

103^D CONGRESS
1ST SESSION

S. 1398

To provide law enforcement scholarships and recruitment incentives.

IN THE SENATE OF THE UNITED STATES

AUGUST 6 (legislative day, JUNE 30), 1993

Mr. GRAHAM introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide law enforcement scholarships and recruitment incentives.

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 Scholarship and Recruitment Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 “Director” means the Director of the Bureau of
9 Justice Assistance.

10 “educational expenses”—

1 (A) means expenses that are directly at-
2 tributable to—

3 (i) a course of education leading to
4 the award of an associate degree;

5 (ii) a course of education leading to
6 the award of a baccalaureate degree; or

7 (iii) a course of graduate study follow-
8 ing award of a baccalaureate degree; and

9 (B) includes the cost of tuition, fees,
10 books, supplies, and related expenses.

11 “institution of higher education” has the mean-
12 ing stated in section 1201(a) of the Higher Edu-
13 cation Act of 1965 (20 U.S.C. 1141(a)).

14 “law enforcement position” means employment
15 as an officer in a State or local police force, or cor-
16 rectional institution.

17 “State” means a State of the United States,
18 the District of Columbia, the Commonwealth of
19 Puerto Rico, the Virgin Islands of the United States,
20 American Samoa, Guam, and the Commonwealth of
21 the Northern Mariana Islands.

22 **SEC. 3. ALLOTMENT.**

23 Of amounts appropriated pursuant to section 11, the
24 Director shall allot—

1 (1) 80 percent to States on the basis of the
2 number of law enforcement officers in each State
3 compared to the number of law enforcement officers
4 in all of the States; and

5 (2) 20 percent to States on the basis of the
6 shortage of law enforcement personnel and the need
7 for assistance under this Act in the State compared
8 to the shortage of law enforcement personnel and
9 the need for assistance under this Act in all States.

10 **SEC. 4. SCHOLARSHIP AND EMPLOYMENT PROGRAMS.**

11 (a) USE OF ALLOTMENT.—

12 (1) IN GENERAL.—A State that receives an al-
13 lotment under section 3 shall use the allotment to
14 pay the Federal share of the costs of—

15 (A) awarding scholarship to in-service law
16 enforcement personnel to enable such personnel
17 to seek further education; and

18 (B) providing—

19 (i) full-time employment in summer;

20 or

21 (ii) part-time (not to exceed 20 hours
22 per week) employment during a period not
23 to exceed 1 year.

24 (2) EMPLOYMENT.—The employment described
25 in subparagraph (B) of paragraph (1) shall be pro-

1 vided by State and local law enforcement agencies
2 for students who are juniors or seniors in high
3 school or are enrolled in an accredited institution of
4 higher education and who demonstrate an interest in
5 undertaking a career in law enforcement. Such em-
6 ployment shall not be in a law enforcement position.
7 Such employment shall consist of performing mean-
8 ingful tasks that inform such students of the nature
9 of the tasks performed by law enforcement agencies.

10 (b) PAYMENTS; FEDERAL SHARE; NON-FEDERAL
11 SHARE.—

12 (1) PAYMENTS.—The Secretary shall pay to
13 each State that receives an allotment under section
14 3 the Federal share of the cost of the activities de-
15 scribed in the application submitted pursuant to sec-
16 tion 7.

17 (2) FEDERAL SHARE.—The Federal share shall
18 not exceed 60 percent.

19 (3) NON-FEDERAL SHARE.—The non-Federal
20 share of the cost of scholarships and student em-
21 ployment provided under this Act shall be supplied
22 from sources other than the Federal Government.

23 (c) LEAD AGENCY.—A State that receives an allot-
24 ment under section 3 shall designate an appropriate State
25 agency to serve as the lead agency to conduct a scholar-

1 ship program, a student employment program, or both in
2 the State in accordance with this Act.

3 (d) RESPONSIBILITIES OF DIRECTOR.—The Director
4 shall be responsible for the administration of the programs
5 conducted pursuant to this Act and shall, in consultation
6 with the Assistant Secretary for Postsecondary Education,
7 issue regulations implementing this Act.

8 (e) ADMINISTRATIVE EXPENSES.—A State that re-
9 ceives an allotment under section 3 may use not more than
10 8 percent of the amount of the allotment for administra-
11 tive expenses.

12 (f) SPECIAL RULE.—A State that receives an allot-
13 ment under section 3 shall ensure that each scholarship
14 recipient under this Act is compensated at the same rate
15 of pay and benefits and enjoys the same rights under ap-
16 plicable agreements with labor organizations and under
17 State and local law as other law enforcement personnel
18 of the same rank and tenure in the office of which the
19 scholarship recipient is a member.

20 (g) SUPPLEMENTATION OF FUNDING.—Funds re-
21 ceived under this Act shall be used only to supplement,
22 and not to supplant, Federal, State, and local efforts for
23 recruitment and education of law enforcement personnel.

1 **SEC. 5. SCHOLARSHIPS.**

2 (a) PERIOD OF AWARD.—A scholarship awarded
3 under this Act shall be for a period of 1 academic year.

4 (b) USE OF SCHOLARSHIPS.—A scholarship recipient
5 under this Act may use the scholarship for educational ex-
6 penses at any accredited institution of higher education.

7 **SEC. 6. ELIGIBILITY.**

8 (a) SCHOLARSHIPS.—A person shall be eligible to re-
9 ceive a scholarship under this Act if the person has been
10 employed in law enforcement for the 2-year period imme-
11 diately preceding the date on which assistance is sought.

12 (b) INELIGIBILITY FOR STUDENT EMPLOYMENT.—A
13 person who has been employed as a law enforcement offi-
14 cer is ineligible to participate in a student employment
15 program carried out under this Act.

16 **SEC. 7. STATE APPLICATIONS FOR ALLOTMENT.**

17 (a) IN GENERAL.—A State that desires an allotment
18 under section 3 shall submit an application to the Director
19 at such time, in such manner, and accompanied by such
20 information as the Director may reasonably require.

21 (b) CONTENTS.—An application under subsection (a)
22 shall—

23 (1) describe the scholarship program and the
24 student employment program for which assistance
25 under this Act is sought;

1 (2) contain assurances that the lead agency will
2 work in cooperation with local law enforcement liai-
3 sons, representatives of police labor organizations
4 and police management organizations, and other ap-
5 propriate State and local agencies to develop and im-
6 plement interagency agreements designed to carry
7 out this Act;

8 (3) contain assurances that the State will ad-
9 vertise the scholarship assistance and student em-
10 ployment it will provide under this Act and that the
11 State will use such programs to enhance recruitment
12 efforts;

13 (4) contain assurances that the State will
14 screen and select law enforcement personnel for par-
15 ticipation in the scholarship program under this Act;

16 (5) contain assurances that under the student
17 employment program the State will screen and se-
18 lect, for participation in the program, students who
19 have an interest in undertaking a career in law en-
20 forcement;

21 (6) contain assurances that under the scholar-
22 ship program the State will make scholarship pay-
23 ments to institutions of higher education on behalf
24 of scholarship recipients under this Act;

1 (7) with respect to the student employment pro-
2 gram, identify—

3 (A) the employment tasks students will be
4 assigned to perform;

5 (B) the compensation students will be paid
6 to perform such tasks; and

7 (C) the training students will receive as
8 part of their participation in the program;

9 (8) identify model curriculum and existing pro-
10 grams designed to meet the educational and profes-
11 sional needs of law enforcement personnel; and

12 (9) contain assurances that the State will pro-
13 mote cooperative agreements with educational and
14 law enforcement agencies to enhance law enforce-
15 ment personnel recruitment efforts in institutions of
16 higher education.

17 **SEC. 8. INDIVIDUAL APPLICATIONS FOR SCHOLARSHIP OR**
18 **EMPLOYMENT.**

19 (a) IN GENERAL.—A person who desires a scholar-
20 ship or employment under this Act shall submit an appli-
21 cation to the State at such time, in such manner, and ac-
22 companied by such information as the State may reason-
23 ably require.

24 (b) CONTENTS.—An application under subsection (a)
25 shall describe the academic courses for which a scholarship

1 is sought or the location and duration of employment that
2 is sought.

3 (c) PRIORITY.—In awarding scholarships and provid-
4 ing student employment under this Act, a State shall give
5 priority to applications from persons who—

6 (1) are members of racial, ethnic, or gender
7 groups whose representation in the law enforcement
8 agencies within the State in substantially less than
9 in the population eligible for employment in law en-
10 forcement in the State;

11 (2) are pursuing an undergraduate degree; and

12 (3) are not receiving financial assistance under
13 the Higher Education Act of 1965 (20 U.S.C. 1001
14 et seq.).

15 **SEC. 9. SCHOLARSHIP AGREEMENTS.**

16 (a) IN GENERAL.—A scholarship recipient under this
17 Act shall enter into an agreement with the Director.

18 (b) CONTENTS.—An agreement under subsection (a)
19 shall—

20 (1) provide assurances that the scholarship re-
21 cipient will work in a law enforcement position in
22 the State that awards the scholarship in accordance
23 with the service obligation described in subsection

24 (c) after completion of the recipient's academic

1 courses leading to an associate, bachelor, or grad-
2 uate degree;

3 (2) provide assurances that the scholarship re-
4 cipient will repay the entire scholarship awarded
5 under this Act in accordance with such terms and
6 conditions as the Director shall prescribe if the re-
7 quirements of the agreement are not complied with,
8 unless the recipient—

9 (A) dies;

10 (B) becomes physically or emotionally dis-
11 abled, as established by the sworn affidavit of
12 a qualified physician; or

13 (C) has been discharged in bankruptcy;
14 and

15 (3) set forth the terms and conditions under
16 which a scholarship recipient may seek employment
17 in the field of law enforcement in a State other than
18 the State that awards the scholarship.

19 (c) SERVICE OBLIGATION.—

20 (1) IN GENERAL.—Subject to paragraph (2), a
21 scholarship recipient under this Act shall work in a
22 law enforcement position in the State that awards
23 the scholarship for a period of 1 month for each
24 credit hour for which funds are received under the
25 scholarship.

1 (2) MINIMUM AND MAXIMUM REQUIRED PERI-
2 ODS OF SERVICE.—For the purposes of satisfying
3 the requirement of paragraph (1), a scholarship re-
4 cipient shall work in a law enforcement position in
5 the State that awards the scholarship for a period
6 of not less than 6 months but shall not be required
7 to work in such a position for more than 2 years.

8 **SEC. 10. REPORTS TO CONGRESS.**

9 (a) IN GENERAL.—Not later than April 1 of each
10 year, the Director shall submit a report to the Attorney
11 General, the President, the Speaker of the House of Rep-
12 resentatives, and the President pro tempore of the Senate.

13 (b) CONTENTS.—A report under subsection (a)
14 shall—

15 (1) state the number of present and past schol-
16 arship recipients under this Act, categorized accord-
17 ing to the levels of educational study in which the
18 recipients are engaged and the number of years that
19 the recipients have served in law enforcement;

20 (2) state, with respect to student employees
21 under this Act—

22 (A) the number of present and past stu-
23 dent employees;

1 (B) the number of such employees who
2 complete a course of study at an accredited in-
3 stitution of higher education; and

4 (C) the number of such employees who
5 subsequently accept a law enforcement position;

6 (3) describe the geographic, racial, and gender
7 dispersion of scholarship recipients and employees;
8 and

9 (4) describe the progress of the scholarship pro-
10 gram and the student employment program and
11 make recommendations for changes in the programs.

12 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

13 (A) IN GENERAL.—There are authorized to be appro-
14 priated to carry out this Act \$30,000,000 for each of fiscal
15 years 1994, 1995, 1996, 1997, and 1998.

16 (b) USES OF FUNDS.—Of the funds appropriated
17 under subsection (a) for any fiscal year—

18 (1) 75 percent shall be available to provide
19 scholarships described in section 4(a)(1)(A); and

20 (2) 25 percent shall be available to provide em-
21 ployment described in sections 4(a)(1)(B) and
22 4(a)(2).

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