



NATIONAL FRATERNAL ORDER OF POLICE

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The Honorable Henry Cuellar
United States House of Representatives
Washington, D.C. 20515

Dear Representative Cuellar,

I am writing on behalf of the membership of the Fraternal Order of Police to ask that you once again cosponsor the "Law Enforcement Officers Equity Act."

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. Congress has partially addressed 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, due to a lack of consistent application of LEO status, thousands of dedicated Federal law enforcement officers still do not receive these benefits today.

To address this issue, Representatives William J. Pascrell, Jr. (D-NJ), Brian K. Fitzpatrick (R-PA), Andrew R. Garbarino (R-NY), and Gerald E. Connolly (D-VA) reintroduced H.R. 1322, the "Law Enforcement Officers Equity Act". It is identical to H.R. 962, which you cosponsored in the 117th Congress. This legislation would expand the definition of "law enforcement officer" as it applies to salary and retirement benefits so that all Federal law enforcement officers have access to them. This will enhance public safety, promote national security, and help address the recruitment and retention problem that plagues many Federal law enforcement agencies.

These dedicated men and women put their lives on the line as law enforcement officers for different agencies, including the Pentagon Police in the U.S. Department of Defense (DoD), Veterans Affairs (VA), Federal Protective Service (FPS), U.S. Mint, Government Publishing Office (GPO), and the Bureau of Engraving and 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 and are asked to face the same hazards as their State and local counterparts. When one of them falls in the line of duty, their names are added to the National Law Enforcement Officers' Memorial here in Washington, D.C. They should not be treated differently, but they are.

Through regulatory authority, the Office of Personnel Management (OPM) has ruled 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.

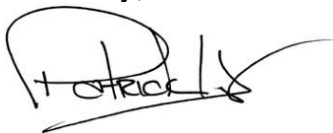
These officers may achieve LEO status by appealing to the Merits Systems Protection Board (MSPB) or the OPM, but the OPM and the MSPB, with the backing of a decision by the U.S. Court of Appeals for the Federal Circuit, have made it extremely difficult for these officers to gain LEO status through judicial review.

Since the OPM has not amended its outdated LEO definition and the judicial review process has failed, the best remedy to this manifest unfairness is legislation amending the U.S. Code to grant all GS-0083 officers LEO status. The enactment of 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 just as highly trained as their colleagues with LEO status are. They attended 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 well served by their dedication and sacrifice.

On behalf of the more than 373,000 members of the Fraternal Order of Police, I thank you both for your leadership on this important issue. If I can provide any additional assistance, please do not hesitate to contact me or Executive Director Jim Pasco in our Washington, D.C. office.

Sincerely,

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

Patrick Yoes
National President

cc. Karla Pruneda, President, Texas State Lodge