



The Washington Report

The Newsletter of the National Association of Police Organizations

Representing America's Finest

June 8, 2015

NAPO Meetings on Capitol Hill: James Zadroga 9/11 Health and Compensation Reauthorization Act

The House Committee on Energy and Commerce's (E&C) Subcommittee on Health has scheduled the following hearing for June 11, 2015: "Examining H.R. 1786, James Zadroga 9/11 Health and Compensation Reauthorization Act." To prepare for the hearing, last week, NAPO joined fellow stakeholders in meetings with staffers for key members of the E&C Committee's Health Subcommittee to stress our support of the James Zadroga 9/11 Health and Compensation Reauthorization Act. NAPO attended meetings with staffers for the following Subcommittee members: **Chairman Joe Pitts (R-PA)**, **Congressman Leonard Lance (R-NJ)**, **Congressman Joseph Kennedy (D-MA)**, and **Congressman Eliot Engel (D-NY)**.

The Zadroga bill's two critical programs providing medical treatment and compensation for 9/11 heroes – the World Trade Center Health Program and the September 11th Victim Compensation Fund – are set to expire in October 2015 and October 2016 respectively. This legislation would permanently reauthorize these programs.

9/11 responders and survivors are still battling serious health crises resulting from exposure to the toxins at Ground Zero. More than 30,000 9/11 responders and survivors have an illness or injury caused by the attacks or their aftermath, and over two-thirds of those have more than one illness. Many are disabled and can no longer work. They are suffering from a host of chronic diseases: asthma, obstructive pulmonary disease and gastroesophageal reflux disease, and many more.

Medical research has identified more than 60 types of cancer caused by 9/11 toxins. More than 2,900 people have been diagnosed with cancers caused or made worse by the aftermath of the attacks - more than 800 New York Fire Department members and more than 550 New York Police Department personnel are struggling with serious 9/11-related illnesses, not including the more than 70 firefighters and 60 NYPD officers who have died from their 9/11-related illnesses.

Responders came from all over the country to aid in the response to the attacks. And some area residents, workers, and survivors have since moved and are currently receiving care in cities and states across the country. Participants enrolled in the World Trade Center Health Program for treatment currently reside in all 50 states and in 429 of the 435 Congressional districts in the country.

These heroes put their lives on the line to serve us, and must be afforded every resource available as they cope with chronic health conditions caused by exposure to toxic chemicals at the World Trade Center.

This legislation also honors those who made the ultimate sacrifice to protect our nation. James Zadroga, a New York City Police Department Detective and member of NAPO, died of respiratory disease caused by his exposure to toxic chemicals at Ground Zero. It is our obligation and duty to remember these heroes and ensure that survivors who risked their lives to protect us continue to receive the treatment and compensation that they deserve.

The staffers were very receptive during our briefings. NAPO will continue to work with fellow stakeholders to garner support for the James Zadroga 9/11 Health and Compensation Reauthorization Act. (NAPO participated in a stakeholder teleconference last week to discuss ways forward on the bill).

We will keep our members updated on the status of this legislation. If you have any questions about this legislation, please contact Bill Johnson at: bjohnson@napo.org or Melissa Nee at: mnee@napo.org.

NAPO Briefings on Capitol Hill - Driver's Privacy Protection Act

Last week, NAPO met with senior staffers for **Congresswoman Debbie Wasserman Schultz (D-FL)** and **Congressman Bill Pascrell (D-NJ)** to discuss our proposal to modify the most recent amendment to the Driver's Privacy Protection Act (DPPA). (Congressman Pascrell is the co-chairman of the House Law Enforcement Caucus).

The DPPA requires state motor vehicle departments to receive permission from individuals before their personal motor vehicle record may be sold or released. The DPPA amendment authorizes a private right of action for knowing violations, and a court may award automatic "damages" in the amount of \$2,500 for each time a record was accessed, even if no actual damages were proved, as well as attorney fees and other litigation costs. Law enforcement officers are subject to these stringent punishments, even if they did not review files with criminal intent.

NAPO briefed the staffers on our proposed language modifications to the DPPA amendment, which include adding a clause that explains that penalties will be applied only if persons access information with the specific intent to secure an economic benefit. Also, NAPO proposes removing the automatic imposition of the \$2,500 penalty for violations of this act, as well as adding a statement that explains there must be repeated disregard of this law for sanctions to take effect. If the language is not modified, law enforcement officers will be subject to large fines, and even the loss of their licenses for *de minimus* actions.

Last week, NAPO also followed-up with **Congressman Ted Deutch's (D-FL)** law enforcement staffer to discuss this issue in greater detail. (NAPO briefed Congressman Deutch's staff on this issue on June 19, 2015).

NAPO will continue to aggressively lobby members of Congress to gain support for our proposed language changes to the DPPA. We will keep our members updated on the status of these initiatives. If you have any questions about our efforts, please contact Melissa Nee at: mnee@napo.org or Bill Johnson: at bjohnson@napo.org.

NAPO Expresses Concerns Related to Restrictions on Law Enforcement Access to Surplus Federal Equipment

Last week, NAPO sent the attached letter to President Obama to express concerns with the recent announcement of new restrictions on the ability of law enforcement officers to access critical, defensive, Federal equipment. NAPO urged the President to reconsider this policy change, which will endanger the lives of police officers across the nation.

The “Local Law Enforcement Equipment Working Group” has published a list of “prohibited items,” which law enforcement officers will no longer be able to acquire via transfer from Federal agencies or purchase using Federally-provided funds, and a list of “controlled items,” which law enforcement departments may acquire through a burdensome process. This policy reform will severely inhibit the ability of law enforcement departments to acquire critical equipment to keep their officers safe.

NAPO is most concerned that the list of “controlled items” includes purely defensive equipment, such as helmets and shields. Adding such equipment to the “controlled items” list will further endanger the lives of law enforcement officers, who have increasingly become targets of revenge and ambush attacks.

Defensive equipment, such as helmets and shields, are not optional pieces of equipment in dangerous situations – situations in which officers increasingly find themselves. Given the increasing number and severity of attacks on police across the country, this is the worst possible time to withhold defensive and protective equipment from American police officers.

NAPO is extremely concerned that the legitimate and well-demonstrated needs of officers are being overlooked in favor of appeasing the boisterous demands of full-time agitators and protesters. Law enforcement agencies should not be required to undergo a cumbersome and impractical process to obtain equipment to protect the men and women who work tirelessly to protect our communities.

NAPO will continue to urge the Administration to reconsider this policy reform, and work with us to protect our law enforcement officers.

If you have any questions about our efforts, please contact Bill Johnson at: bjohnson@napo.org.

House Passes 2016 Commerce-Justice-Science Spending Plan

On June 3, 2015, the House cleared a \$51.4 billion Commerce-Justice-Science (CJS) fiscal 2016 spending bill. The House passed the fiscal 2016 spending bill (H.R. 2578) as amended on a 242-183 vote. Twelve Democrats voted for the measure, while ten Republicans voted against it.

President Obama has threatened to veto the bill because spending is set at the sequester cap. The net discretionary funding in the bill is \$1.3 billion, or 3 percent above the 2015 enacted level, but the funding is \$661 million, or 13 percent, below President Barack Obama’s request for 2016.

The measure provides funding for the Justice Department, Commerce Department, the National Aeronautics and Space Administration, and related agencies.

By voice vote, the House added \$10 million to increase police use of body cameras in the new \$53 million community trust program for criminal justice reform. The provision by **Congressman Joaquin Castro (D-TX)** would take money from the Drug Enforcement Agency to increase funding to half of the \$50 million the administration requested for fiscal 2016.

Another voice vote would shift \$100 million from the Census Bureau to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for grants to local governments for the hiring and training of new police officers. **Congressman Dave Reichert (R-WA)** had bipartisan backing for the shift, an effort to continue the hiring portion of the Community Oriented Policing Service (COPS) Program eliminated by the CJS bill. NAPO discussed this amendment at length with Congressman Reichert’s staff, and expressed our support of this amendment to ensure funds are made available for officer hiring and training. (**Congressman Bill Pascrell (D-NJ)** cited NAPO as a supporter of this amendment during his floor speech).

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The Senate CJS Subcommittee is scheduled to mark-up the Senate CJS bill on June 10, 2015, and the full Senate Appropriations Committee will mark-up the CJS bill on June 11, 2015. NAPO continues to stay engaged on these spending bills, and we will continue to work with other stakeholders to ensure that state and local law enforcement officers receive necessary funding to keep our communities safe.

If you have any questions about the House or Senate CJS bills, please contact Melissa Nee at: mnee@napo.org.

Source:

"CQ." *CQ*. Congressional Quarterly, 03 June 2015. Web. 03 June 2015.

Kelly Wins Runoff for Mississippi House Seat

District Attorney Trent Kelly, a Republican, won a special-election runoff in Mississippi's 1st District by a nearly 2-1 margin on June 2, 2015, succeeding the late Representative Alan Nunnelee.

Once Kelly is sworn in, Illinois' 18th District will be the lone vacancy in the House. Former Representative Aaron Schock resigned from that seat while under an ethics investigation. That seat will be filled in a September 10th special election.

If you have any questions about the Mississippi or Illinois special elections, please contact Melissa Nee at: mnee@napo.org.

Source:

Cahn, Emily. "Mississippi Special Election Results: Kelly to Succeed Nunnelee." Roll Call, 02 June 2015. Web. 02 June 2015.

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.



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WILLIAM J. JOHNSON
Executive Director and
General Counsel

June 2, 2015

The President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear President Obama:

On behalf of the National Association of Police Organizations (NAPO), I am writing to you to express concerns with the recent announcement of new restrictions on the ability of law enforcement officers to access critical, defensive, Federal equipment. NAPO urges you to reconsider this policy change, which will endanger the lives of police officers across the nation.

The "Local Law Enforcement Equipment Working Group" has published a list of "prohibited items," which law enforcement officers will no longer be able to acquire via transfer from Federal agencies or purchase using Federally-provided funds, and a list of "controlled items," which law enforcement departments may acquire through a burdensome process. This policy reform will severely inhibit the ability of law enforcement departments to acquire critical equipment to keep their officers safe.

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Defensive equipment, such as helmets and shields, are not optional pieces of equipment in dangerous situations – situations in which officers increasingly find themselves. Given the increasing number and severity of attacks on police across the country, this is the worst possible time to withhold defensive and protective equipment from American police officers.

NAPO is extremely concerned that the legitimate and well-demonstrated needs of officers are being overlooked in favor of appeasing the boisterous demands of full-time agitators and protesters. Law enforcement agencies should not be required to undergo a cumbersome and impractical process to obtain equipment to protect the men and women who work tirelessly to protect our communities.

We strongly urge you to reconsider this policy reform, and work with us to ensure the protection of our law enforcement officers.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Johnson", with a long horizontal flourish extending to the right.

William J. Johnson
Executive Director