

Calendar No. 86118TH CONGRESS
1ST SESSION**S. 546**

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize law enforcement agencies to use COPS grants for recruitment activities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 2023

Mrs. FISCHER (for herself, Mr. COONS, Mr. CORNYN, Ms. KLOBUCHAR, Mr. COTTON, Mr. TESTER, Mr. TILLIS, Ms. ROSEN, Mr. DURBIN, Mr. KENNEDY, Mr. BOOKER, Mr. BLUMENTHAL, and Mr. HAWLEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

JUNE 8, 2023

Reported by Mr. DURBIN, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize law enforcement agencies to use COPS grants for recruitment activities, and for other purposes.

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. SHORT TITLE.**

2 This Act may be cited as the “Recruit and Retain
3 Act”.

4 **SEC. 2. IMPROVING COPS GRANTS FOR POLICE HIRING**
5 **PURPOSES.**

6 (a) GRANT USE EXPANSION.—Section 1701(b) of
7 title I of the Omnibus Crime Control and Safe Streets Act
8 of 1968 (34 U.S.C. 10381(b)) is amended—

9 (1) by redesignating paragraphs (5) through
10 (23) as paragraphs (6) through (24), respectively;
11 and

12 (2) by inserting after paragraph (4) the fol-
13 lowing:

14 “(5) to support hiring activities by law enforce-
15 ment agencies experiencing declines in officer re-
16 cruitment applications by reducing application-re-
17 lated fees, such as fees for background checks, psy-
18 chological evaluations, and testing;”.

19 (b) TECHNICAL AMENDMENT.—Section 1701(b)(23)
20 of title I of the Omnibus Crime Control and Safe Streets
21 Act of 1968 (34 U.S.C. 10381(b)(23)) is amended by
22 striking “(21)” and inserting “(22)”.

23 **SEC. 3. ADMINISTRATIVE COSTS.**

24 Section 1701 of title I of the Omnibus Crime Control
25 and Safe Streets Act of 1968 (34 U.S.C. 10381) is amend-
26 ed—

1 (1) by redesignating subsections (i) through (n)
2 as subsections (j) through (o), respectively; and

3 (2) by inserting after subsection (h) the fol-
4 lowing:

5 “(i) ADMINISTRATIVE COSTS.—Not more than 2 per-
6 cent of a grant made for the hiring or rehiring of addi-
7 tional career law enforcement officers may be used for
8 costs incurred to administer such grant.”.

9 **SEC. 4. PIPELINE PARTNERSHIP PROGRAM.**

10 Section 1701 of title I of the Omnibus Crime Control
11 and Safe Streets Act of 1968 (34 U.S.C. 10381) is amend-
12 ed by inserting after subsection (o) the following:

13 “(p) COPS PIPELINE PARTNERSHIP PROGRAM.—

14 “(1) ELIGIBLE ENTITY DEFINED.—In this sub-
15 section, the term ‘eligible entity’ means a law en-
16 forcement agency in partnership with not less than
17 1 educational institution, which may include 1 or
18 any combination of the following:

19 “(A) An elementary school.

20 “(B) A secondary school.

21 “(C) An institution of higher education.

22 “(D) A Hispanic-serving institution.

23 “(E) A historically Black college or univer-
24 sity.

25 “(F) A Tribal college.

1 “(2) GRANTS.—The Attorney General shall
2 award competitive grants to eligible entities for re-
3 cruiting activities that—

4 “(A) support substantial student engage-
5 ment for the exploration of potential future ca-
6 reer opportunities in law enforcement;

7 “(B) strengthen recruitment by law en-
8 forcement agencies experiencing a decline in re-
9 cruits, or high rates of resignations or retire-
10 ments;

11 “(C) enhance community interactions be-
12 tween local youth and law enforcement agencies
13 that are designed to increase recruiting; and

14 “(D) otherwise improve the outcomes of
15 local law enforcement recruitment through ac-
16 tivities such as dedicated programming for stu-
17 dents, work-based learning opportunities,
18 project-based learning, mentoring, community
19 liaisons, career or job fairs, work site visits, job
20 shadowing, apprenticeships, or skills-based in-
21 ternships.

22 “(3) FUNDING.—Of the amounts made avail-
23 able to carry out this part for a fiscal year, the At-
24 torney General may use not more than \$3,000,000
25 to carry out this subsection.”.

1 **SEC. 5. COPS GRANT GUIDANCE FOR AGENCIES OPER-**
 2 **ATING BELOW BUDGETED STRENGTH.**

3 Section 1704 of title I of the Omnibus Crime Control
 4 and Safe Streets Act of 1968 (34 U.S.C. 10384) is amend-
 5 ed by adding at the end the following:

6 “(d) **GUIDANCE FOR UNDERSTAFFED LAW EN-**
 7 **FORCEMENT AGENCIES.—**

8 “(1) **DEFINITIONS.—**In this subsection:

9 “(A) **COVERED APPLICANT.—**The term
 10 ‘covered applicant’ means an applicant for a
 11 hiring grant under this part seeking funding for
 12 a law enforcement agency operating below the
 13 budgeted strength of the law enforcement agen-
 14 cy.

15 “(B) **BUDGETED STRENGTH.—**The term
 16 ‘budgeted strength’ means the employment of
 17 the maximum number of sworn law enforcement
 18 officers the budget of a law enforcement agency
 19 allows the agency to employ.

20 “(2) **PROCEDURES.—**Not later than 180 days
 21 after the date of enactment of this Act, the Attorney
 22 General shall establish consistent procedures for cov-
 23 ered applicants, including guidance that—

24 “(A) clarifies that covered applicants re-
 25 main eligible for funding under this part; and

1 “(B) enables covered applicants to attest
2 that the funding from a grant awarded under
3 this part is not being used by the law enforce-
4 ment agency to supplant State or local funds,
5 as described in subsection (a).

6 “(3) PAPERWORK REDUCTION.—In developing
7 the procedures and guidance under paragraph (2),
8 the Attorney General shall take measures to reduce
9 paperwork requirements for grants to covered appli-
10 cants.”.

11 **SEC. 6. STUDY ON POLICE RECRUITMENT.**

12 (a) STUDY.—

13 (1) IN GENERAL.—The Comptroller General of
14 the United States shall conduct a study to consider
15 the comprehensive effects of recruitment and attri-
16 tion rates on Federal, State, Tribal, and local law
17 enforcement agencies in the United States, to iden-
18 tify—

19 (A) the primary reasons that law enforce-
20 ment officers—

21 (i) join law enforcement agencies; and

22 (ii) resign or retire from law enforce-
23 ment agencies;

24 (B) how the reasons described in subpara-
25 graph (A) may have changed over time;

1 (C) the effects of recruitment and attrition
2 on public safety;

3 (D) the effects of electronic media on re-
4 cruitment efforts;

5 (E) barriers to the recruitment and reten-
6 tion of Federal, State, and local law enforce-
7 ment officers; and

8 (F) recommendations for potential ways to
9 address barriers to the recruitment and reten-
10 tion of law enforcement officers, including the
11 barriers identified in subparagraph (E).

12 (2) REPRESENTATIVE CROSS-SECTION.—

13 (A) IN GENERAL.—The Comptroller Gen-
14 eral of the United States shall endeavor to en-
15 sure accurate representation of law enforcement
16 agencies in the study conducted pursuant to
17 paragraph (1) by surveying a broad cross-sec-
18 tion of law enforcement agencies—

19 (i) from various regions of the United
20 States;

21 (ii) of different sizes; and

22 (iii) from rural, suburban, and urban
23 jurisdictions.

24 (B) METHODS DESCRIPTION.—The study
25 conducted pursuant to paragraph (1) shall in-

1 clude in the report under subsection (b) a de-
2 scription of the methods used to identify a rep-
3 resentative sample of law enforcement agencies.

4 (b) REPORT.—Not later than 540 days after the date
5 of enactment of this Act, the Comptroller General of the
6 United States shall—

7 (1) submit to the Committee on the Judiciary
8 of the Senate and the Committee on the Judiciary
9 of the House of Representatives a report containing
10 the study conducted under subsection (a); and

11 (2) make the report submitted under paragraph
12 (1) publicly available online.

13 (c) CONFIDENTIALITY.—The Comptroller General of
14 the United States shall ensure that the study conducted
15 under subsection (a) protects the privacy of participating
16 law enforcement agencies.

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