



## **Washington Watch: Legislative Update**

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### **I. LEGISLATIVE NEWS AND ACTIVITY**

Executive Director Jim Pasco met with Harold L. Hurt, Director of Law Enforcement Coordination at Immigration and Customs Enforcement (ICE) with U.S. Department of Homeland Security (DHS), on matters of mutual interest including immigration.

Executive Director Pasco met with James H. Burch II, Acting Director of the Bureau of Justice Assistance (BJA) in the U.S. Department of Justice (DOJ), on mandatory vest wearing policies.

Executive Director Pasco joined in on a conference call with the President of the Federal Bureau of Investigations (FBI) Agents Association to discuss possible successors to current Director Robert S. Mueller, III.

Executive Director Pasco worked on coordination with Department of Homeland Security (DHS) and the White House on National Police Week activities.

Executive Director Pasco met with James Sullivan, Executive Director for the Commissioner of Customs and Border Protection (CBP), to discuss border issues.

Senior Legislative Liaison Richardson represented the FOP at a meeting with James H. Burch II, Acting Director of the Bureau of Justice Assistance (BJA) at the U.S. Department of Justice (DOJ), and Portia L.

Roberson, Director of the Office of Intergovernmental and Public Liaison at DOJ, to discuss a variety of officer safety issues.

Senior Legislative Liaison Richardson represented the FOP at a meeting with Representative Frank R. Wolf (R-VA), Chairman of the Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies, to discuss Federal assistance to State and local law enforcement agencies.

## **II. THIS WEEK IN CONGRESS**

Both the House and Senate were in session this week.

### Action in the House

The House considered and passed H.R. 1214, the “School-Based Health Centers Funding Repeal Act,” by 235-191 vote. This legislation repeals mandatory funding for school-based health center construction.

The House considered and passed H.R. 1213, the “Patient Protection and Affordable Care Act,” by 238-183 vote. This legislation repeals mandatory funding provided to states in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges.

The House considered and passed H.R. 3, the “No Taxpayer for Abortion Act,” by 251-175 vote. This legislation prohibits taxpayer funded abortions and provides for conscience protections, and for other purposes.

The House considered and passed H.R. 1230, the “Restarting American Offshore Leasing Now Act,” by 266-149 vote. This legislation requires the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes.

### Action in House Committees

The House Homeland Security Subcommittee on the House Border and Maritime Security Committee held a hearing entitled, “Border Security and Enforcement – Department of Homeland Security’s Cooperation with State and Local Law Enforcement Stakeholders.” The hearing included testimony from Deputy Director Kumar Kibble, Immigrations and Customs Enforcement (ICE) of the Department of Homeland Security (DHS); Deputy Chief Ronald Vitiello, U.S. Border Patrol; Sheriff Larry Dever, Cochise County, AZ; Sheriff Todd Entrekin, Etowah County, AL; and Sheriff Richard Wiles, El Paso, TX.

The House Subcommittee on Oversight of the Committee on Ways and Means held a hearing on the transparency and funding of State and local defined benefit pension plans.

Eric H. Holder, Jr., Attorney General of the United States testified at an oversight hearing before the House Committee on the Judiciary.

### Action in the Senate

The Senate considered and passed S. Res 159, honoring the members of the military and intelligence

community who carried out the mission that killed Osama Bin Laden, and for other purposes.

The Senate resumed consideration of S. 493, the "SBIR/STTR Reauthorization Act." This legislation reauthorizes and improves the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs, and for other purposes. A motion to invoke cloture to limit debate on the bill was made. The cloture motion was rejected by 52-44 vote. For a cloture vote to be passed it must receive a three-fifths vote of the total Senate (60).

#### Action Senate Committees

The Homeland Security and Governmental Affairs Committee begin a series of hearings entitled, "Securing the Border." The hearing included testimony from Janet Napolitano, Secretary of Homeland Security.

Eric H. Holder, Jr., Attorney General of the United States testified at an oversight hearing before the Senate Committee on the Judiciary.

### **III. UPDATE ON FOP TOP LEGISLATIVE PRIORITIES**

*For the complete list of cosponsors for all of our top legislative priorities, or to find out if your Representative and Senators are cosponsors of specific bills, check out <http://thomas.loc.gov>.*

#### **A. Social Security Issues**

##### ***(1) Support the H.R. 1332 "Social Security Fairness Act"***

We currently have a total of sixty-one (61) cosponsors on H.R. 1332. Please note that this total differs slightly from THOMAS, as we are not including Delegate Eleanor Holmes Norton (D-DC), who has limited voting rights on the floor.

In addition, National Legislative Office staff are actively working with staff in the office of Senator Kay Bailey Hutchison (R-TX) on S. 113, the "Public Servant Retirement Protection Act." This legislation would not impact the Government Pension Offset (GPO), but would repeal the Windfall Elimination Provision and replace it with a more equitable, individualized calculation of Social Security benefits based on an individual's entire work history. Currently, there are no cosponsors on the bill.

The FOP has always been supportive of this legislation and will continue to work with Senator Hutchison and Representative Kevin P. Brady (R-TX) who has previously champion the bill in the House.

##### ***(2) Opposing any legislation that would require the participation of public employees in Social Security***

The FOP will continue to lobby against this scheme and oppose any legislation which would mandate participation in Social Security.

#### **B. Support the "Public Safety Employer-Employee Cooperation Act"**

This legislation, which would guarantee the right of public safety employees to bargain collectively with their employers over hours, wages and conditions of employment, has not yet been introduced. The National Legislative Office staff has already contacted key Members of Congress regarding this legislation and we are working on an introduction strategy.

***C. Support H.R. 1789, the "State and Local Law Enforcement Discipline, Accountability and Due Process Act"***

Representatives Erik Paulsen (R-MN), Steven C. LaTourette (R-OH), Bill Pascrell, Jr. (D-NJ) and Betty Sutton (D-OH) introduced H.R. 1789, the "State and Local Law Enforcement Discipline, Accountability and Due Process Act," this week. The bill would provide a minimum level of procedural protections for law enforcement officers accused of administrative wrongdoing.

The Senate companion bill has not yet been introduced.

***D. Support the H.R. 327, the "Law Enforcement Officers Equity Act"***

We currently have a total of eight (8) cosponsors on H.R. 327.

The Senate companion bill has not yet been reintroduced.

***E. Support the H.R. 324, legislation giving Federal law enforcement officers employed by the U.S. Department of Defense statutory arrest authority***

We currently have a total of seven (7) cosponsors on H.R. 324 with Representative Candice S. Miller (R-MI) being added as a cosponsor.

A Senate companion bill has not yet been introduced.

**IV. FOP Top Priority Introduced in the House**

H.R.1789: Due Process Protections for Law Enforcement Officers

Chuck Canterbury, National President of the Fraternal Order of Police, announced that one of the FOP's top legislative priorities, H.R. 1789 the "State and Local Law Enforcement Discipline, Accountability and Due Process Act," has been re-introduced in the U.S. House of Representatives.

"Law enforcement officers have one of the toughest and most dangerous jobs in the nation," said Canterbury. "They alone are charged with keeping our streets and neighborhoods safe from crime and because of this enormous responsibility, law enforcement officers are, and should be, held to a much higher standard of personal and professional conduct. However, this often subjects officers to false accusations, often motivated by nothing more than a desire to disrupt law enforcement activities."

The legislation was introduced by Representatives Erik Paulsen (R-MN), Steve C. LaTourette (R-OH), Betty Sutton (D-OH), and Bill Pascrell, Jr. (D-NJ). The bill would codify key holdings of the U.S. Supreme Court by creating a minimum level of procedural due process for law enforcement officers using a

balanced approach between the legitimate exercise of constitutional rights by law enforcement officers and the ability of a law enforcement agency to maintain internal discipline.

"In a startling number of jurisdictions throughout this country, law enforcement officers have no procedural or administrative protections whatsoever," Canterbury said. "An officer's reputation, once tarnished by accusation, is almost impossible to restore. This bill will help good officers defend themselves against unfair allegations, making it possible for them to continue serving and protecting their communities."

#### **V. Intelligence Watch & Warning**

The Office of Intelligence and Analysis in the U.S. Department of Homeland Security issued this [Situational Awareness Alert](#) on the potential implications of the death of Osama bin Laden.

#### **VI. JUSTICE PREVAILS**

Chuck Canterbury, National President of the Fraternal Order of Police, shared the sentiments of all Americans with the news that al Qaeda leader Osama bin Laden was killed yesterday after a successful U.S. military operation in Abbottabad, Pakistan.

"This is a victory not only of the United States over the forces of terrorism, but of justice over injustice," Canterbury said. "Seventy-two law enforcement officers lost their lives on 9/11 and seventy-two families have been grieving since that day. It is my hope that these families, and those of the thousands of victims from 9/11 and other attacks planned by this mass murderer, can perhaps gain a small measure of comfort and closure that this architect of evil has met his end."

Yesterday, the U.S. military launched a targeted military operation in Abbottabad, Pakistan and raided a secure compound where Osama bin Laden had been hiding. The terrorist leader was killed in the operation.

"It has been ten years since 9/11 and it may be ten years more before the United States has finally ended the terrorist threat," Canterbury said. "But we will not lose confidence in the justice of our cause and will draw strength from the courage shown by the men and women in the NYPD and NYFD who lost their lives on that tragic day. We will not forget."

#### **VII. Washington Nationals to Honor Law Enforcement during National Police Week**

On May 14th, the Washington Nationals will commemorate National Police Week with a Law Enforcement Appreciation Night at their game against the Florida Marlins. Tickets will be sold for \$24 each, a significant portion of which will be donated to the National Fraternal Order of Police Foundation. Please invite your friends and family to help the Washington Nationals to honor those men and women who have made the ultimate sacrifice. For more information about the event, visit [www.nationals.com/police](http://www.nationals.com/police) .

### **VIII. Over \$4,000 Worth of Items to be Raffled during Police Week**

Over \$4,000 worth of items will be raffled during Police Week. The National FOP Foundation will be hosting a raffle at the FOP DC#1 Lodge Event (May 13-15). **Our newest item is a Smith&Wesson M&P15T Tactical Rifle.** We also have items donated from Doubletree Hotel, Benchmade Knives, Danner, Otis, BLACKHAWK!, ATK and so much more! Please watch for further updates.

### **IX. NFOP PAC Announces 2011 Official Pocket Knife**

Chuck Canterbury, National President of the Fraternal Order of Police, announced the launch of the 2011 National Fraternal Order of Police Political Action Committee (NFOP PAC) pocket knife campaign.

“This marks the beginning of an annual fundraising drive for the NFOP PAC. I am pleased with the design of the pocket knife and will pre-order mine today,” said Canterbury.

Only 600 pocket knives will be produced, making this a valuable collector’s item. The pocket knives will sell for \$20.00 each plus shipping-- the full amount is a donation to the NFOP PAC. We expect these knives to sell quickly, so don’t wait to pre-order yours.

The NFOP PAC promotes the FOP’s legislative priorities and provides the opportunity for individuals who are interested in the safety, health and occupational security of rank-and-file law enforcement officers to contribute to worthy candidates for Federal office who believe in and have demonstrated their support for the principles to which the FOP is dedicated.

**“Never in the 96 year history of the Fraternal Order of Police has public safety been in greater jeopardy. Your donation will help us elect legislators who will be allies rather than adversaries in this critical battle,”** said Canterbury.

“Please go to our new [NFOP PAC website](#) to pre-order your pocket knife today. Each knife sold is an investment in your future, in the future of law enforcement and the future of the Fraternal Order of Police,” said Canterbury.

For more information, please contact NFOP PAC Director Jessica Caswell at (202)547-8189.

### **X. FOP teams up with National Center for Missing and Exploited Children**

The National Fraternal Order of Police has joined forces with the National Center for Missing and Exploited Children (NCMEC) on their safety prevention resource, Take 25 campaign. Each lodge, State and local, should have received a packet about this campaign and how you and your lodge can help. The Take 25 campaign was created in honor of National Missing Children’s Day annually recognized on May 25th. The Take 25 campaign provides free resources and child safety information leading up to the month of May to local communities. Please feel free to contact Jessica Caswell in the NFOP Legislative office at (202) 547-8189 if you did not receive information or have any questions.

**XI. National Legislative Office is Now on Facebook!**

Because our grassroots are so important to our efforts on Capitol Hill, we have created a National Legislative Office Facebook page to keep our members informed.

Take a moment now to join our Facebook page to stay current with the latest information from Washington, D.C. Please feel free to join in any of our discussions and don't forget to invite all your FOP brothers and sisters to join!