



The Washington Report

The Newsletter of the National Association of Police Organizations

Representing America's Finest

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PSOB 9/11-Related Regulations to be Implemented

NAPO has been told that the Public Safety Officers' Benefits (PSOB) Program is close to issuing the final regulations for the proposed rulemaking it issued in July 2016 that puts into regulations the PSOB Office's process for determining 9/11-related health claims.

The rule states that the PSOB Office will work collaboratively with the World Trade Center Health Program (WTCHP) and the Victims Compensation Fund (VCF), enacted by the James Zadroga 9/11 Health and Compensation Act of 2010, to determine PSOB 9/11 exposure claims based on the WTCHP medical certifications and VCF determinations. By relying on the determinations of the WTCHP and the VCF, the PSOB Office states that it will be able to process a significant number of 9/11 related claims. As of the meeting, the Office has approved 37 claims since implementing this policy at the beginning of April.

Further, for those 9/11-related claims that do not have a WTCHP or VCF certification, the PSOB Office is adopting the methodology established by the WTCHP and the VCF to determine claims, including recognizing the List of WTC-related health conditions. NAPO appreciates that the PSOB Office is finally acting on these claims using accepted and respected methodology; however, we have some concerns with aspects of the rule, which we submitted as part of our written comments. Particularly, we are concerned with how it will interact with the PSOB rule that all cases have to be filed within three years of the death or injury date unless "good cause" is shown. With this year marking the 16th anniversary of the 9/11 attacks, we are concerned that many 9/11-related claims will not be considered due to the amount of time that has passed. In our comments, NAPO insisted that the PSOB have a grace period for "old cases" to be filed.

We will not know if our comments were considered and included as part of the final rulemaking until the regulations are published. We are glad that the Trump Administration has approved these regulations as they are necessary to ensure that those who have suffered or suffer from 9/11-related injuries due to their heroic actions on 9/11 and in the weeks and months after do not have to continue waiting in limbo to get the benefits they so rightly deserve.

There was a second proposed rule, published in August 2016 that would make numerous changes to the Program, many of which NAPO has spent years fighting to get implemented. This proposed rulemaking has been delayed as the new Administration reviews all of the proposed program changes. NAPO is having conversations with the Office of Justice Programs (OJP), which houses the PSOB Office, and the Office of the Attorney General on the status of this proposal and our ongoing concerns with the PSOB Program. We hope to see the second rule finalized and published soon.

We will keep our members updated on the PSOB Program and the proposed rulemakings. If you have any questions, please contact Andy Edmiston at aedmiston@napo.org.

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NAPO on the Hill: Meetings with House Judiciary Committee Members

NAPO, together with other major national law enforcement organizations, continued to make the rounds last week, meeting with staff of members of the House Judiciary Committee to discuss our priority legislation for this Congress. We are focusing particularly on pro-law enforcement legislation we want to see moved leading up to or during National Police Week (the week of May 15th). Given the timeframe, the legislation we want to move during Police Week are those bills that are bipartisan and have the support of the majority of the Committee in order that they can move quickly to the House and Senate floors.

We met with the officers of **Representatives Ted Poe (R-TX), Trent Franks (R-AZ), Ted Lieu (D-CA), Ken Buck (R-CO), Karen Bass (D-CA), Matt Gaetz (R-FL), Steve Cohen (D-TN), James Sensenbrenner (R-WI), Steve Chabot (R-OH), Eric Swalwell (D-CA), and Ron DeSantis (R-FL)**. Specifically, we discussed the Public Safety Officers' Benefits (PSOB) Improvement Act, the Back the Blue Act, the Thin Blue Line Act, the Children of Fallen Heroes Scholarship Act, the American Law Enforcement Heroes Act, the Protecting Lives Using Surplus (PLUS) Equipment Act, the National Criminal Justice Commission Act, and the Law Enforcement Mental Health and Wellness Act. (Please visit NAPO's website, www.napo.org, for more information about each of these bills which have been profiled in past *Washington Reports*.)

Some of these bills will be heavier lifts to move than others given the current atmosphere in Congress as they pertain to more contentious issues such as surplus military equipment for state and local law enforcement and increased penalties for the assault, attempted killing and killing of a state or local law enforcement officer. The PSOB Improvements Act, the American Law Enforcement Heroes Act, the Law Enforcement Mental Health and Wellness Act and the Children of Fallen Heroes Act are bills that have a greater chance of moving quickly through the House and Senate in a bipartisan fashion. NAPO is using these meetings to shed light on the importance of bills such as the Back the Blue Act and the PLUS Equipment Act and lay the ground work for the eventual movement of these bills. With a Republican President, backed by a Republican Congress, we feel our chances to pass these important bills are better than they have been.

NAPO, together with the other organizations, is working to build as much support for all of our priority legislation in order to put pressure on the House Judiciary Committee to take up and move the bills. We previously met with House leadership, who indicated their support for our efforts and a willingness to take up the bills we are able to move through committee for a vote on the House floor during National Police Week. We will continue meeting with members of the Judiciary Committee over the next week to garner additional support for these important bills.

If you have any questions about NAPO's meetings on the Hill or the bills addressed, please contact Andy Edmiston at aedmiston@napo.org.

NAPO on the Hill: Back the Blue Act Update

In our meeting with Congressman Ted Poe's staff, we discussed the status of the reintroduction of the Back the Blue Act. NAPO worked with Senator John Cornyn (R-TX) to introduce the Back the Blue Act in July 2016 after the horrific ambush attack on Dallas police officers. Senator Cornyn and Congressman Poe will be reintroducing the legislation prior to National Police Week and NAPO is working their staff to ensure there is bipartisan support for the creation of new federal crimes for the assaulting, killing, attempted killing, or conspiring to kill of a federally funded public safety officer.

The Back the Blue Act is important for NAPO members because so many of our jurisdictions receive federal funding, and this legislation will help to bring federal resources to bear in the prosecution of those who attempt to murder or murder any of these officers. In addition to creating new federal crimes for violence against police officers, the bill would also establish a new federal crime for interstate flight to avoid prosecution for killing, attempting to kill, or conspiring to kill a federally funded public safety officer. It would also expressly allow all judges, prosecutors, and law enforcement officials, subject to limited regulations, to carry firearms into all federal facilities, federal courts, and in jurisdictions where the carrying of such weapons is otherwise prohibited by law.

NAPO, together with Senator Cornyn's staff, is continuing to work with moderate Democratic senators to gain their support for the bill. There are some concerns around the new federal mandatory minimums the bill creates for the killing, attempted killing or assault of an officer, but those concerns are not insurmountable and we hope to be able to introduce a bipartisan Back the Blue Act in the Senate. The bill is expected to be dropped before National Police Week. NAPO is asking its members to lobby in support of this important legislation during our 2017 Lobby Day.

This legislation perfectly complements President Trump's Executive Order on preventing violence against law enforcement officers. NAPO has long fought for increased federal protections for state and local law enforcement officers and we thank Senator Cornyn and Congressman Poe for their steadfast support for law enforcement and their dedication to reintroducing this critical piece of legislation.

If you have any questions on the Back the Blue Act, please contact Andy Edmiston at aedmiston@napo.org.

Fiscal 2017 Appropriations Update

Current federal government funding, except for those agencies covered by the Military-Construction-VA spending bill, expires on April 28th, giving Congress just five days after they return from recess to fund the government for the rest of fiscal 2017. Complicating the process is President Trump's supplemental budget request for fiscal 2017 of \$1.4 billion to fund the border wall and military operations. Democrats have stated that they will not vote for an appropriations bill that includes funding for a border wall and Republicans will most likely need Democratic votes to pass any spending measure.

The appropriations for the Justice Department have already been settled on for the most part, as the Commerce, Justice, Science and Related Agencies bill is one of the least controversial spending measures. From conversations with appropriations staff, it seems as if NAPO's priority grant programs will be funded at similar levels to fiscal 2016. The COPS Hiring Program would be funded at \$187 million, the Byrne Justice Assistance Grant (Byrne JAG) Program at \$476 million, the Bulletproof Vest Partnership Grant Program at \$22.5 million, and the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA) at \$12 million.

Appropriators in both chambers are working together to finalize what will most likely be an omnibus spending bill – one large bill that includes funding for all agencies and departments for the remainder of the fiscal year. The omnibus would allow lawmakers to fund the government without having to pass the remaining 11 appropriations measures individually in five days. There is some talk that there will be a weeklong continuing resolution to give lawmakers an extra week to finalize and agree upon a final spending bill, but it is expected that Congress will continue to fund the government and there will not be a government shutdown.

As lawmakers carry on negotiations on the final funding package for the remainder of fiscal 2017, appropriators are also starting to consider fiscal 2018 appropriations. Following up to the letter NAPO sent to House and Senate appropriators last month, NAPO continues to talk with key Senators and members of Congress urging them to support our priority grant programs and adequately fund them in fiscal 2018. Further, NAPO has

reiterated the importance of these grant programs – particularly COPS Hiring – to the Attorney General and his staff, who are working to reshape the Department of Justice, to make certain they understand the importance of these programs to ensuring state and local law enforcement have the resources and equipment they need to effectively protect our communities.

2017 Lobby Day Legislative Update & NAPO's Annual Legislative Awards Luncheon

Please join NAPO on May 11th for our Legislative Day on Capitol Hill. Use this opportunity to lobby Congressional Representatives and Senators on behalf of your members concerning the issues which affect law enforcement. Prior to lobbying Capitol Hill, plan to attend NAPO's Legislative Breakfast for an update on NAPO's legislative priorities, results to date from the 115th Congress, and to receive handouts to use during your Hill visits.

While on Capitol Hill, be sure to stop by NAPO's Congressional Luncheon, where several Congressmen and Senators will be recognized for their continued support of Law Enforcement and is a great opportunity to mingle with members of Congress and their staff.

The registration fee of \$150.00 per person includes the Legislative Update Breakfast, handouts, and the Legislative Recognition Lunch. Please contact Elizabeth Loranger, NAPO's Director of Events, at (800) 322-6278 or eloranger@napo.org if you have any questions regarding the seminar or hotel arrangements.

*For assistance setting up your Capitol Hill appointments, contact Andy Edmiston, NAPO's Director of Governmental Affairs, at (800) 322-6276 or aedmiston@napo.org, **by May 1st.***

Schedule of Events

9:00 a.m. – 10:30 a.m.	Legislative Update Breakfast	Omni Shoreham Hotel
10:30 a.m. – 4:30 p.m.	Congressional Member Office Visits	Capitol Hill
12:00 p.m. - 1:30 p.m.	NAPO Legislative Awards Luncheon	U.S. Capitol Visitors Center Room HVC-201

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.