

104TH CONGRESS  
2D SESSION

# H. R. 2996

To create a commission to encourage cooperation between public sector law enforcement agencies and private sector security professionals to control crime.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 29, 1996

Mr. McCOLLUM introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To create a commission to encourage cooperation between public sector law enforcement agencies and private sector security professionals to control crime.

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 and  
5 Industrial Security Cooperation Act of 1996”.

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

1           (1) Seventy percent of all money invested in  
2 crime prevention and law enforcement each year in  
3 the United States is spent by the private sector.

4           (2) There are nearly three employees in private  
5 sector security for every one in public law enforce-  
6 ment.

7           (3) More than half of the responses to crime  
8 come from private security.

9           (4) A bipartisan study commission specially  
10 constituted for the purposes of examining appro-  
11 priate cooperative roles between public sector law en-  
12 forcement and private sector security will be able to  
13 offer comprehensive proposals for statutory and pro-  
14 cedural initiatives.

15 **SEC. 3. PURPOSES.**

16 The purposes of the Commission are as follows:

17           (1) To identify critical issues in crime control  
18 and law enforcement which may be better addressed  
19 through improved cooperation between public law en-  
20 forcement agencies and private sector security pro-  
21 fessionals.

22           (2) To examine existing models of public-pri-  
23 vate cooperation and, through consultation with  
24 leading authorities in law enforcement, private secu-  
25 rity, criminal justice and business, improve such

1 models or develop new models that promote coopera-  
2 tion between public law enforcement and private se-  
3 curity.

4 (3) To encourage public agencies and private  
5 businesses and institutions to make use of effective  
6 models for cooperation in crime control and law en-  
7 forcement.

8 (4) To analyze Federal, State, and local stat-  
9 utes which either enhance or inhibit cooperation be-  
10 tween public law enforcement and private security  
11 and to recommend changes to such laws which would  
12 have the effect of enhancing cooperation between  
13 public sector law enforcement agencies and private  
14 sector security professionals.

15 **SEC. 4. ESTABLISHMENT AND COMPOSITION OF THE COM-**  
16 **MISSION.**

17 (a) **ESTABLISHMENT.**—There is established a com-  
18 mission to be known as the Law Enforcement and Indus-  
19 trial Security Cooperation Commission (in this Act re-  
20 ferred to as the “Commission”).

21 (b) **COMPOSITION.**—The Commission shall be com-  
22 posed of 12 members, as follows:

23 (1) 3 members to be appointed by the majority  
24 leader of the Senate who shall select such members  
25 from a list of nominees provided by the Chairperson

1 of the Committee on the Judiciary of the Senate. Of  
2 the 3, one shall be a Member of the Senate, one  
3 shall be a representative of public law enforcement,  
4 and one shall be a representative of private security.

5 (2) 3 members to be appointed by the minority  
6 leader of the Senate who shall select such members  
7 from a list of nominees provided by the ranking mi-  
8 nority member of the Committee on the Judiciary of  
9 the Senate. Of the 3, one shall be a Member of the  
10 Senate, one shall be a representative of public law  
11 enforcement, and one shall be a representative of  
12 private security.

13 (3) 3 members appointed by the Speaker of the  
14 House of Representatives who shall select such  
15 members from a list of nominees provided by the  
16 chairperson of the Committee on the Judiciary of  
17 the House of Representatives. Of the 3, one shall be  
18 a Member of the House, one shall be a representa-  
19 tive of public law enforcement, and one shall be a  
20 representative of private security.

21 (4) 3 members appointed by the minority leader  
22 of the House of Representatives who shall select  
23 such members from a list of nominees provided by  
24 the ranking minority member of the Committee on  
25 the Judiciary of the House of Representatives. Of

1       the 3, one shall be a Member of the House, one shall  
2       be a representative of public law enforcement, and  
3       one shall be a representative of private security.

4       (c) CONTINUATION OF MEMBERSHIP.—If a member  
5       was appointed to the Commission as a Member of Con-  
6       gress and the member ceases to be a Member of Congress,  
7       or was appointed to the Commission because the member  
8       was not an officer or employee of any government and  
9       later becomes an officer or employee of a government, that  
10      member may continue as a member for not longer than  
11      the 30-day period beginning on the date that member  
12      ceases to be a Member of Congress, or becomes such an  
13      officer or employee, as the case may be.

14      (d) CHAIRPERSON.—The Commission shall elect a  
15      chairperson from among its members.

16      (e) QUORUM; VACANCY.—

17           (1) IN GENERAL.—After its initial meeting, the  
18      Commission shall meet upon the call of the chair-  
19      person or a majority of its members. Seven members  
20      of the Commission shall constitute a quorum, except  
21      a lesser number may hold hearings.

22           (2) VACANCY.—Any vacancy in the Commission  
23      shall not affect its powers but shall be filled in the  
24      same manner in which the original appointment was  
25      made.

1 (f) APPOINTMENT OF MEMBERS; MEETING.—

2 (1) APPOINTMENT OF MEMBERS.—Members of  
3 the Commission shall be appointed not later than  
4 120 days after the date of the enactment of this Act.

5 (2) MEETING.—If after 120 days after the date  
6 of enactment of this Act, 7 or more members of the  
7 Commission have been appointed, the members who  
8 have been appointed may meet and select a chair-  
9 person who thereafter shall have authority to begin  
10 the operations of the Commission, including the hir-  
11 ing of staff.

12 **SEC. 5. COMPENSATION AND TRAVEL EXPENSES.**

13 (a) COMPENSATION.—

14 (1) IN GENERAL.—Except as provided in para-  
15 graph (2), a member of the Commission whose serv-  
16 ices are not donated by such member's employer  
17 may be compensated at a rate not to exceed the  
18 daily equivalent of the annual rate of basic pay in  
19 effect for a position at level IV of the Executive  
20 Schedule under section 5315 of title 5, United  
21 States Code, for each day during which such mem-  
22 ber is engaged in the actual performance of the du-  
23 ties of the Commission.

24 (2) LIMITATION.—Members of the Commission  
25 who are officers or employees of the United States

1 or Members of Congress shall receive no additional  
2 pay on account of their service on the Commission.

3 (b) TRAVEL EXPENSES.—Each member shall receive  
4 travel expenses, including per diem in lieu of subsistence,  
5 in accordance with sections 5702 and 5703 of title 5,  
6 United States Code.

7 **SEC. 6. POWERS OF THE COMMISSION.**

8 (a) HEARINGS AND SUBPOENAS.—The Commission  
9 may hold such hearings, sit and act at such times and  
10 places, administer such oaths, take such testimony, receive  
11 such evidence, and require by subpoena the attendance  
12 and testimony of such witnesses and the production of  
13 such materials as the Commission considers appropriate.

14 (b) INFORMATION FROM FEDERAL AGENCIES.—The  
15 Commission may secure directly from any Federal depart-  
16 ment or agency such information as the Commission con-  
17 siders necessary to carry out the provisions of this Act.  
18 Upon request of the Chairperson of the Commission, the  
19 head of such department or agency may furnish such in-  
20 formation to the Commission.

21 (c) ADMINISTRATIVE SUPPORT SERVICES.—Upon the  
22 request of the Commission, the Administrator of General  
23 Services shall provide to the Commission, on a reimburs-  
24 able basis, the administrative support services necessary

1 for the Commission to carry out its responsibilities under  
2 this Act.

3 (d) CONTRACTING.—The Commission may enter into  
4 contracts to enable the Commission to discharge its duties  
5 under this Act.

6 (e) ASSISTANCE FROM FEDERAL AGENCIES.—

7 (1) IN GENERAL.—Financing of the Commis-  
8 sion and its activities will come from corporate,  
9 foundation, and individual contributions. No special  
10 appropriation of Federal funds shall be made for the  
11 purposes of this Act.

12 (2) FEDERAL SERVICES.—Departments and  
13 agencies of the United States are authorized, how-  
14 ever, to provide to the Commission such services,  
15 funds, facilities, staff, and other support services as  
16 they may deem advisable for the purposes of this  
17 Act and as may be authorized by law.

18 (f) GIFTS.—The Commission may accept, use, and  
19 dispose of gifts or donations of services or property.

20 **SEC. 7. STAFF OF THE COMMISSION.**

21 (a) STAFF.—The Commission chairperson, in accord-  
22 ance with rules agreed upon by the Commission and rea-  
23 sonable limitations imposed by budget, may appoint a  
24 staff director and such other personnel as may be nec-  
25 essary to enable the Commission to carry out its functions.

1 The staff director and other personnel may be appointed  
2 without regard to the provisions of title 5, United States  
3 Code, governing appointments in the competitive service,  
4 and may be paid without regard to the provisions of chap-  
5 ter 51 and subchapter III of chapter 53 of that title relat-  
6 ing to classification and General Schedule pay rates.

7 (b) CONSULTANTS AND EXPERTS.—The Commission  
8 is authorized to procure the services of experts and con-  
9 sultants in accordance with budgetary strictures.

10 **SEC. 8. REPORT.**

11 The Commission shall submit to Congress and the  
12 Attorney General, not later than 2 years after the date  
13 of its first meeting, a final report containing such rec-  
14 ommendations concerning methods and activities that pro-  
15 mote cooperation between public sector law enforcement  
16 agencies and private sector security professionals, includ-  
17 ing proposing new or changed procedures, rules, regula-  
18 tions, or legislation.

19 **SEC. 9. TERMINATION.**

20 Not later than 60 days after submitting its final re-  
21 port pursuant to section 8 the Commission shall termi-  
22 nate.

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