



The Washington Report

The Newsletter of the National Association of Police Organizations
Representing America's Finest

April 26, 2024

Don't Miss Out! Register for NAPO's Annual Lobby Day & Legislative Awards Luncheon

Don't miss the opportunity to join NAPO on Tuesday, May 14th for our [Annual Lobby Day & Legislative Awards Luncheon](#) on Capitol Hill. This is a great opportunity to lobby Congressional Representatives and Senators on behalf of your members concerning the issues which affect law enforcement. Prior to lobbying Capitol Hill, plan to attend NAPO's Legislative Breakfast for an update on NAPO's legislative priorities, results to date from the 118th Congress, and to receive handouts to use during your Hill visits.

Please Register [online](#) or complete the attached registration form and return to NAPO at aedmiston@napo.org or eloranger@napo.org by **MAY 1, 2024**. For assistance in setting up your Capitol Hill meetings, please contact NAPO's Director of Government Affairs, Andy Edmiston, by May 6 at aedmiston@napo.org or (703) 549-0775.

The registration fee of \$150.00 per person includes the Legislative Update Breakfast, handouts for your Congressional visits, and the Legislative Awards Luncheon. **Advanced Registration is required.** Please contact Elizabeth Loranger, NAPO's Director of Events, at (800) 322-6278 or eloranger@napo.org if you have any questions regarding registration. May 14th will be here before you know it. Register today!

NAPO Victory! Fourth Amendment is Not For Sale Act Defeated

In a significant victory for NAPO, the law enforcement community, and crime victims, the Fourth Amendment is Not For Sale Act (FANFSA) was defeated in the Senate on April 19. In a 31-61 vote, the Senate resoundingly rejected Senator Rand Paul's (R-KY) amendment to attach the House-passed FANFSA to FISA Reauthorization.

On April 17, the House passed FANFSA by a vote of 219-199 over the strong objections of NAPO, many of our member organizations, and the national law enforcement community. Prior to the vote, NAPO and our law enforcement partners sent up [a joint statement](#) urging the House to reject the bill and all amendments. NAPO sent that statement and expressed our opposition to every member of the House.

Representatives Jim Jordan (R-OH), Jarold Nadler (D-NY), Warren Davidson (R-OH), Clay Higgins (R-LA), Sara Jacobs (D-CA), Harriet Hageman (R-WY), Andrew Clyde (R-GA), and Troy Nehls (R-TX) all stood up on the House floor and spoke in favor of the bill, often accusing law enforcement of misstating or

exaggerating its implications on public safety and showing a clear misunderstanding of how law enforcement actually uses publicly available data gleaned from third parties.

NAPO recognizes Representatives John Rutherford (R-FL), Anthony D’Esposito (R-NY), Michael Turner (R-OH), and Nick LaLota (R-NY) for speaking out against the bill and in support of law enforcement during debate and thanks them for listening to and standing up for public safety.

Wanting to make clear our disappointment in the House’s passage of FANFSA, NAPO joined our national law enforcement partners once again in **a joint statement** to Members of Congress calling out lawmakers for not supporting law enforcement and continuing to ignore our priority legislation that will give us the resources we need to keep our communities safe. To see how your Representative(s) voted, please visit this link and you can sort the votes by party, state, and by vote: <https://clerk.house.gov/Votes/2024136>. A “NAY” vote is a vote supporting law enforcement.

Immediately after FANFSA passed the House, Senator Paul offered the bill as an amendment to the FISA Reauthorization being considered in the Senate. NAPO lobbied every Senator to vote against the amendment and engaged our membership to do the same. Thank you to everyone who reached out to their senators and urged a no vote. It was with our members’ assistance that we won this victory. To see how your Senators voted, you can go to this link and sort by vote, name and state:

https://www.senate.gov/legislative/LIS/roll_call_votes/vote1182/vote_118_2_00144.htm

The proponents of FANFSA are not ready to give up the fight, so we will be closely watching for this bill to rear its ugly head again.

NAPO thanks the 61 Senators who voted against FANFSA:

Barrasso (R-WY)	Crapo (R-ID)	Lankford (R-OK)	Schumer (D-NY)
Bennet (D-CO)	Duckworth (D-IL)	Lujan (D-NM)	Scott (R-FL)
Blumenthal (D-CT)	Ernst (R-IA)	McConnell (R-KY)	Scott (R-SC)
Booker (D-NJ)	Fetterman (D-PA)	Moran (R-KS)	Shaheen (D-NH)
Boozman (R-AR)	Fischer (R-NE)	Mullin (R-OK)	Sinema (I-AZ)
Britt (R-AL)	Gillibrand (D-NY)	Ossoff (D-GA)	Smith (D-MN)
Brown (D-OH)	Graham (R-SC)	Padilla (D-CA)	Stabenow (D-MI)
Budd (R-NC)	Grassley (R-IA)	Peters (D-MI)	Thune (R-SD)
Butler (D-CA)	Hassan (D-NH)	Reed (D-RI)	Tillis (R-NC)
Cardin (D-MD)	Heinrich (D-NM)	Ricketts (R-NE)	Warner (D-VA)
Carper (D-DE)	Hickenlooper (D-CO)	Risch (R-ID)	Whitehouse (D-RI)
Casey (D-PA)	Hyde-Smith (R-MS)	Romney (R-UT)	Wicker (R-MS)
Cassidy (R-LA)	Kaine (D-VA)	Rosen (D-NV)	Young (R-IN)
Collins (R-ME)	Kelly (D-AZ)	Rounds (R-SD)	
Cornyn (R-TX)	King (I-ME)	Rubio (R-FL)	
Cotton (R-AR)	Klobuchar (D-MN)	Schatz (D-HI)	

House Committee Holds Hearing on Social Security Fairness Act

The House Ways and Means Subcommittee on Social Security held a second hearing on the Windfall Elimination Provision (WEP) and the Government Pension Offset (GPO) on April 16. The hearing focused on the policy of repealing the two provisions, how the repeal will impact the Social Security Trust Fund, and the best way to address the inequity of the GPO and WEP. The Subcommittee heard testimony from

representatives of four think tanks: Bipartisan Policy Center, Economic Policy Innovation Center, Social Security Works, and Mercatus Center at George Mason University. Social Security Works was the only Democrat witness and the only witness to speak in favor of full repeal of the GPO and WEP.

The underlying theme of the hearing was the significant cost of repeal and the impact of that cost on all Social Security beneficiaries. Republican witnesses and members of the Committee stated that full repeal would hurt all retirees by draining the Social Security Trust Fund a year earlier than estimated. Some even went so far as to state that the repeal of the GPO and WEP would be unfair as public sector retirees are already secure in their retirements due to their pensions, completely ignoring the testimonies from the witnesses at the November hearing and showing a real lack of understanding of who these provisions truly impact.

There was also a focus on the need for better information sharing between state and local pension plans and the Social Security Administration to help the WEP formula better reflect non-Social Security covered wages versus covered wages. They also spoke to the need for Social Security benefit statements to reflect the realities of the WEP, which they currently do not do, and the need to better educate workers on how to prepare for retirement given the WEP and GPO.

It was not all negative, as many Democrats on the Committee came out for repeal, coupled with Social Security reform. There was also bipartisan support expressed for moving forward with WEP reform legislation. However, it was obvious that while there are 318 bipartisan cosponsors of H.R. 82, the Social Security Fairness Act, there is hesitation to act on full repeal.

Thank you to those of you who submitted statements for the record to the House Ways and Means Committee. If you have not yet submitted a statement and would like to do so, the Committee is accepting comments through close of business Tuesday, April 30. Please support our efforts by submitting comments now to WMSubmission@mail.house.gov with the subject line “Windfall Elimination Provision and Government Pension Offset.” You must submit your comments as a Word document attached to the email and be sure to include a list of all persons and/or organizations who are submitting the comments in the Word document. Your email must include your name, organization (if applicable), address, and telephone number. Please copy NAPO’s Governmental Affairs Director, Andy Edmiston, at aedmiston@napo.org when submitting your comments.

H.R. 82 has not lost momentum and has 318 bipartisan cosponsors and counting. NAPO continues to press forward on full repeal, and we are working both the House and Senate to garner record support for the Social Security Fairness Act. We will then call on those cosponsors to act on their support and pass this important bill.

Please see our “[Sponsor/Cosponsor](#)” [spreadsheet](#) to see if your Representative is a cosponsor. Contact NAPO’s Director of Governmental Affairs, Andy Edmiston, at aedmiston@napo.org or 703-549-0775 for more information on the Social Security Fairness Act and materials you can share with your Representative if they are not yet a cosponsor.

NAPO Victory! FEND Off Fentanyl Signed Into Law

In a big win for NAPO, the Fentanyl Eradication and Narcotics Deterrence (FEND) Off Fentanyl Act was signed into law by President Biden on April 24 as part of the national security supplemental, the 21st Century Peace Through Strength Act, which sends military aid to Ukraine, Israel, and Taiwan. The FEND Off Fentanyl Act, sponsored by Senators Tim Scott (R-SC) and Sherrod Brown (D-OH) and supported by NAPO, will help combat the country’s fentanyl crisis by enhancing current law so U.S. government agencies can

more effectively disrupt illicit opioid supply chains and penalize those facilitating the trafficking of fentanyl. It also ensures that sanctions are imposed not only on the illicit drug trade, but also on the money laundering that makes it profitable.

NAPO Executive Director Bill Johnson issued a statement marking its passage: “With the Senate passage of *the FEND Off Fentanyl Act* as part of the 21st Century Peace Through Strength Act, a critical component in the fight against the spread of fentanyl in our communities will be signed into law. This bill targets and sanctions transnational organizations and cartels that traffic fentanyl and its precursors, helping to stop the flow of this deadly poison into our country. We cannot take action only after this drug enters our country; we must fight it before it crosses our borders. NAPO thanks Senators Brown and Tim Scott for their leadership and tireless efforts to enact this important bill.”

House Judiciary Committee Approves Bill to Collect Data on Assaults on Officers

The House Judiciary Committee marked up and approved the Improving Law Enforcement Officer Safety and Wellness Through Data Act (H.R. 7581), sponsored by Congressman Dan Bishop (R-NC). NAPO supports this bill as it would build on existing reporting requirements and fill data gaps to increase our understanding of the circumstances precipitating and involving ambush-style attacks against law enforcement.

Assaults on law enforcement have increased dramatically. In 2023, 378 officers were shot in the line of duty, of which 115 were ambush-style attacks. 46 officers died due to their gunshot injuries. NAPO has long advocated that data must be collected on the actual and threatened use of force against officers, and not only in situations involving firearms, to get the greater picture of the threat our officers face. Physical assaults on officers occur daily across the country and they are not treated as the serious crimes that they are.

The Improving Law Enforcement Officer Safety and Wellness Through Data Act also requires a report on the stresses and mental health toll these assaults have on officers and the extent to which mental health and wellness programs provided are meeting the needs of officers. This bill will be an important first step to ensuring we are collecting the data necessary to fully understand assaults against officers and getting agencies the support and resources necessary to protect the health and safety of the men and women who so valiantly serve and protect our communities.

NAPO Participates in DOJ AI Roundtable

On April 15, NAPO Director of Governmental Affairs Andy Edmiston participated in a roundtable discussion hosted by the Deputy Attorney General Lisa Monaco as part of the U.S. Department of Justice’s [Justice AI Initiative](#), which is a series of meetings the DOJ is holding with tech industry, civil rights groups, the legal community, and law enforcement to gain a variety of perspectives on AI, including its risks and promises.

NAPO was joined in the meeting by the Major County Sheriffs of America, Major Cities Chiefs Association, National Sheriffs Association, International Association of Chiefs of Police, National Fraternal Order of Police, Federal Law Enforcement Officers Association, National Organization of Black Law Enforcement Executives, National Association of Women Law Enforcement Executives, National Policing Institute, and the Police Executive Research Forum. In the meeting we discussed how federal, state, and local law enforcement are seeing criminals misuse AI as well as the challenges and opportunities presented by law enforcement’s own use of AI. NAPO specifically highlighted the issue of departments using AI to review

officer's body worn camera footage for officer misconduct and the significant issues involved with using AI in that manner.

NAPO appreciates the opportunity to participate in these meetings, which could lead to policies promulgated by the DOJ that have an impact on the law enforcement profession. We welcome open communications with Department leadership and look forward to continue working with them to ensure state and local law enforcement are given the support and resources they need.

NAPO on the Hill: Fentanyl & the De Minimis Trade Loophole

The House Ways and Means Subcommittee on Trade held a markup of the End China's De Minimis Abuse Act (H.R. 7979) on April 17. While NAPO appreciates the Subcommittee recognizing the dangers of de minimis and taking up a bill to address it, the End China's De Minimis Abuse Act is a half-measure that fails to fully close the loophole. It would exclude only a portion of imports from China—a country with a widely-documented history of shipping fentanyl, its analogues, and its precursor chemicals into the United States via de minimis—and fail to adequately to address the illegal drug trade.

NAPO submitted **a letter** to the Subcommittee expressing our concerns with moving forward with this proposal and urged lawmakers to work with us on comprehensive legislation that addresses the myriad facets of this complex problem. In the leadup to the markup, NAPO, together with a few of our partners from the Coalition to Close the De Minimis Loophole, met with Subcommittee Chairman Adrian Smith (R-NE) and senior Subcommittee member Congressman Vern Buchanan (R-FL) to discuss our concerns with the End China's De Minimis Abuse Act and the immediate need to tackle the flow of fentanyl coming in through the de minimis loophole.

The de minimis loophole allows packages valued at less than \$800 to enter the U.S. without facing any taxes, fees, or inspection. As a result, this cripples domestic manufacturers and workers, undermines retailers, strains law enforcement resources, and facilitates the free flow of illegal and dangerous products and illicit drugs, particularly fentanyl and its precursors. Closing the de minimis loophole would help staunch the surge of illicit narcotics that are exploiting this exemption.

During the markup, NAPO's letter was referenced and quoted several times by Congressmen Earl Blumenauer (D-OR) and Bill Pascrell (D-NJ) in calling for the Committee to markup legislation that does more to end de minimis, particularly for countries like China. Families who lost their children to fentanyl purchased through the international mail system also wrote to the Subcommittee to share their stories of loss and urge the lawmakers to act quickly to ensure other families do not face the same devastating fate. Trade organizations wrote to state that de minimis is causing textile manufacturing plants that have been open through the Great Depression and made PPE during the COVID pandemic have been forced to close due to the skyrocketing use of de minimis by Chinese manufacturers over the past few years.

The End China's De Minimis Abuse Act was approved by the Committee by a party line vote, with both sides stating they want to work to tackle this important issue. Chairman Smith indicated he views the bill as a first step in fixing the de minimis loophole. NAPO will continue working with the Committee to improve upon the proposal so that it addresses the dangers of the loophole. We are also meeting with Senate Finance Committee trade staff on legislative fixes for de minimis.

NAPO's Legislative Positions & Sponsor/Cosponsor Updates

NAPO's updated "Sponsor/Cosponsor" spreadsheet is available on [NAPO's website](#). The spreadsheet accompanies the latest "[Legislative Positions](#)" document, which is also available on the NAPO website. NAPO's Legislative Positions is a document that highlights all the legislation that we have taken an official position on or are monitoring during the 118th Congress. It is continually updated to reflect the work we are doing on Capitol Hill.

The "Sponsor/Cosponsor" spreadsheet is a useful tool to check if your members of Congress have supported pieces of legislation that will impact our members. NAPO updates this spreadsheet regularly and continues to ensure our voice is heard on Capitol Hill.

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.