



# The Washington Report

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

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**December 20, 2019**

## **NAPO Victory! Cadillac Tax Repealed**

In significant victory for NAPO and our members, Congress repealed the “Cadillac Tax”, the 40 percent excise tax on employer-sponsored health plans, as part of the Fiscal 2020 appropriations agreement (H.R. 1865). NAPO pressed Congressional leaders to support the inclusion of the Cadillac Tax repeal as part of any year-end, must pass legislative package. We applaud Congress for finally listening to us, to employers, workers, health plans and employee organizations who have been calling for the repeal of the tax since 2015 and we thank them for protecting public safety employees' hard-earned health benefits.

The Cadillac Tax was not just a tax on health plans; it was a loss of earned wages and benefits. Over the years, law enforcement officers through collective bargaining have often given up pay increases in order to secure better health care coverage. Under the excise tax, they were being penalized for entering into those good faith agreements with their employing jurisdictions. If the Cadillac Tax was allowed to be implemented, it would force public safety employees to pay the tax in the form of wage cuts, higher premiums, increased out-of-pocket costs, and lower benefits.

The repeal of the Cadillac Tax ensures public safety employees can maintain affordable, full coverage healthcare for themselves and their families.

## **House Passes Bill Eliminating SALT Deduction Cap & Restoring Deductions for First Responders**

In a victory for NAPO, the House passed the Restoring Tax Fairness for States and Localities Act (H.R. 5377) by a vote of 218-206. This bill would temporarily eliminate the cap on the state and local tax (SALT) deduction for tax years 2020 and 2021. The bill also includes the language of the Supporting America's First Responders Act, which reinstates above-the-line itemized deductions for work-related out-of-pocket expenses for first responders. NAPO worked with Congressman Bill Pascrell (D-NJ) and House Ways and Means Committee staff on this legislation and we believe this is a significant step forward to lowering the tax burdens on first responders.

The Tax Cuts and Jobs Act, passed by Congress in December 2017, allows taxpayers to deduct their state and local property, income and sales taxes up to a combined \$10,000 limit. The \$10,000 cap is not indexed to inflation, so it will lose its value over the years. While this is not a total

elimination of the SALT deduction – which NAPO strongly opposed – with the cap, citizens of states with high state and local taxes such as New York, New Jersey, California and Illinois, have found themselves on the wrong end of a tax hike.

Further, prior to the passage of the Tax Cuts and Jobs Act, law enforcement officers were able to offset these substantial costs by deducting them from their taxable income. The elimination of these itemized deductions put an unfair financial burden on officers, who give up so much to protect and serve our communities. This bill would allow first responders to claim deductions for out-of-pocket expenses related to uniform purchases and maintenance as well as job-related training.

NAPO thanks Ways and Means Committee Chairman Richard Neal (D-MA), Congressman Pascrell, and Congressman Tom Suozzi (D-NY) for their leadership on this issue and we look forward to working with them to see this bill enacted into law.

## **White House Holds Summit on Transforming Mental Health Treatment to Combat Violence & Substance Abuse**

On December 19, the White House held a Summit on Transforming Mental Health Treatment to Combat Homelessness, Violence & Substance Abuse. NAPO’s Vice President John Flynn with the Police Benevolent Association of the City of New York, and Executive Board members Steadman Stahl, President of the South Florida PBA, Tom Austin, President of the Ohio Patrolmen’s Benevolent Association, and John Nelson, Vice President of the Massachusetts Coalition of Police, represented NAPO at the Summit.



*NAPO VP John Flynn (left) and Executive Board Members Tom Austin (OPBA), John Nelson (Mass COP) and Steadman Stahl (SFLPBA) at the White House Summit.*

They heard from a panel on the need for reform, featuring mental health and substance abuse experts and advocates, followed by a discussion led by the Department of Health and Human Services Secretary Alex Azar. Panels on the need for State and Community Reform and the Federal Leader Perspective followed and rounded out the Summit. The federal perspective panel consisted of the Director of the Office of National Drug Control Policy Jim Carroll, Department of Housing and

Urban Development Secretary Ben Carson, Assistant to the President Kellyanne Conway, and Office of Justice Programs (DOJ) Principal Deputy Assistant Attorney General Katie Sullivan.

President Trump addressed the attendees and expressed his full support for finding a way to take address the issues surrounding mental health and its impact on the criminal justice system and communities. He

indicated his Administration is ready to dedicate significant resources to transform how this nation addresses mental health.

Transforming mental health treatment, particularly in regard to how it intersects and impacts the criminal justice system, has long been a priority for NAPO. With decreasing mental health supports and services, an increasing number of people with mental illnesses are coming into contact with the criminal justice system and law enforcement officers are finding themselves on the front lines. All of this puts incredible strain on public safety as well as state and local budgets and people's lives.

Throughout the criminal justice system, people with mental illnesses are overrepresented—in contact with law enforcement, in the courts, in jails and prisons, and in parole and probation caseloads across the country. According to a U.S. Department of Justice report, approximately 45 percent of people in federal prisons, 56 percent of people in state prisons, and 64 percent of people in jails displayed symptoms of a mental health condition. Approximately three-quarters of those people also have substance abuse disorders.

NAPO appreciates the opportunity to participate in this important discussion and work with the Administration to promote collaboration between federal, state and local criminal justice and mental health systems to improve responses to people with mental illnesses.



**NAPO's 27th Annual TOP COP AWARDS®**

**May 14, 2020**

***Don't forget TOP COPS nominations  
are due by January 13<sup>th</sup>!***

Please take the time to nominate examples of outstanding police work for this prestigious award. We count on you, our members, to help us get the word about TOP COPS out and obtain nominations for officers nationwide. Join us in honoring America's Finest by nominating a case today. The nomination form is attached and must be postmarked or faxed to (703) 684-0515 by **January 13, 2020**. If you have any questions please do not hesitate to contact NAPO's Director of Events, Elizabeth Loranger, at [elorange@napo.org](mailto:elorange@napo.org) or (703)549-0775.

2020 will mark the twenty-seventh year that NAPO has hosted the TOP COPS Awards®. The TOP COP Awards® Dinner will take place Thursday, May 14 at the MGM Grand National Harbor Hotel & Casino, again coinciding with National Police Week. We look forward to seeing you in Washington, D.C. this spring.

With your help, TOP COPS is sure to be a resounding success!

## **House Committee Hearing on First Responder Medicare Buy-In**

The House Energy and Commerce Committee held a hearing on "Proposals to Achieve Universal Health Care Coverage" that focused on Medicare buy-in proposals including the NAPO-endorsed Expanding

Health Care Options for Early Retirees Act (H.R. 4527), sponsored by Representative Tom Malinowski (D-NJ). This legislation would allow retired public safety officers ages 50 to 64 to buy-in to Medicare.

Rep. Malinowski testified in support of the legislation, stating that as the House debates how to ensure every American has access to affordable, comprehensive health coverage, he “hope[s] we can at least agree on a way to free those who choose to risk their lives and their health to protect us” from the anxiety of not having such care.

Law enforcement officers often retire earlier than other occupations because of the physical demands and unique hazards of the job, and many are faced with mandatory retirement upon reaching a certain age. Across the country, retiring officers are losing their employer-provided health insurance and, as they are years away from being Medicare-eligible, are forced to spend their retirement money on health insurance premiums.

This legislation is important as it would give law enforcement retirees another option to purchase affordable health insurance coverage. It would ensure they continue to have access to reasonable, comprehensive health insurance in retirement until they reach age 65 regardless of whether their state pension plan provides insurance coverage. The legislation would only allow the retired officers to buy-in to Medicare early; family members and dependents would not be eligible for this coverage.

NAPO believes that the Expanding Health Care Options for Early Retirees Act would help preserve the retirement security and the health of those public servants who selflessly serve and protect our communities. Preserving the retirement security of all our members is a top priority for us. If there is any way this bill would negatively impact your ability to negotiate health care for your retirees, please reach out to Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org). Also reach out to Andy if you have any questions or would like more information on the legislation.

## **Congress Averts Government Shutdown, Passes Final FY20 Appropriations Packages**

Congress passed the final Fiscal Year 2020 appropriations bills just in time to avert a government shutdown. The final appropriations agreement, which funds the government through the end of the fiscal year, was split into two bills, H.R. 1865 and H.R. 1158. H.R. 1865 included eight appropriations bills as well as a tax extender package and the repeal of the “Cadillac Tax” and H.R. 1158 covered the Defense, Homeland Security, Commerce-Justice-Science, and Financial Services appropriations.

NAPO’s continued outreach to members of Congress calling for full funding for NAPO’s priority grant programs within the Department of Justice (DOJ) paid off in H.R. 1158. Within the Community Oriented Policing Services (COPS) Office, Congress funded Hiring Program at \$235 million, gave \$10 million for active shooter training, \$46 million for anti-meth and heroin task forces, and \$50 million for grants under the STOP School Violence Act. Appropriators also increased funding for the Law Enforcement Mental Health and Wellness Grant Program from \$2 million to \$5 million for training, peer mentoring and mental health program activities. NAPO has been calling for a dedicated funding stream for peer mentoring programs in the wake of the passage of the Law Enforcement Mental Health and Wellness Act, and while we strongly believe more funding must be dedicated to this programs, we believe this funding increase is another step forward in ensuring officers get access to mental health and wellness programs.

The Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA) was funded at \$33 million, illustrating the strong support amongst members of Congress to ensure adequate funding for crisis intervention teams (CIT) and other mental health training for law enforcement.

The Byrne Justice Assistance Grant (Byrne JAG) program was funded at \$547.2 million, with carve outs to reimburse the cost of providing security for the presidential nominating conventions (\$100 million), the VALOR Program (\$12 million), and Project Safe Neighborhoods (\$20 million).

Other DOJ NAPO priorities were funded at similar levels to last fiscal year: \$27.5 million for the Bulletproof Vest Partnership (BVP) Grant Program; \$20 million for the Adam Walsh Act; \$22.5 million to help agencies purchase and maintain body-worn cameras; and \$75 million for the STOP School Violence Act. The spending measure also included \$518 million for grants programs to respond to substance abuse in our communities and \$78.3 million in DOJ funding to help states upgrade criminal and mental health records for the National Criminal Instant Background Check System (NICS).

Funding for NAPO's Department of Homeland Security priority grant programs has continued increase, with the State Homeland Security Program funded at \$560 million and the Urban Area Security Initiative at \$665 million.

If you have any questions about the final FY20 spending bill or funding for specific programs, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

## **NAPO's Legislative Positions & Sponsor/Cosponsor Updates**

NAPO's updated "Sponsor/Cosponsor" spreadsheet is available at the following link: <http://www.napo.org/washington-report/sponsor-cosponsor-spreadsheet/>. The spreadsheet accompanies the latest "Legislative Positions" document, which is available at the following link: <http://www.napo.org/washington-report/legislative-priorities/>. 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 116th 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.

If you have any questions about any of the legislation that NAPO is currently working, please contact Andy Edmiston at: [aedmiston@napo.org](mailto:aedmiston@napo.org).

***Register Now!***

## **NAPO'S 32nd Annual Pension & Benefits Seminar**

Don't miss out on your chance to join NAPO for our 32<sup>nd</sup> 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](http://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](mailto:eloranger@napo.org) or (703) 549-0775. We look forward to seeing you in Las Vegas!



***NAPO wishes you and your loved ones a happy holiday and we look forward to working with you in the new year!***

**Be sure to look out for NAPO's legislative review of 2019 and 116<sup>th</sup> Congress Mid-Term Congressional Scorecard in January.**