



The Washington Report

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Representing America's Finest

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NAPO Priorities: 2019 Review

NAPO had a very successful year in 2019 moving our legislative and policy priorities, including the enactment of two of our biggest priorities: the permanent reauthorization of the September 11th Victim Compensation Fund and the permanent repeal of the “Cadillac Tax”. These wins and others are highlighted below in our year-end review.

NAPO Priority Legislation Passed by the House or Senate

Protecting America’s First Responders Act. This bill passed the Senate by voice vote on May 16, 2019. It would ease the strict requirements for disabled officers to qualify for PSOB disability benefits, ensuring that officers who are catastrophically injured in the line of duty, but can still perform some level of work, would still qualify for the much-needed benefit. It would also ensure that beneficiaries receive the highest award amount possible and it will make certain that all children of public safety officers disabled or killed in the line of duty are able to benefit from the Public Safety Officers’ Education Assistance program.

Rehabilitation for Multiemployer Pensions Act. This bill passed the House on July 24, 2019 by a vote of 264-169. It would create a Pension Rehabilitation Trust Fund and establish a Pension Rehabilitation Administration within the Treasury Department to make loans to failing multiemployer defined benefit plans.

Restoring Tax Fairness for States and Localities Act. This legislation passed the House by a vote of 218-206 on December 19, 2019. This bill would repeal the cap on state and local tax (SALT) deduction for two years – tax years 2020 and 2021 – and would reinstate above-the-line deductions for certain, significant work-related out-of-pocket expenses for first responders.

NAPO is looking forward to building off the incredible momentum we gained in 2019 on these priority bills and seeing them signed into law in 2020.

NAPO Priority Legislation Signed into Law

Never Forget the Heroes: James Zadroga, Ray Pfeifer, and Luis Alvarez Permanent Authorization of the September 11th Victim Compensation Fund Act. It reauthorizes the 9/11 Victim Compensation Fund through fiscal 2090 to compensate first responders and other individuals with health conditions caused by toxin exposure due to the attacks on September 11, 2001. It also requires the reimbursement of any claims previously reduced due to insufficient funds.

Repeal of the “Cadillac Tax”. The Fiscal 2020 Consolidated Appropriations Act, H.R. 1865, included a provision that permanently repealed the “Cadillac Tax”, a 40 percent excise tax on employer-sponsored health plans that was set to go into effect in 2022.

Supporting and Treating Officers in Crisis (STOIC) Act. It reauthorizes and revitalizes a Department of Justice (DOJ) grant program for law enforcement officer family-support services that expired in 2000 and was last funded in 2005. In addition to the family-support services available under the grant, the STOIC Act will expand the grant program’s eligible uses to better address the mental-health and support needs of law enforcement officers, especially as it relates to suicide prevention. The bill would specifically allow grant recipients to use funds to establish suicide-prevention programs and to support officers suffering stress and mental-health issues.

Bulletproof Vest Partnership Grant Program Permanent Reauthorization. It permanently authorizes the Bulletproof Vest Partnership (BVP) Grant Program, a matching grant program through the Department of Justice that helps fund state and local law enforcement efforts to purchase bullet resistant vests for their officers. Additionally, it increased the authorization up to \$30 million per year.

Debbie Smith Reauthorization Act. It reauthorizes grants that support state and local efforts to process DNA evidence in rape kits, including grants under the Debbie Smith DNA Backlog Grant Program and grants to provide DNA training and education for law enforcement personnel, corrections personnel, and court officers.

The bills that were enacted into law in 2019 were significant priorities for NAPO. The enactment of the Never Forget the Heroes: James Zadroga, Ray Pfeifer, and Luis Alvarez Permanent Authorization of the September 11th Victim Compensation Fund Act, the Bulletproof Vest Grant Program Permanent Reauthorization Act, and the permanent repeal of the “Cadillac Tax” are considerable, long-fought for victories for NAPO and our members.

NAPO Non-Legislative Victories

Victory in D.C. LEOSA Court Case. The United States Court of Appeals for the D.C. Circuit issued an opinion on May 21 in *Duberry v. District of Columbia*. NAPO participated as an amicus curiae in this case in January. In its opinion, the D.C. Circuit roundly rejects the D.C. Government’s arguments on this appeal, and affirms that the plaintiffs – retired law enforcement officers – are “qualified retired law enforcement officers” under the Law Enforcement Officers Safety Act (LEOSA, also known as H.R. 218 or the officers’ right to carry law) for the purpose of carrying concealed firearms. **It also reaffirms that they have the right under 42 U.S.C. § 1983 to bring a court action to obtain that determination.** This is one of the strongest pro-LEOSA cases nationwide.

Attorney General Barr Creates the State and Local Law Enforcement Coordination Section (SLEC-S). The SLEC-S, housed within the Office of Legislative Affairs, will be responsible for ensuring that Department of Justice (DOJ) leadership is informed of state and local law enforcement’s top priorities and ensure that the Department has an impactful presence within the law enforcement community.

In announcing the SLEC-S, Attorney General Barr said “[s]tate, local, and federal law enforcement officers are all part of the same team. The events of Police Week serve as a powerful reminder that the vast majority of this team serves on the front lines – at the state and local levels.” This new section of the Office of Legislative Affairs will serve as the primary liaison with state and local law enforcement and make certain that DOJ leadership maintains an active and ongoing dialogue with the Department’s law enforcement partners.

NAPO Court Victory on Behalf of Officers. In a victory for NAPO and law enforcement officers across the country, the United States Court of Appeals for the Fifth Circuit (one step below the Supreme Court) has followed our legal argument and granted a new hearing on the issue of immunity for officers involved in a use of force. NAPO had argued that the Court made a mistake when it first evaluated this case and declined to find that the officers had immunity from suit. NAPO, along with our member association the Combined Law Enforcement Associations of Texas (CLEAT), urged the Court to rehear this case, and now they have agreed to do so.

NAPO was the only national police labor group to get involved, and CLEAT was the only Texas police labor group to do so, as well.

COPS Office Releases Law Enforcement Mental Health & Wellness Reports. On April 17, the Department of Justice released the two reports from the COPS Office that were required under the Law Enforcement Mental Health and Wellness Act, which was enacted in 2017. This bill was a priority for NAPO and we worked closely with the COPS Office on the two reports: [Law Enforcement Mental Health and Wellness Act: Report to Congress](#) and [Law Enforcement Mental Health and Wellness Programs: Eleven Case Studies](#).

The two reports highlight the needs of the law enforcement community when it comes to ensuring officers are able to address their emotional and mental wellbeing. These reports will be instrumental in helping us move Congress to provide more funding and resources for officer mental health and wellness programs.

Last Chance! Register Now!

NAPO'S 32nd Annual Pension & Benefits Seminar

There's still time to register! Don't miss out on your chance to join NAPO for our 32nd Annual Police, Fire, EMS & Municipal Employee Pension & Benefits Seminar to be held at Caesars Palace Hotel and Casino in Las Vegas, Nevada, **January 26 – 28, 2020**. Participate in discussions on the pressing topics that are affecting your pension fund and benefits.

Topics will include: economic and political updates, asset allocations, alternative investments, plan administration in the digital age, balanced portfolios, healthcare and retirement, just to name a few!

Take an active role in improving your fund by registering for this informative seminar. The Registration Brochure is attached and check out NAPO's website at www.napo.org/pb20 for the most up-to-date agenda or to register [online](#).

If you have any questions or need additional information please do not hesitate to contact Elizabeth Loranger, NAPO's Director of Events, at eloranger@napo.org or (703) 549-0775. We look forward to seeing you in Las Vegas!

NLEOMF Commemorative Coin Act Signed into Law

President Trump signed into law the National Law Enforcement Museum Commemorative Coin Act, which directs the U.S. Treasury Department to mint and issue up to 1.2 million gold, silver, and copper clad coins celebrating the National Law Enforcement Museum in Washington, D.C. Proceeds from the sale of the

commemorative coins will provide a needed future stream of private funding for the Museum to ensure its permanence. This bill was sponsored by Representatives Bill Pascrell (D-NJ) and John Rutherford (R-FL).

NAPO has long sat on the Board of Directors for the National Law Enforcement Officers Memorial Fund, and we are currently represented on the Board by Jim Palmer, the Executive Director of the Wisconsin Professional Police Association. The commemorative coin created by this legislation will help ensure there is a steady stream of funding for the Museum and protect the National Law Enforcement Officers Memorial Fund's ability to continue maintaining the National Law Enforcement Officers Memorial, remember those who have died in the line of duty and tell the story of our nation's law enforcement.

Rep. Bacon Introduces Back the Blue Act

Representative Don Bacon (R-NE) introduced the House version of the Back the Blue Act (H.R. 5395). This legislation is a priority for NAPO as so many of our members work for jurisdictions that receive federal funding, and this legislation will help to bring federal resources to bear in the prosecution of those who attempt to murder or murder any of these officers. In addition to creating new federal crimes for violence against police officers, the bill would also establish a new federal crime for interstate flight to avoid prosecution for killing, attempting to kill, or conspiring to kill a federally funded public safety officer. It would also expressly allow all judges, prosecutors, and law enforcement officials, subject to limited regulations, to carry firearms into all federal facilities, federal courts, and in jurisdictions where the carrying of such weapons is otherwise prohibited by law.

NAPO has long supported enacting new federal criminal provisions to address (1) the assault and murder of federally-funded state and local law enforcement officers, such as those officers whose agencies or jurisdictions receive aid from the Departments of Justice or Homeland Security; and (2) the assault and murder of state and local officers engaged in the protection of federally recognized civil rights, such as those officers attacked while safeguarding protests. The Back the Blue Act would be a significant step towards increasing federal protections for state and local law enforcement, who are the front line in keeping our nation and our communities safe.

Senator John Cornyn (R-TX) reintroduced the Senate version (S.1480) in May 2019. NAPO worked closely with Senator Cornyn to introduce the Back the Blue Act in July 2016 after the horrific ambush attack that killed five Dallas police officers. We thank Rep. Bacon and Senator Cornyn for their steadfast support for law enforcement and dedication to reintroducing this critical piece of legislation. We look forward to working with them to see it passed into law.

NAPO on the Hill: Mass C.O.P. Delegation Meetings

On January 8, NAPO's Director of Governmental Affairs Andy Edmiston joined the Massachusetts Coalition of Police (Mass C.O.P.) and the Boston Police Patrolmen's Association (BPPA) in meetings with the entire Massachusetts Congressional Delegation. We met with **Representatives Jim McGovern, Lori Tahan, Joe Kennedy, Seth Moulton, and Bill Keating**, and the staff of **Representatives Richard Neal, Katherine Clark, Stephen Lynch, and Ayanna Pressley**, and **Senators Elizabeth Warren and Ed Markey**.

In the meetings, we focused on four of NAPO's priority legislation for 2020: the Social Security Fairness Act, the Public Servants Protection and Fairness Act, the Law Enforcement Suicide Data Collection Act, and the Protecting America's First Responders Act.

The Social Security Fairness Act would completely repeal the Government Pension Offset (GPO) and the Windfall Elimination Provision (WEP), while the Public Servants Protection and Fairness Act would create a new, fairer WEP formula that would more accurately reflect the number of years an individual paid into Social Security versus a public pension plan. Both bills are vitally important to protecting the retirement security of public safety officers who are hit particularly hard by both the GPO and WEP. The entire Massachusetts delegation are cosponsors of both bills.

The Law Enforcement Suicide Data Collection Act would require the Department of Justice to track officer suicides and attempted suicides as well as the stresses and strains of the job and other factors that might impact officers' mental wellbeing. It is vital that we get a true picture of the crisis and recognize and understand the stress factors that lead to officers committing or attempting to commit suicide so that we can prevent such tragic outcomes.

Finally, the Protecting America's First Responders Act would make it easier for public safety officers disabled in the line of duty to qualify for the Public Safety Officer's Benefits (PSOB) Program's disability benefits, in addition to several other important programmatic changes.

There was broad support for the Law Enforcement Suicide Data Collection Act and the Protecting America's First Responders Act within the Massachusetts delegation. NAPO will stay in touch with staff on the progress of these bills and hope to get the entire Massachusetts delegation signed on as cosponsors.

NAPO's Mid-Term Legislative Scorecard for the 116th Congress

Find out how your representatives and senators voted on NAPO's priority legislation by reviewing NAPO's Legislative Scorecard for the first term of the 116th Congress, which is available on our [website](#) under Washington Report. The results include all recorded votes that impacted NAPO's members in the House of Representatives and Senate during 2019. The Legislative Scorecard includes a description of the votes analyzed in 2019 and NAPO's stance on each of the votes as well as spreadsheets detailing how members of the U.S. House of Representatives & Senate voted on each of our priority bills.

If you have any questions about the Legislative Scorecard or any of the legislation that NAPO is currently working on, please contact Andy Edmiston at aedmiston@napo.org.

Please monitor NAPO's website, www.napo.org, and Facebook page: National Association of Police Organizations, and follow us on Twitter at NAPOpolice for breaking news and updates.