



The Washington Report

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

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PSOB Publishing Weekly and Monthly Statistics on Status of Claims

Thanks to the Public Safety Officers' Benefits (PSOB) Improvement Act, a NAPPO priority bill that we helped pass into law at the end of May, the PSOB Office is now publishing weekly data reports on the status of claims as well as monthly performance measurement reports (<https://www.psob.gov/archived-data.html>). The data captured in the weekly reports includes the number of pending death, disability and educational claims, where the claims are in the review and determination process, the date they were submitted and the state of residence of the claimant. This data is available for every claim – identified by claim number only – that is currently pending with the PSOB Office.

This reporting significantly increases the transparency of the program and allows the larger PSOB stakeholder community to hold the PSOB Office to greater accountability as we all work to ensure claims are being processed and decided in a timely manner. It can be assumed that the bulk of the older cases – those with submission dates dating back to 2006 – are 9/11 exposure-related claims, which the PSOB Office just started processing at the end of last year.

Additionally, the White House Office of Management and Budget, which is responsible for publishing final regulations, has posted that we can expect the final PSOB regulations by November 2017. These final regulations will put into place the PSOB Office's process for determining 9/11-related health claims and make changes to the overall program, including adding cadet-officers who are officially enrolled in candidate-officer training to those covered by PSOB benefits.

There is a PSOB stakeholder meeting on August 16th, the first with the new Administration, and we expect these regulations will be a topic for discussion. We will keep our members updated on the status of these regulations and what the final regulations mean for the PSOB Program. If you have any questions, please contact Andy Edmiston at aedmiston@napo.org.

Attorney General Announces Immigration Compliance Requirements for Byrne JAG Recipients

On July 25, Attorney General Jeff Sessions announced immigration compliance requirements for the Department of Justice's (DOJ) Byrne Justice Assistance Grant (Byrne JAG) Program that affect Fiscal 2017 and future grant recipients. This announcement follows the President's Executive Order on "Enhancing Public Safety in the

Interior of the United States” and the Attorney General’s subsequent memorandum on how the DOJ will implement the Executive Order.

The Attorney General’s memorandum stated that one of the goals of the DOJ is to increase information sharing between federal, state, and local law enforcement, particularly in regards to illegal aliens in our criminal justice system. Byrne JAG recipients for Fiscal 2017 have been sent notifications that they will be required to do the following:

- Certify compliance with section 1373, a federal statute applicable to state and local governments that generally bars restrictions on communications between state and local agencies and officials at the Department of Homeland Security with respect to information regarding the citizenship or immigration status of any individual;
- Permit personnel of the U.S. Department of Homeland Security (“DHS”) to access any detention facility in order to meet with an alien and inquire as to his or her right to be or remain in the United States; and
- Provide at least 48 hours advance notice to DHS regarding the scheduled release date and time of an alien in the jurisdiction’s custody when DHS requests such notice in order to take custody of the alien.

The Department will now only grant Byrne JAG funds to cities and states that comply with these three requirements.

NAPO has long supported efforts to clamp down on sanctuary policies in cities, which make it difficult for law enforcement to effectively protect communities from violent criminal aliens. The country’s immigration system relies on local law enforcement complying with immigration detainers – requests from DHS for local law enforcement to hold an illegal immigrant temporarily – to give federal law enforcement an opportunity to take the individual into custody. Sanctuary cities forbid their local law enforcement from cooperating with federal immigration officials, which has led to the release of violent criminals back into our communities.

While we support the goal of these requirements – to ensure that those who receive federal funding are obeying federal law – we will monitor the effect of these requirements on state and local law enforcement’s ability to efficiently and effectively serve and protect our communities. We continue to work with Congress and the Departments of Justice and Homeland Security to ensure that a comprehensive approach to immigration enforcement is taken at the federal, state and local level to secure the lasting safety of our communities.

NAPO in the News

NAPO’s [submitted comments to the Federal Communications Commission \(FCC\)](#) (submitted July 17, 2017) about the need to create a dedicated Emergency Alert System (EAS) event code for Blue Alerts were picked up by *Radio World* in a July 26, 2017 article entitled, “Police Organizations Voice Support for Blue Alerts”. The article discusses the proposed FCC rules on Blue Alerts and uses NAPO’s comments as the bulk of the story as to why a fully functional National Blue Alert Network is important for the safety of law enforcement officers.

“NAPO, a coalition of police unions and associations, said it supports the New York-based Blue Alert Act, named after New York City Police Department Officers and NAPO members Rafael Ramos and Wenjian Liu, who were killed while on duty in 2014.

A fully operational National Blue Alert Network would be vital in alerting the public about credible threats, NAPO said. Statistics shared by NAPO tell a chilling tale: 135 officers were killed in the line of duty in 2016. In many of these cases, the individuals posted imminent and credible threats to law

enforcement officers on social media. According to NAPO, “a functioning National Blue Alert Network may have prevented some of these unnecessary deaths.”

The organization said the network would allow the federal government to support state and local law enforcement as they work to implement Blue Alert emergency systems at the state level, and also help organize existing Blue Alert systems into a coordinated national framework.

According to NAPO, the lack of a dedicated, national Blue Alert EAS event code is one of the main obstacles to states adopting their own Blue Alert plans.

“With the number of law enforcement officer assaults, injuries, and deaths increasing sharply in recent years, a functioning National Blue Alert Network, with all states participating, is vital for the protection of our nation’s law enforcement officers,” the group said.

NAPO also said a dedicated Blue Alert event code would allow for the promulgation of specific rules to ensure that Blue Alerts are handled in a specific manner by participating media outlets and wireless carriers.”

The full article is available at: <http://www.radioworld.com/news-and-business/0002/police-organizations-voice-support-for-blue-alerts/340090>

NAPO will continue to ensure our members’ voices are heard loud and clear on the Hill, with the Administration, and in the media. If you have any questions about the publication cited above, please contact Bill Johnson at: bjohnson@napo.org.

Senate Moves on DOJ Appropriations Measure

Senate Appropriators are following the lead of their counterparts in the House and have started to move on Fiscal 2018 spending measures in the hopes of completing the appropriations process before the September 30, 2017 deadline. On July 27, the Senate Appropriations Committee took up and approved the Fiscal 2018 Commerce, Justice, Science and Related Agencies (CJS) spending bill.

Unlike the House bill, which zeroed out the program, the Senate CJS bill includes \$207.5 million for the Community Oriented Policing Services (COPS) Hiring Program, which is a half million over the President’s Fiscal 2018 budget request and \$20.5 million over what the program received in Fiscal 2017. The Byrne Justice Assistance Grant Program (Byrne JAG) did not fare as well in the Senate bill as it did in the House, with the Senate appropriating \$404.5 million to the House’s \$500 million. This is still far above the \$376 million dedicated to the program in Fiscal 2017.

The CJS appropriations bill was strong on other law enforcement grant programs, including the Bulletproof Vest Partnership (BVP) Grant Program and the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA). The BVP Program remains steady at \$22.5 million as does MIOTCRA at \$12 million.

The spending measure also includes \$19 million for anti-meth and anti-heroin task forces through the COPS Office, \$7.5 million for active shooter police training, and \$22.5 million for the body worn camera program within the Bureau of Justice Assistance.

It is uncertain how and when Congress will pass appropriations measures for fiscal 2018, given that the appropriations process started so late this year. Congress first needs to negotiate a bipartisan budget agreement in order to set spending levels and avoid returning to the spending cuts imposed by the Budget Control Act in 2013.

Those cuts, also referred to as “sequestration”, would mandate automatic across-the-board cuts to all departments and agencies to meet the budget levels set in the Act. House Republicans can move their own budget proposal, but it will fall flat in the Senate where bipartisan agreement is necessary.

NAPO will continue to work with lawmakers to ensure all of our priority grant programs are funded in fiscal 2018. If you have any questions, please contact Andy Edmiston at aedmiston@napo.org.

House Passes DHS Authorization Bill

On July 20, the House passed H.R. 2825, the Department of Homeland Security (DHS) Reauthorization Act, which reauthorizes the entire Department and all the programs within it. The reauthorization of DHS is important because it legitimizes the programs within the Department and authorizes funding to continue being appropriated to its various grant programs.

The DHS Reauthorization Act reauthorizes the Urban Area Security Initiative (UASI) at \$800 million per year and the State Homeland Security Grant Program (SHSGP) at \$600 million through 2022.

State and local law enforcement play a large role in the mission of DHS to lead the national effort to secure this country by preventing and deterring terrorist attacks and to protect against and respond to threats and hazards to the nation. Through these two major grant programs provided by DHS - SHSGP and UASI – state and local law enforcement receive federal funds to better carry out this mission. We were glad to see these programs reauthorized at such high levels and are looking to next pass this bill through the Senate.

Senate Fails to Pass Obamacare Repeal and Replace Bill; Cadillac Tax Still in Place

In a late night of voting, the Senate failed to pass any version of an Obamacare repeal and replace bill with three senators – Senators John McCain (R-AZ), Lisa Murkowski (R-AK) and Susan Collins (R-ME) – providing the fatal “no” votes. None of the repeal and replace proposals on which the Senate voted on July 27 and 28 repealed the 40 percent tax on employer-sponsored health plans (Cadillac tax). Two of the proposals voted on delayed the tax until 2025. With no changes to the health care law, the Cadillac tax is still scheduled to go into effect in 2020.

NAPO strongly believes that delaying the excise tax until 2025 will not provide relief to the public safety officers who will be negatively impacted by the tax whether it goes into effect in 2020 or 2025. The excise tax is not just a tax on health plans; it is a loss of earned wages and benefits. NAPO continues to advocate for the passage of the Middle Class Health Benefits Tax Repeal Act (H.R. 173 / S. 58), which has strong, bipartisan support in both the House and Senate.

NAPO will keep our members informed on the status of this important legislation and of any proposed changes to the Cadillac tax. If you have any questions about the Cadillac tax, please contact Andy Edmiston at aedmiston@napo.org.

Please monitor NAPO’s website, www.napo.org, and Facebook page: National Association of Police Organizations, and follow us on Twitter at NAPOpolice for breaking news and updates.

Special Thanks to NAPO's 2017 Convention Law Enforcement Hosts & Sponsors

NAPO would like to give a special thanks to the New York City PBA and the member groups from New York City and New Jersey for sponsoring many of our convention events. Without their help and financial support, many of the convention events simply would not be possible. We would particularly like to thank NAPO Executive Vice President John Flynn and NAPO Area Vice President Joe Rao of the NYC PBA for their tireless efforts to ensure this year's convention was a success.

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