

103^D CONGRESS
1ST SESSION

H. R. 3383

To amend title 10, United States Code, to establish a program to place members of the Armed Forces who are separated from the Armed Forces in employment positions with law enforcement agencies to relieve shortages of law enforcement officers and to provide employment for displaced military personnel.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 1993

Mr. ACKERMAN introduced the following bill; which was referred jointly to the Committees on Armed Services and the Judiciary

A BILL

To amend title 10, United States Code, to establish a program to place members of the Armed Forces who are separated from the Armed Forces in employment positions with law enforcement agencies to relieve shortages of law enforcement officers and to provide employment for displaced military personnel.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PLACEMENT PROGRAM FOR SEPARATED MEM-**
2 **BERS OF THE ARMED FORCES IN EMPLOY-**
3 **MENT POSITIONS WITH LAW ENFORCEMENT**
4 **AGENCIES.**

5 (a) PLACEMENT PROGRAM WITH LAW ENFORCE-
6 MENT AGENCIES.—(1) Chapter 58 of title 10, United
7 States Code, is amended by adding at the end the follow-
8 ing new section:

9 **“§1152. Placement program for separated members**
10 **to obtain employment with law enforce-**
11 **ment agencies**

12 “(a) PLACEMENT PROGRAM.—The Secretary of De-
13 fense shall establish a placement program to assist eligible
14 members of the armed forces to obtain employment by
15 State and local law enforcement agencies upon their dis-
16 charge or release from active duty.

17 “(b) ELIGIBLE MEMBERS.—A member of the armed
18 forces shall be eligible for selection to participate in the
19 placement program if the member—

20 “(1) is involuntary separated (as described in
21 section 1141 of this title), is approved for separation
22 under section 1174a or 1175 of this title, or is given
23 early retirement under section 4403 of the Defense
24 Conversion, Reinvestment, and Transition Assist-
25 ance Act of 1992 (division D of Public Law 102–
26 484; 10 U.S.C. 1293 note) during the four-year pe-

1 riod beginning on the date of the enactment of this
2 section;

3 “(2) has a military occupational specialty,
4 training, or experience related to law enforcement,
5 such as service as a member of the military police;
6 and

7 “(3) satisfies such other criteria for selection as
8 the Secretary of Defense may prescribe.

9 “(c) SELECTION OF PARTICIPANTS.—(1) The Sec-
10 retary of Defense shall select members to participate in
11 the placement program on the basis of applications sub-
12 mitted to the Secretary before the date of the discharge
13 or release of the members from active duty or as soon
14 after such date as the Secretary may prescribe. An appli-
15 cation shall be in such form and contain such information
16 as the Secretary may require.

17 “(2) The Secretary may not select a member to par-
18 ticipate in the placement program unless the Secretary has
19 sufficient appropriations for the placement program avail-
20 able at the time of the selection to satisfy the obligations
21 to be incurred by the United States under this section with
22 respect to that member.

23 “(d) AGREEMENTS WITH LAW ENFORCEMENT
24 AGENCIES.—(1) The Secretary of Defense may enter into
25 an agreement with a State or local law enforcement agen-

1 cies to facilitate the placement of participants in law en-
2 forcement employment positions if the law enforcement
3 agency agrees—

4 “(A) to select a participant in the placement
5 program to receive training as a law enforcement of-
6 ficer;

7 “(B) to offer the participant full-time employ-
8 ment with the law enforcement agency as a law en-
9 forcement officer for a period of at least three years;
10 and

11 “(C) to treat the participant so employed in the
12 same manner (except with regard to tenure upon the
13 completion of the required employment period) as
14 any other law enforcement officer employed by the
15 agency for purposes of determining seniority, duty
16 assignments, and eligibility for benefits.

17 “(2) Under an agreement referred to in paragraph
18 (1), the Secretary shall agree to pay to the law enforce-
19 ment agency for the first three years of employment of
20 the participant an amount equal to 100 percent of the
21 basic salary paid (not to exceed \$45,000 per year) by the
22 law enforcement agency to the participant as a law en-
23 forcement officer.

24 “(3) Payments required under paragraph (2) shall be
25 made by the Secretary in quarterly installments in ad-

1 vance. If the participant leaves the employment of the law
2 enforcement agency before the end of the period covered
3 by an advance payment, the law enforcement agency shall
4 reimburse the Secretary for any portion of the advance
5 payment that remains unpaid to the participant.

6 “(4) The Secretary may not enter into an agreement
7 under this subsection with a law enforcement agency (and
8 shall terminate any agreement so entered) if the Secretary
9 determines that the agency—

10 “(A) terminated the employment of another law
11 enforcement officer in order to fill the vacancy so
12 created with a participant in the placement program;
13 or

14 “(B) seeks a participant in the placement pro-
15 gram so as to avoid filling an existing employment
16 vacancy with the agency.

17 “(5) The Secretary shall disseminate information and
18 applications regarding the placement program to State
19 and local law enforcement agencies eligible to enter into
20 agreements under this subsection and may provide tech-
21 nical assistance to agencies seeking to enter into such an
22 agreement.

23 “(e) PRIORITY GIVEN TO HIGH CRIME AREAS.—In
24 entering into agreements with law enforcement agencies
25 under subsection (d), the Secretary of Defense shall give

1 priority to those law enforcement agencies performing law
2 enforcement functions in high crime areas, as identified
3 by the Attorney General.

4 “(f) MODEL PLACEMENT AGREEMENTS.—The Sec-
5 retary of Defense shall endeavor to enter into agreements
6 under subsection (d) with law enforcement agencies per-
7 forming law enforcement functions in Atlanta, Georgia,
8 Chicago, Illinois, Los Angeles, California, and New York,
9 New York, for the placement of participants as law en-
10 forcement officers in these four cities. To the extent par-
11 ticipants in the placement program are available for place-
12 ment with law enforcement agencies operating in these
13 cities, the Secretary shall reserve 10 percent of the place-
14 ments during each fiscal year for these cities. Placements
15 made under the authority of this subsection shall be in
16 addition to any placements made under the placement pro-
17 gram in these cities pursuant to the State allocation made
18 under subsection (g).

19 “(g) NUMBER OF PARTICIPANTS PER STATE.—(1)
20 Except as provided in paragraph (2), the number of par-
21 ticipants in the placement program who are placed in law
22 enforcement employment positions in a particular State
23 during a fiscal year may not exceed the number that—

24 “(A) bears the same ratio to the total number
25 of participants placed in law enforcement employ-

1 ment positions in that year (not counting partici-
2 pants placed under a model agreement under sub-
3 section (f)); as

4 “(B) the population of that State bears to the
5 total population of all the States.

6 “(2) The Secretary of Defense may vary the place-
7 ment ratios determined for States under paragraph (1) if
8 the Secretary is unable to enter into a sufficient number
9 of agreements under subsection (d) with law enforcement
10 agencies in all States to permit compliance with the ratios.

11 “(h) INFORMATION REGARDING PLACEMENT PRO-
12 GRAM.—The Secretary of Defense shall provide informa-
13 tion regarding the placement program to members of the
14 armed forces as part of preseparation counseling provided
15 under section 1142 of this title. The information provided
16 shall include an up-to-date list of all law enforcement
17 agencies with which the Secretary has entered into agree-
18 ments under subsection (d).

19 “(i) SPECIAL ELIGIBILITY OF CERTAIN PERSONS AL-
20 READY SEPARATED.—A member of the armed forces de-
21 scribed in subsection (b) who was involuntary separated
22 (as described in section 1141 of this title), approved for
23 separation under section 1174a or 1175 of this title, or
24 given early retirement under section 4403 of the Defense
25 Conversion, Reinvestment, and Transition Assistance Act

1 of 1992 (division D of Public Law 102–484; 10 U.S.C.
2 1293 note) during the period beginning on October 1,
3 1990, and ending on the date of the enactment of this
4 section may be selected to participate in the placement
5 program if the member is otherwise eligible to participate.
6 Any selections made pursuant to this subsection shall be
7 made not later than October 1, 1994.

8 “(j) DEFINITIONS.—In this section:

9 “(1) The term ‘State’ means each of the several
10 States, the District of Columbia, American Samoa,
11 the Federated States of Micronesia, Guam, the Re-
12 public of the Marshall Islands, the Commonwealth of
13 the Northern Mariana Islands, the Commonwealth
14 of Puerto Rico, Palau, and the Virgin Islands.

15 “(2) The term ‘law enforcement officer’ means
16 an individual involved in crime and juvenile delin-
17 quency control or reduction, or enforcement of the
18 laws, including police, corrections, probation, parole,
19 and judicial officers.

20 “(3) The term ‘placement program’ means the
21 placement program required to be established under
22 this section.”.

23 (2) The table of sections at the beginning of such
24 chapter is amended by adding at the end the following
25 new items:

“1152. Placement program for separated members to obtain employment with law enforcement agencies.”.

1 (b) ATTORNEY GENERAL REPORT.—Not later than
2 two years after the date of the enactment of this Act, the
3 Attorney General shall submit to Congress a report evalu-
4 ating the impact, if any, that the law enforcement place-
5 ment program required by section 1152 of title 10, United
6 States Code (as added by subsection (a)), has had on re-
7 ducing the incidence of crime in the United States.

○