



NATIONAL FRATERNAL ORDER OF POLICE

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2024 CONGRESSIONAL CANDIDATE QUESTIONNAIRE *A Model Questionnaire for use by State and Local Lodges*

The following model questionnaire has been prepared by the Steve Young Law Enforcement Legislative Advocacy Center and is being provided to all State and local Lodges to aid them in evaluating Federal candidates for the United States Congress in the 2024 election cycle. The questions draw from issues being lobbied by the National FOP in Washington, D.C.

It is particularly important for the State and local Lodges to endorse candidates who support our top priority items and to **publicly** oppose those candidates who do not. The success of the National Legislative Program depends on having an active grassroots base and on electing lawmakers who support our pro-law enforcement agenda. The following is a brief summation of the top legislative priorities of the Fraternal Order of Police for the 118th Congress:

I. Social Security Issues:

A. Support H.R. 82/S. 597, the “Social Security Fairness Act”

The FOP strongly supports the repeal of both the “Windfall Elimination Provision” (WEP) and the “Government Pension Offset” (GPO).

B. Oppose any legislation that would require the participation of public employees in Social Security

The FOP vehemently opposes legislation which would mandate participation in Social Security for public employees or new hires who are currently outside the Social Security system.

II. Support H.R. 3539, the “Public Safety Employer-Employee Cooperation Act”

The FOP strongly supports legislation which would guarantee the right of public employees to bargain collectively with their employers over hours, wages, and conditions of employment. The goal of this legislation is to have each State pass a law providing minimum collective bargaining rights to their public safety employees, and it outlines certain provisions to be included in those laws. Strikes and lockouts would be prohibited, and States with collective bargaining laws already on the books will be exempt from any Federal statute.

III. Support H.R. 1322/S. 1658, the “Law Enforcement Officers’ Equity Act”

The FOP strongly supports legislation expanding the definition of “law enforcement officer” for salary and retirement benefits to include all Federal law enforcement officers.

SECTION ONE

Candidate Information

The following is a list of proposed questions that will help your Lodge get a basic understanding of the candidate and their background, particularly as it relates to law enforcement.

- Question:** Do you have any personal connection to the law enforcement community or to the Fraternal Order of Police?
- Question:** Why are you seeking the endorsement of the FOP?
- Question:** If endorsed by the FOP, what are you hoping the FOP will do to help you get elected?
- Question:** Have you ever been convicted of a crime? If so, please explain the circumstances surrounding the incident.
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SECTION TWO

Employees' Rights and Labor Issues

1. The Fraternal Order of Police strongly supports ***H.R. 82/S. 597, the "Social Security Fairness Act,"*** which would repeal both the "Windfall Elimination Provision" (WEP) and the "Government Pension Offset" (GPO) in current law. The WEP penalizes certain public employees who also worked in the private sector and paid into the Social Security system, through a substantial reduction in their benefits, because they also collect a government pension. The GPO provision in current law causes the reduction or elimination of the spouse's survivors benefit from Social Security by two-thirds of the monthly amount received from the government pension.

Question: If you are currently a Member of Congress, are you a cosponsor of this legislation?

Question: If not, will you pledge to support this legislation in the 119th Congress?
2. In 2001, the Commission to Strengthen Social Security (CSSS) issued a report which rejected a scheme to mandate participation in Social Security for newly hired State and local government employees currently outside the Social Security system.

Question: Will you pledge to oppose any legislation which includes a provision mandating participation in the Social Security system for either current or newly hired State and local government employees who do not currently participate in Social Security?
3. The Fraternal Order of Police strongly supports ***H.R. 3539, the "Public Safety Employer-Employee Cooperation Act,"*** legislation which recognizes collective bargaining rights for public safety employees (i.e., law enforcement officers and firefighters).

Question: If you are currently a Member of Congress, are you a cosponsor of this bill?

Question: If not, will you pledge to support this legislation in the 119th Congress?
4. The Fraternal Order of Police strongly supports legislation which would articulate the rights of law enforcement officers who are denied their due process rights in many jurisdictions by police administrators and management.

Question: Would you support legislation which would protect the due process rights of law enforcement officers in non-criminal, administrative proceedings?

5. The U.S. Office of Personnel Management's (OPM) Grade Evaluation Guide for Police and Security Guard Positions in Series, GS-0083 and GS0085 is shockingly out of date. The current Guide was last updated in 1988—36 years ago. The Occupational Information and Nature of Police Work sections are terribly outdated and do not reflect the current scope of responsibilities that a Federal law enforcement officer has on the job today. For this reason, many Federal law enforcement officers are denied 6(c) retirement benefits and the ability to retire after 20 years of service at the age of 50 or after 25 years of service at any age. To correct this, the Fraternal Order of Police strongly supports **H.R. 1322/S. 1658, the "Law Enforcement Officers Equity Act,"** which would expand the definition of "law enforcement officer" under the Civil Service Retirement System and the Federal Employees Retirement System to include all Federal police officers.

Question: If you are currently a Member of the House, are you a cosponsor of this legislation?

Question: If not, will you pledge to support this legislation in the 119th Congress?

Question: If elected, will you work with the FOP and the Administration to direct the OPM to update its Grade Evaluation Guide for Police Positions?

6. In the past few years, politicians at the Federal, State, and local level have criticized unions, those representing law enforcement officers in particular. Law enforcement officers, who put themselves in harm's way to protect their neighborhoods and communities, are watching their rights to collective bargaining and due process come under attack. Politicians at all levels of government have blamed their fiscal woes on the cost of hard-earned pensions and benefits earned by law enforcement and other public safety officers.

Question: What have you done in Congress or on the campaign trail to challenge these politically motivated attacks on public safety unions and how will you stand up for organizations like the FOP who represent these officers and are fighting to protect their due process rights and pension benefits?

7. The FOP is strongly opposed to legislation reducing pay and benefits for our Federal law enforcement officers who put their lives on the line every day.

Question: Will you pledge to vote against budgets and legislation that would cut or otherwise erode the retirement and pension benefits of our nation's Federal law enforcement officers if elected to serve in the 119th Congress?

8. There are some elected officials and politicians who claim that certain Federal law enforcement agencies, like the Federal Bureau of Investigations (FBI) and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), have become "weaponized" or "politicized." There have been efforts in Congress to "defund" these agencies, reminiscent of 2020 efforts to defund State and local agencies nationwide. No responsible elected official should use the power of the purse to retaliate against a Federal law enforcement which they falsely believe is a "political weapon." This not only hinders the Federal agency from carrying out their law enforcement mission, but many of these agencies are also deeply invested in assisting State and local law enforcement through task forces and access to resources. If the appropriations of an agency like the FBI or ATF is reduced, they will no longer be able to effectively support State and local agencies, effectively "defunding" the public safety mission.

Question: Do you believe that certain Federal agencies have been “weaponized?”

Question: If elected, will you promise to vote against budgets and appropriations bills that would “defund” Federal law enforcement?

9. In recent years, the law enforcement profession has been facing a real crisis in our ability to recruit and retain officers with the abilities, character, and integrity to do a very difficult and increasingly dangerous job. Many professions are facing similar difficulties, but many of the reasons retaining veteran officers and hiring quality candidates are so challenging are unique to law enforcement. Our profession has become more dangerous and benefits—like good salaries, pensions, and healthcare coverage after retirement—are no longer as attractive or competitive to the new generation. One major factor among veteran officers is the perception that elected officials and police executives no longer support, respect, or appreciate the rank-and-file officers who serve their communities. Prosecutors who have placed social justice ahead of public safety or refuse to keep dangerous criminals who have multiple, serious charges or charges of violence in jail before trial—or even refuse to prosecute certain criminals—have left officers feeling like their work is without value and that they are risking their lives needlessly.

Question: If elected, how will you work with the FOP to address this recruitment and retention crisis?

Question: How can Congress help State and local law enforcement hire the next generation of police officers?

Question: If elected, what steps would you or Congress take to help retain our good, veteran officers?

10. Some studies have shown that rising housing costs and limited housing availability, especially in jurisdictions with residency requirements, may be an obstacle for young people considering a career in law enforcement. The FOP has been working to address this issue by supporting **H.R. 3170/S. 1514, the “Homes for Every Local Protector, Educator, and Responder (HELPER) Act,”** which is modeled on a home loan program administered by the U.S. Department of Veterans Affairs (VA) and the Good Neighbor Next Door (GNND) administered by the U.S. Department of Housing and Urban Development (HUD). The **HELPER Act** will establish a new, but very similar, home loan program within the Federal Housing Authority (FHA) for law enforcement officers, firefighters, emergency medical technicians (EMT), paramedics, and pre-K-12 teachers that would eliminate the downpayment requirement and the monthly mortgage insurance premium (MIP) requirement.

Question: If you are currently a Member of Congress, are you a cosponsor of this legislation?

Question: If elected, will you pledge to support this legislation in the 119th Congress?

11. As a labor organization, the FOP is a strong proponent of collective bargaining. As a labor organization representing public employees, we feel very strongly that the Federal government should not prohibit or obstruct the collective bargaining process at the local or State level. For this reason, we oppose legislation like **H.R. 1200/S. 532, the “National Right-to-Work Act.”**

Question: If you are currently a Member of Congress, are you a cosponsor of this legislation?

Question: If elected, will you pledge to oppose this legislation in the 119th Congress?

12. The previous Administration adopted a new job classification called Schedule F that would have stripped civil service protection from Federal employees "whose position has been

determined to be of a confidential, policy-determining, policymaking or policy-advocating character." The FOP shared the concerns of many who feared that the new classification could be used to retaliate against employees, undermine collective bargaining rights, and due process rights.

Question: If elected, would you support an Executive Order or legislation establishing something like Schedule F?

Question: If elected, would you pledge to work with the FOP to ensure that Federal law enforcement agencies and Federal law enforcement officers will be exempted from inclusion in Schedule F even if they have a confidential and/or policy-related role in addition to their law enforcement responsibilities?

Question: If something like Schedule F is implemented without exceptions for Federal law enforcement agencies and Federal law enforcement officers, will you pledge to work with the FOP to legislatively establish these exceptions or reverse the implementation of such a policy?

13. The Fraternal Order of Police is the largest labor organization representing this country's law enforcement professionals.

Question: How will you involve and consult with our leadership concerning any legislation, hearings, or other Congressional activity relating to law enforcement labor issues?

SECTION THREE

Policing & Criminal Justice Issues

14. We must acknowledge that criminal justice is inherently a locally-controlled activity—there are more than 18,000 individual local and State law enforcement agencies that answer to local and State governments. The Federal government cannot impose unfunded mandates without violating the Constitution, so Federal efforts to make changes at the local level are limited to using Federal grants as incentives or penalties to achieve the desired outcome. This is typically an ineffective approach, and, generally speaking, the FOP opposes using penalties to coerce local agencies on policy matters. It is vitally important that we strike the right balance to increase the chances of encouraging the adoption of the reforms we can all support.

Question: What issues/reforms do you believe are the most pressing in policing and criminal justice today?

Question: How can Congress address these issues in an appropriate and Constitutional way?

15. The FOP has long supported programs like the 1033 program, which is a surplus equipment program administered by the Defense Logistics Agencies (DLA) and the Law Enforcement Support Office (LESO) at the U.S. Department of Defense (DoD). No Administration has produced any data or conducted any studies to support the theory that State and local law enforcement agencies are misusing equipment obtained through these surplus equipment programs.

Question: What are your views on programs like these and, if elected, will you pledge to support the 1033 program and other similar programs?

16. Ambush attacks and violence targeting law enforcement officers have been steadily increasing in recent years. In response to the increased number of ambush attacks, the FOP has made the enactment of **H.R. 743, the "Protect and Serve Act"** a priority. The legislation would impose, in limited circumstances, Federal penalties on individuals who deliberately target local, State or Federal law enforcement officers with violence.

Question: If you were a Member of the House of Representatives in the 115th Congress, how did you vote on **H.R. 5698** on 16 May 2018? (Roll Call Vote# 188)

Question: If you are a Member of the 118th Congress, are you a cosponsor of **H.R.743**?

Question: If you are a Member of the Committee on the Judiciary, did you vote to favorably report on this bill at the Committee's mark-up?

Question: If you become a Member of the 119th Congress, will you pledge to support such legislation and work with the FOP to get it enacted?

17. The FOP was the primary advocate for the **Law Enforcement Officers' Safety Act (LEOSA)** in 2004 as well as amendments to the statute enacted in 2010 and 2013. The law exempts qualified active and retired law enforcement officers who are properly trained and credentialed from State or local laws prohibiting the carriage of concealed firearms. The FOP is working to expand this exemption to include magazine capacity, the Guns Free School Zones Act, and access to certain Federal buildings like post offices. The FOP strongly supports **H.R. 354/S. 1462, the "LEOSA Reform Act,"** which would fix current loopholes to better protect off-duty and retired law enforcement officers.

Question: If you are currently a Member of Congress, are you a cosponsor of this bill?

Question: If you are a Member of the Committee on the Judiciary, did you vote to favorably report on this bill at the Committee's mark-up?

Question: If you are currently a Member of Congress, how did you vote on passage of **H.R. 354** (Roll Call Vote #213)?

Question: If elected to the 119th Congress, will you pledge to support and cosponsor this legislation?

18. On 6 January 2021, an armed and violent mob attacked the U.S. Capitol. More than 170 law enforcement officers were injured—some quite seriously—during hours of intense physical combat. One officer died shortly after the attack and, within a few months of the violence, four other officers took their own lives as a result of trauma they were exposed to that day. Five of the rioters also died. The members of the mob did extensive damage to the Capitol building and threatened staff and Members of Congress. More than a thousand individuals have pled guilty or were found guilty and sentenced for the crimes they committed that day. Hundreds of criminal cases are still pending, and Federal law enforcement agencies continue to investigate, identify, and arrest anyone who committed crimes during the attack.

Question: If elected, what will you do to help prevent political violence and mob attacks like this on government buildings in the future?

Question: If you hold public office, and a similar attack occurs, with individuals committing crimes of violence, please describe how you will react publicly.

19. In January 2023, the D.C. Council adopted the Revised Criminal Code Act (RCCA) and the Comprehensive Policing and Justice Reform Amendment Act (CPJRAA) The RCCA eliminated

mandatory minimum sentences for all crimes, drastically reduced the maximum penalties for crimes such as carjacking, and eliminated accomplice liability for felony murder. The CPJAA violated the rights of D.C. law enforcement officers, including restricting their right to bargain collectively and destroying their ability to challenge disciplinary measures imposed on officers by the Washington, D.C. Metropolitan Police Department (MPD). The FOP joined with a bipartisan majority in the House and Senate to support a resolution of disapproval, **H.J. Res 26/S.J. Res. 12**, which would prevent the RCCA from becoming D.C. law. The resolution passed the House on a 250-173 vote and in the Senate on an 81-14 vote. The President signed it into law. The FOP also supported **H.J. Res. 42/S.J. Res. 26** which would have blocked the CPJRAA from becoming D.C. law. The House passed this resolution on a 229-189 vote and the Senate did so on a 56-43 vote. The President vetoed the bill and Congress did not have the votes to override the President's action and the CPJRAA became law. The FOP worked with Members of Congress to develop **H.R. 5798, "Protecting Our Nation's Capital Emergency Act,"** would restore the collective bargaining rights, non-disclosure protections, and disciplinary protocols of MPD officers that were lost in the implementation of the CPJRAA. None of the other provisions of that law would be impacted. This legislation is of great importance to the men and women of the MPD and the safety of the residents, visitors, and workers in our nation's capital.

Question: If you are currently a Member of Congress, were you a cosponsor of **H.J. Res 26** or **S.J. Res. 12**?

Question: If you are currently a Member of Congress, how did you vote on **H.J. Res. 26**? (House Roll Call Vote #119; Senate Record Vote # 49)

Question: If you are currently a Member of Congress, were you a cosponsor of **H.J. Res 42** or **S.J. Res. 26**?

Question: If you are currently a Member of Congress, how did you vote on **H.J. Res. 42**? (House Roll Call Vote #188; Senate Record Vote # 126)

Question: If you are currently a Member of the House, how did you vote on the attempt to override the Presidential veto of **H.J. Res. 42**? (Roll Call Vote #253)

Question: If you are currently a Member of the House, are you a cosponsor of H.R. **5798**?

Question: If elected to the 119th Congress, will you promise to work with the FOP to restore the collective bargaining rights of the officers in the MPD?

- 20.** The FOP supports policy to promote the long-term success and operation of the Nationwide Public Safety Broadband Network (FirstNet), which includes the FCC making 4.9 GHz spectrum available for nationwide 5G deployment on FirstNet and Congress taking swift action to pass FirstNet Reauthorization before the statutory sunset in 2027.

Question: Do you support these policies to protect and advance FirstNet, America's public safety network?

- 21.** In July of 2019, Attorney General William P. Barr directed the Federal Bureau of Prisons to adopt an addendum to the Federal execution protocol and schedule the executions of five death-row inmates convicted of murdering children. This was the first time that the Federal government resumed capital punishment after nearly two decades. Between July 2020 and January 2021, thirteen federal prisoners were executed. In July 2021, Attorney General Merrick B. Garland formally paused all pending federal executions.

Question: For what crimes do you believe that the death penalty is appropriate?

22. True immigration reform requires action by the Federal government. The FOP believes that any legislation reforming our nation's immigration system must provide for greater security at our nation's borders, aggressive enforcement of immigration law internally, and enhanced penalties against businesses and individuals that exploit and traffic in illegal laborers.

Question: Do you agree?

Question: What elements do you see as most important for a comprehensive immigration reform bill?

23. The FOP has been very vocal on the issue of "sanctuary cities" and has been adamant that local and State law enforcement agencies should always cooperate with their Federal colleagues and vice versa. However, the FOP opposes withholding law enforcement and public safety funding on the basis that in so doing, the public safety implications are compounded. In most cases these "sanctuary" jurisdictions were established by policymakers at the local or State level. It is unfair to penalize the law enforcement agencies serving these jurisdictions for the political decisions of elected officials which prohibited or impeded cooperation with Federal agencies.

Question: Do you agree?

Question: As a Member of the 119th Congress, how would you encourage or incentivize local and State cooperation with Federal immigration authorities?

24. The FOP is seeing a growing trend on the part of Congress to write legislation withholding Federal assistance to State, local and tribal law enforcement agencies unless they comply with certain policy conditions. These tactics are used by both parties and the issues range from sanctuary cities to data collection. The vast majority of our nation's law enforcement officers serve **local** governments, and these decisions should be made at the local level.

Question: As a Member of the 119th Congress, will you pledge to oppose this type of legislative coercion and work with the FOP to develop ways to provide incentives instead of penalties to achieve Federal policy goals?

25. The FOP is very concerned about the use of highly sophisticated encryption technology that is used by traffickers in online child pornography, child sex exploitation, as well as by organized criminal organizations and terrorists. With "Big Tech" often unwilling to provide court-ordered information, even upon presentation with a valid search warrant, the FOP is asking Congress to mandate lawful access to help law enforcement investigate these crimes.

Question: As a Member of the 119th Congress, will you pledge to work with the FOP to guarantee lawful access to digital evidence while still safe guarding user security and privacy rights?

26. The FOP is vehemently opposed to **H.R. 1525, the "Fifth Amendment Integrity Resolution (FAIR) Act,"** which would amend current law to prohibit Federal agencies from conducting nonjudicial or administrative forfeiture and would require that any forfeitures be ordered through a U.S. district court. It increases the standard of proof to "clear and convincing" evidence that the seized property was used to commit or facilitate a crime and the proceeds of any forfeitures would not go to the agency or executive Department that made the seizure or to the Victims Compensation Fund, but would be deposited in the Treasury Department's General Fund. Finally, the bill would end the practice of "equitable sharing." State and local law enforcement forfeitures would be governed entirely by State law. Similar administrative efforts

have been undertaken by this and previous Administrations. If this bill becomes law, the results would be catastrophic for State and local law enforcement and Federal efforts to support victims of crime. It will protect the illicit profits of criminal actors and literally allows crime to pay.

Question: If you are currently a Member of the House, are you a cosponsor of this legislation?

Question: If you are currently a Member of the House Judiciary Committee, did you vote to favorably report this bill?

Question: Do you support using assets from Federal seizure or administrative forfeitures to support the Victims Compensation Fund?

Question: Do you support the Equitable Sharing Program administered by the U.S. Department of Justice?

Question: If elected to the 119th Congress, will you oppose this or similar legislation and work with the FOP to preserve this vital crime-fighting tool?

27. The FOP strongly opposes *H.R. 4639, the “Fourth Amendment Is Not For Sale Act,”* which would have a profoundly negative effect on public safety and on the ability of law enforcement to conduct investigations into violent crimes like murder, kidnapping, terrorism, and other serious public safety threats. The bill would cut off access to vital investigative tools routinely used by law enforcement agencies every day—tools that generate leads into crucial and often complex cases. Investigators do this by selectively using third-party data, which is widely available for use for a variety of purposes that have nothing to do with public safety. If a probable cause standard were to be imposed for accessing this type of information, routine investigations will become arduous and time consuming—delaying justice for victims. Investigations in which time is a factor—like kidnappings or human trafficking—will become impossible to solve, and lives could be lost. By prohibiting access to this commercially available data, we would be tying the hands of law enforcement and risk putting victims in life-threatening situations.

Question: If you are currently a Member of the House, how did you vote on the passage of H.R. 4639? (Roll Call Vote #136)

Question: If you are currently a Member of the Senate, how did you vote on the passage of S. Amdt. 1829 to H.R. 7888, the “Reforming Intelligence and Securing America Act?” (Roll Call Vote #144)

Question: Do you support law enforcement’s continued access to these commercially available crime fighting tools?

Question: If elected, will you pledge to oppose this or similar legislation in the 119th Congress and agree to work with the FOP in a collaborative way on this issue to address any genuine privacy concerns surrounding the use of this data without resorting to a short-sighted across the board prohibition?

28. Fentanyl and other synthetic and analogue drugs are serious problems in our communities and something our members deal with every day. In 2018, the Drug Enforcement Administration (DEA) temporarily classified fentanyl-related substances as Schedule I under the Controlled Substances Act. Congress has extended this scheduling several times, but only on a temporary basis. The FOP supports doing so permanently.

Question: If you become a Member of the 119th Congress, will you pledge to support legislation that would permanently schedule these substances?

29. The previous Administration restored the Federal asset forfeiture program, including the equitable sharing programs, and has adopted additional protections for claimants and provided

for greater transparency with respect to the process. The FOP strongly supported these actions but remains concerned that Congress will again try to end the equitable sharing program and Federal asset forfeiture, which we believe will hurt our ability to fight crime.

Question: If elected to the 119th Congress, will you pledge to support the current programs on asset forfeiture and fight to maintain its use as a law enforcement tool?

Question: How will you work with the FOP on this issue?

30. The Fraternal Order of Police is the largest labor organization representing this country's law enforcement professionals.

Question: How will you involve and consult with our leadership concerning any legislation, hearings, or other Congressional activity relating to criminal justice issues?