



NATIONAL DISTRICT ATTORNEYS ASSOCIATION

Good afternoon everyone,

I hope you're all doing well and staying safe following the Holiday Season! I'm reaching out to provide a legislative update as we move into the 117th Congress beginning in early 2021. As you may know, we've been working hard to ensure that vital legislative changes are signed into law that involve community safety, victims' rights, and forensic sciences. We will continue these efforts ahead of our 2021 Capital Conference which is going virtual from February, 2nd to February 4th, 2021.

Despite election year pandemics and unprecedented grid-lock, NDAA remained hard at work to move forward legislative proposals. We continue to make progress on important legislative initiatives and work with a diverse, bipartisan group of lawmakers to overcome the odds and pass legislation that makes our communities safer and improves the ability of prosecutors to do their jobs on a daily basis. Further, we are continuing our work to introduce new legislative proposals that will be carried into the new year as Capitol Hill gears up for a new administration. Below is a full update of our Legislative Committee's work as we wrap up 2020.

Recent Legislative Successes

- ➔ **Beneficial Ownership.** NDAA is thrilled that Congress added beneficial ownership legislation to this year's National Defense Authorization Act. As a reminder, beneficial ownership legislative proposals require the owners of "anonymous companies" to disclose their names, date of birth, current address, and driver's license or non-expired passport number. Those companies that fail to meet the requirements would then be subject to civil and criminal penalties for willfully submitting false or fraudulent beneficial ownership information. Most importantly, the proposed amendment to the defense authorization provides state and local law enforcement and prosecutors access to the beneficial ownership information collected by FinCEN. After being introduced over a decade ago, this legislation finally became law when Congress override the President's veto of the National Defense Authorization Act. Read more here: <https://maloney.house.gov/media-center/press-releases/maloney-celebrates-inclusion-of-corporate-transparency-act-in-fy2021>.
- ➔ **Pell Grant Restoration.** Congress, as part of the year-end omnibus spending bill, restored Pell grant eligibility for incarcerated students. This program comes on the heels of efforts by both President Donald Trump and President Barack Obama to establish Second Chance Pell sites at prisons, lawmakers have now completely reversed the ban on Pell grants going to individuals who are attempting to earn certifications, associates, and bachelor's degrees at state prisons. Pell grant restoration for incarcerated students continues NDAA's ongoing efforts to reduce recidivism while improving outcomes for individuals released from prison. Prosecutor support for this proposal and its eventual passage was cited in national and local media. Read more here: <https://www.politico.com/news/2020/12/20/congress-pell-grant-prisoners-449364>.
- ➔ **Methamphetamine Emerging Threat.** NDAA is also excited to announce that legislation we have worked on alongside the U.S. Senate Caucus on International Narcotics Control that would designate meth as an emerging threat has moved through both Chambers of Congress. The proposed legislation does two specific things: 1) declares methamphetamine an emerging drug threat; and 2) requires ONDCP to develop, implement and make public, within 90 days, an emerging drug threat response plan that is specific to methamphetamine. Sponsored by Senator Dianne Feinstein (D-CA) and Senator Chuck Grassley (R-IA).

- **Bipartisan Solution to Cyclical Violence Act.** Finally, NDAA received the exciting news that legislation sponsored by Congressmen C.A. Dutch Ruppersberger (D-MD) and Adam Kinzinger (R-IL) to address the revolving door of violent crime in communities across America by expanding hospital-based intervention programs passed the House of Representatives. The legislation will provide \$10 million in federal grants to hospitals that want to expand or create programs for patients who are recovering from injuries as a result of violent crime. We are hopeful that the Senate will take up this bipartisan proposal as we move into the new year.
- **Funding for John R. Justice & Training Programs.** Both Chambers of Congress recently outlined their plans to pass an end of year spending proposal to keep the government funded. Within that proposal, NDAA is working to ensure vital programs such as the John R. Justice Student Loan Repayment Program (JRJ) and Project Safe Neighborhoods (PSN) remain funded into 2021. Thankfully, the JRJ, PSN, and Debbie Smith DNA Backlog programs have all received funding in the Omnibus Appropriations bill that was signed into law following the Christmas Holiday.

Continuing Legislative Work

- **Victims of Crime Act & Crime Victims Fund.** As you may know, NDAA joined our partners in law enforcement, victims' rights, and local administrators in expressing concerns to Congress that the Victims of Crime Act (VOCA) fund is becoming depleted and risks the ability of State's to support victims services throughout the country. On October 19th, Members of Congress received a letter ([which can be read here](#)) urging Congress to take immediate action to prevent devastating cuts to federal funding for victim service programs through the Victims of Crime Act ("VOCA"), including programs serving victims and survivors of child abuse, sexual assault, domestic violence, trafficking, drunk driving, assault, homicide, and other crimes. NDAA recently worked with the House and Senate Judiciary Committees to draft bipartisan language that will assist in ensuring the Crime Victims Fund (CVF) receives additional deposits and the program is better structured to remain viable for years to come. The consensus language will move into the 117th Congress where the House Judiciary Committee has committed to pushing this effort forward in 2021, read more from the Committee here: <https://twitter.com/HouseJudiciary/status/1341136283083665408?s=20>.
- **Forensic Sciences Legislation.** NDAA is currently working with the Senate Commerce Committee and House Sciences Committee to improve a recent forensic sciences proposal ([which can be read here](#)) that is being proposed by Senator Roger Wicker (R-MS) and Senator Maria Cantwell (D-WA). NDAA's Forensic Science's Working Group worked to provide edits and changes that they felt were needed in order to ensure the legislation is in a place that supports the forensic sciences practitioners and ensures the work OSAC and NIST perform is not impacted by political influence under these changes. Specifically, our Forensics Working group was concerned with lack of representation for State and local law enforcement, investigators, and prosecutors in this new forensic sciences structure. Further, there is a larger concern that moving OSAC under the White House and out of Commerce's jurisdiction will lead to an overt politicization of the office, impacting the forensic sciences work happening in States across the country. Thankfully, Congressional staff are now working with NDAA and our law enforcement partners to improve the legislation in the 117th Congress.

Recently Introduced Legislation

- **Impaired Driving Education.** The association has focused on improving safety on America's roads, supporting the Drug-Impaired Driving Education Act of 2020, a bipartisan bill introduced by the Prosecutors Working Group Co-Chair Representative Kathleen Rice (D-NY) and Transportation Committee Member Representative Troy Balderson (R-OH). This important legislation would establish an annual \$5 million federal grant program for states to educate the public on the dangers of drug-impaired driving. Prosecutors' offices across the country would be eligible for these funds as a sub-grantee.

- **Authorizing Funding for Prosecutor Training.** Senator Kelly Loeffler (R-GA) has worked alongside NDAA to introduce an act to *Authorize Funding to Conduct a National Training Program for State and Local Prosecutors*. This legislation would re-authorize currently expired funding to award grants to national nonprofits that regularly provides training and technical assistance to State and local prosecutors nationwide.

- **Protect Our Prosecutors Act.** In light of recent attacks on the law enforcement and prosecutor community, NDAA worked alongside our partners in Senator Tom Cotton R-AR), Senator Marsha Blackburn (R-TN), and Senator Kelly Loeffler (R-GA) offices to introduce the Protector Our Prosecutors and Judges Act. The bill expands the Law Enforcement Officers Safety Act (LEOSA), which allows current and retired LEOs to carry concealed firearms, to include current and retired state, local, and federal prosecutors, as well as federal judges. NDAA worked alongside our partners with the Ohio County Prosecuting Attorneys Association to ensure the legislative text matched past efforts to expand LEOSA to protect the rights of prosecutors around the country.

- **Driving for Opportunity Act & Resolution on Drugged & Drunk Driving Awareness.** NDAA recently endorsed two driving related proposals as the 116th Session of Congress comes to a close. First, we have endorsed the *Driving for Opportunity Act*, a bipartisan bill introduced by Senator Chris Coons (D-DE) and Senator Roger Wicker (R-MS),) that would provide grants to States that do not suspend, revoke, or refuse to renew a driver's license of a person or refuse to renew a registration of a motor vehicle for failure to pay a civil or criminal fine or fee. The proposed legislation would provide \$20 million in new funding within the Byrne-JAG program to States that specifically remove or do not have a law in effect that permits the suspension or revocation of a driver's license on the individual's failure to pay a civil or criminal fine or fee. However, this legislation departs from past proposals on this issue as it does allow for States to receive the grants if they have laws that allow for driver's license suspensions for any other purposes not related to a failure to pay fines or fees (such as the individual poses a public safety risk). Further, NDAA also recently supported a bipartisan resolution on *National Impaired Driving Prevention Month*, led by Senator Dianne Feinstein (D-CA) and Senator John Cornyn (R-TX). This resolution states the United States Senate will commit additional resources and research to combatting impaired driving and support training for law enforcement to detect and prevent drunk or drugged drivers from causing harm on our roads.

Remember you can learn more about NDAA's policy work on our new [Policy & Issues](#) page and via our twitter account [@ndaajustice](#). Please do not hesitate to reach out with any questions and we look forward to seeing you all at the 2021 Virtual Capital Conference!