the Northern Mariana Islands.