

109TH CONGRESS
2^D SESSION

S. 2483

To establish a Law Enforcement Assistance Force in the Department of Homeland Security to facilitate the contributions of retired law enforcement officers during major disasters.

IN THE SENATE OF THE UNITED STATES

MARCH 30, 2006

Mr. ENSIGN (for himself, Mr. VITTER, and Mr. ISAKSON) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To establish a Law Enforcement Assistance Force in the Department of Homeland Security to facilitate the contributions of retired law enforcement officers during major disasters.

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 As-

5 sistance Force Act of 2005” or the “LEAF Act”.

6 **SEC. 2. LAW ENFORCEMENT ASSISTANCE FORCE.**

7 (a) **ESTABLISHMENT.**—The Secretary of Homeland

8 Security (referred to in this Act as the “Secretary”) shall

1 establish a Law Enforcement Assistance Force to facili-
2 tate the contributions of retired law enforcement officers
3 and agents during major disasters.

4 (b) ELIGIBLE PARTICIPANTS.—An individual may
5 participate in the Law Enforcement Assistance Force if
6 the individual—

7 (1) has experience working as an officer or
8 agent for a public law enforcement agency and left
9 the agency in good standing;

10 (2) holds current certifications for firearms,
11 first aid, and such other skills determined necessary
12 by the Secretary;

13 (3) submits to the Secretary an application, at
14 such time, in such manner, and accompanied by
15 such information as the Secretary may reasonably
16 require, that authorizes the Secretary to review the
17 law enforcement service record of the individual; and

18 (4) meets such other qualifications as the Sec-
19 retary may require.

20 (c) LIABILITY; SUPERVISION.—Each participant in
21 the Law Enforcement Assistance Force shall—

22 (1) be protected from civil liability to the same
23 extent as employees of the Department of Homeland
24 Security; and

1 (2) upon acceptance of an assignment under
2 this section—

3 (A) be detailed to a Federal, State, or local
4 government law enforcement agency;

5 (B) work under the direct supervision of
6 an officer or agent of such agency; and

7 (C) notwithstanding any State or local law
8 requiring specific qualifications for law enforce-
9 ment officers, be deputized to perform the du-
10 ties of a law enforcement officer.

11 (d) MOBILIZATION.—

12 (1) IN GENERAL.—In the event of a major dis-
13 aster (as defined in section 102 of the Robert T.
14 Stafford Disaster Relief and Emergency Assistance
15 Act (42 U.S.C. 5122)) the Secretary, after consulta-
16 tion with appropriate Federal, State, and local gov-
17 ernment law enforcement agencies, may request eli-
18 gible participants to volunteer to assist the efforts of
19 those agencies responding to such emergency and as-
20 sign each willing participant to a specific law en-
21 forcement agency.

22 (2) ACCEPTANCE.—If the eligible participant
23 accepts an assignment under this subsection, the
24 participant shall agree to remain in such assignment
25 for a period equal to not less than the shorter of—

1 (A) the period during which the law en-
2 forcement agency needs the services of such
3 participant; or

4 (B) 30 days.

5 (3) REFUSAL.—An eligible participant may
6 refuse an assignment under this subsection without
7 any adverse consequences.

8 (e) EXPENSES.—

9 (1) IN GENERAL.—Each participant shall be al-
10 lowed travel expenses, including per diem in lieu of
11 subsistence, at rates authorized for employees of
12 agencies under subchapter I of chapter 57 of title 5,
13 United States Code, while carrying out an assign-
14 ment under subsection (d).

15 (2) SOURCE OF FUNDS.—Expenses incurred
16 under paragraph (1) shall be paid from amounts ap-
17 propriated to the Federal Emergency Management
18 Agency.

19 (f) TERMINATION OF ASSISTANCE.—The availability
20 of participants of the Law Enforcement Assistance Force
21 shall continue for a period equal to the shorter of—

22 (1) the period of the major disaster (as defined
23 in section 102 of the Robert T. Stafford Disaster
24 Relief and Emergency Assistance Act (42 U.S.C.
25 5122)); or

1 (2) 1 year.

2 (g) AUTHORIZATION OF APPROPRIATIONS.—There
3 are authorized to be appropriated such sums as may be
4 necessary to carry out the provisions of this Act.

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