



NATIONAL FRATERNAL ORDER OF POLICE®

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PATRICK YOES
NATIONAL PRESIDENT

JIM PASCO
EXECUTIVE DIRECTOR

9 September 2019

The Honorable Tammy Baldwin
United States Senate
Washington, D.C. 20510

Dear Senator Baldwin,

I am writing on behalf of the membership of the Fraternal Order of Police to ask you to cosponsor S. 473, the "Law Enforcement Officers Equity Act" again this Congress.

The bill was reintroduced as S. 473 by Senators Cory A. Booker (D-NJ) and Rob Portman (R-OH). It is identical to S. 424, which you cosponsored in the previous Congress. This legislation would expand the definition of "law enforcement officer" for salary and retirement benefits to include all Federal law enforcement officers, enhancing public safety, promoting national security and reversing the recruitment and retention problem that plagues law enforcement.

Due to their high level of training and the dangerous nature of the profession, Congress rightfully determined that Federal law enforcement officers should receive enhanced salary and retirement benefits compared to other Federal employees. However, Federal law enforcement officers classified as GS-0083 police officers were not initially covered. Over time, Congress has partially corrected this injustice by granting GS-0083 officers in some agencies, including the U.S. Park Police and the U.S. Secret Service Uniformed Division, law enforcement officer (LEO) status for salary and retirement benefits, however nearly 30,000 of these dedicated Federal law enforcement officers do not receive these benefits today.

These dedicated men and women put their lives on the line as law enforcement officers for different agencies including the Department of Defense (DoD) and Armed Services, Veterans Affairs (VA) Police, Federal Protective Service (FPS), U.S. Mint, Government Publishing Office (GPO) Police, Internal Revenue Service (IRS) Officers, and the Bureau of Engraving, Printing (BEP) in addition to many others who protect and secure our Government buildings, their employees and visitors. They serve as our Federal government's first responders, are asked to face the same hazards as their State and local counterparts and, when one of them falls in the line of duty, their names are added to the National Law Enforcement Officers' Memorial here in Washington, DC.

--BUILDING ON A PROUD TRADITION--

Through regulatory authority, the Office of Personnel Management (OPM) has promulgated that the definition of a "law enforcement officer" for salary and pay benefits does not include "an employee whose primary duties involve maintaining law and order, protecting life and property, guarding against or inspecting violations of law, or investigating persons who are suspect or convicted of offenses against the criminal laws of the United States." These officers may achieve LEO status by appealing to Merits Systems Protection Board (MSPB) or the OPM, but since 2000, the OPM and the MSPB, with the backing of U.S. Court of Appeals for the Federal Circuit, have made it extremely difficult for these officers to gain LEO status through judicial review.

Since the OPM has not amended its outdated LEO definition and the judicial review process has failed, the best remedy to this injustice is legislation amending U.S. Code to grant all GS-0083 officers LEO status. The enactment of S. 473, the "Law Enforcement Officers Equity Act," would provide these brave Federal officers with 6(c) benefits and the ability to retire after twenty (20) years of service at the age of fifty (50), or twenty-five (25) years of service at any age.

These GS-0083 officers are as highly trained as their colleagues with LEO status. Many attend the Federal Law Enforcement Training Center and their job is no less dangerous. These officers have been seriously injured and even killed in the line of duty. Criminals who assault civilian law enforcement officers do not discriminate based on their salary and retirement status and neither should this nation which is greatly served by their dedication and sacrifice.

On behalf of the more than 349,000 members of the Fraternal Order of Police, I applaud your leadership on this issue and look forward to working with your staff towards the passage of this important legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Yoes", with a large, sweeping flourish extending to the right.

Patrick Yoes
National President