



The Washington Report

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

October 4, 2024

Last Chance! **Register Today for NAPO's 2024 Fall Seminar**

October 20 – 22, 2024
Omni Hotel ~ Corpus Christi, Texas

www.napo.org/fall24

Don't miss out and [register now](#) for NAPO's 2024 Fall Seminar in Corpus Christi, Texas, which will focus on media relations and officer mental health and wellness. Special thanks to Scott Leeton and the Corpus Christi Police Officers Association for hosting NAPO!

This important Seminar will focus on:

- How to effectively communicate with the press when responding to use of force and controversial issues. Participate in mock interviews and press conferences with media experts from television, print and public relations personal. Immediate feedback from the experts will help NAPO members be better prepared to deal with the media in future controversial cases.
- Officer Health & Wellness

Participants will also hear from retired Drug Enforcement Agency (DEA) Special Agents in Charge Steve Murphy and Javier Peña, who were sent to dismantle the cartels and take down Pablo Escobar and are the inspiration for the hit TV show *Narcos*.

The Omni Hotel, located on the Corpus Christi Bay, offers spectacular views of the Bay, a fitness center with an outdoor pool, and the famous rooftop Republic of Texas Bar & Grill. The Hotel is two blocks from downtown's shopping, restaurants & bars and just 15 minutes to the Airport. The Hotel offers complimentary airport shuttle service.

Information regarding hotel reservations, airline discounts and the agenda are also included [here](#). Both [online](#) and [mail-in](#) registration are available.

Social Security Fairness Act Update

On September 19, the discharge petition for H.R. 82, the Social Security Fairness Act, hit the necessary [218 signatures](#) needed to force a vote on this important bill. Congress adjourned for a 6-week recess leading up to Election Day before the 7-day procedural waiting period was over and the bill could be called to the floor for a vote. H.R. 82 can be called to the floor as soon as Congress returns, which is expected to be November 12. Majority Leader Steve Scalise (R-LA) stated that he will be proud to call the bill up for a vote as soon as the House is back in session.

Not every member of the Republican caucus is happy with the success of the discharge petition and the ability of Representatives Garret Graves (R-LA) and Abigail Spanberger (D-VA) to go around regular order. The purpose of the discharge petition is to allow a vote on a bill that has significant bipartisan support and is not moving forward through regular order. Some members of the Freedom Caucus are calling for changes to discharge petition rules next Congress (assuming Republicans retain control of the House) to make it more difficult to use such a petition. However, the discharge petition for H.R. 82 is only the third one to be successful since 2015, illustrating how difficult it is to use these petitions to force a vote on a bill.

Signing the discharge petition does not mandate the Representative vote in favor of the bill and there are still obstacles that could get in the way of final passage of the bill, as evidenced by the conservative Republican animosity to the effective discharge petition. To maintain our momentum and support, NAPO sent individual thank you letters to every Member of Congress who signed the discharge petition. We thanked them for standing with us in support of restoring the Social Security retirement benefits of millions of public servants across the county. It is with their steadfast support that we will ultimately get H.R. 82 enacted into law.

NAPO will continue to shore up the support of the [329 cosponsors](#) of H.R. 82 and the 218 Representatives who signed the discharge petition to ensure we have the votes needed to pass the bill in the House. We are also working on the [62 Senate cosponsors](#) and Senate leadership to ensure that the Senate will swiftly take up the bill once it is passed by the House.

NAPO on the Hill: Lame Duck Priorities

Congress adjourned on September 26 for a 6-week recess through Election Day after passing a continuing resolution to fund the federal government through December 20. When lawmakers return in mid-November, they will have just five legislative weeks to fund the federal government through the remainder of the 2025 fiscal year, pass the 2025 National Defense Authorization Act (NDAA), take up a supplemental emergency funding measure in response to the devastation left behind by Hurricane Helene, and vote on the Social Security Fairness Act, among other must-do issues.

During the recess, NAPO is focusing our efforts on ensuring our priority provisions are included in the final NDAA, shoring up support in both the House and the Senate for passage of the Social Security Fairness Act, and working to pass our remaining legislative priorities, including the Honoring Our Fallen Heroes Act.

NAPO successfully got two of our priority amendments included in the Senate and House versions of the NDAA. In the Senate, we secured the inclusion of the Law Enforcement and Victim Support Act, offered by Senators John Cornyn (R-TX) and Jon Ossoff (D-GA). This amendment is comprised of nine bills that passed unanimously out of the Senate, including several NAPO priority bills: Fighting PTSD Act, American

Law Enforcement SAVER Act, Project Safe Neighborhoods Reauthorization Act, Strong Communities Act, and Project Safe Childhood Act. These bills would help protect the mental health and physical wellbeing of law enforcement officers, provide resources to address the recruitment crisis the profession is facing, and provide departments tools to fight violent crime and protect our innocent children from exploitation.

In the House version of the NDAA, we successfully got included the Lifesaving Gear for Police Act, offered by Congressman Michael Waltz (R-FL), which would restore state and local law enforcement's unfettered access to surplus military equipment through the Department of Defense's 1033 Program and Departments of Justice and Homeland Security grant programs.

One priority that we were not able to secure in the NDAA is the Honoring Our Fallen Heroes Act, but we have not given up on moving the bill by the end of this Congress. This bill, sponsored by Senators Amy Klobuchar (D-MN) and Kevin Cramer (R-ND), would recognize carcinogen-related cancers as line of duty injuries under the Department of Justice's Public Safety Officer's Benefits (PSOB) Program. In addition to continuing to press for it to be amended into the final negotiated NDAA, we are also working to garner support for including it in an emergency supplemental or the final FY 2025 appropriations measure. Given the time constraints, it would be near impossible to move this bill through regular order.

The final passage of the Social Security Fairness Act remains one of our top priorities for the end of this Congress and we are exerting every effort to ensure it passes both the House and Senate and is signed into law by President Biden.

Congress has an extensive list of must-do legislative items to tackle when it returns in November. We are focusing on ensuring our priorities do not get lost in the shuffle as lawmakers try to finish everything prior to December 20 and the end of the 118th Congress.

Government Watchdog Report on PSOB Finds Serious Programmatic Deficiencies

The Government Accountability Office (GAO) just issued a rather damning Report to Congress, [*Public Safety Officers' Benefits \(PSOB\) Program: Transparency, Claims Assistance, and Program Management Improvements Needed*](#), highlighting deficiencies in the PSOB Program that are negatively impacting claimants and issued five main recommendations. The report was requested separately by the leadership of the Senate and House Judiciary Committees, Chairmen Richard Durbin (D-IL) and Jim Jordan (R-OH) and Ranking Members Lindsey Graham (R-SC) and Jerrold Nadler (D-NY), and Senators Charles Grassley (R-IA), Kirsten Gillibrand (D-NY), and Jon Tester (D-MT).

Over nearly the past 10 years, NAPO worked to enact four laws to improve the transparency and accountability of the PSOB Program and expand eligibility for PSOB death and disability benefits: Public Safety Officers' Benefits Improvement Act of 2017, Safeguarding America's First Responders Act of 2020, Protecting America's First Responders Act of 2021, and the Public Safety Officer Support Act of 2022. While PSOB has worked to implement the provisions expanding eligibility for benefits, the GAO found that it failed to execute many of the transparency and accountability provisions that were included in these Acts.

Further, there have been four previous reports by the GAO and the Department of Justice Office of Inspector General in 2009, 2015, and two in 2019, all of which included recommendations to improve PSOB transparency and accountability. This latest report found that while the Bureau of Justice Assistance, under

which PSOB is housed, agreed with and implemented the recommendations, PSOB officials stated they did not agree with all the recommendations and that they were not required to implement them. This report illustrates that many of our efforts to improve PSOB for claimants have been largely ignored by Program leadership. Unfortunately, this is not surprising especially given the feedback NAPO has received from various claimants and stakeholders.

Here is just a sampling of the concerning findings of the GAO report:

- Applicants face challenges in getting useful information and assistance from PSOB to understand the status of their claim. The information provided is “too nondescript for applicants and organizations assisting them to track a claims’ progress.”
- In its public datasets, PSOB consistently omitted the total number of claims pending for more than 1 year, despite being required by law to publish it. GAO’s review of PSOB’s data as of August 2, 2024, found that more than 800 claims had been pending for over 1 year and more than 200 of those claims had been pending for over 3 years. The GAO further found that PSOB’s data is unreliable and that it could not be certain the numbers provided are correct.
- PSOB does not reach out to public safety officers disabled in the line of duty – it only reaches out to the families and agencies of those officers who died in the line of duty – significantly reducing the number of potential claimants.
- PSOB does not have documented operational policies and procedures: it has not developed a processing manual to ensure consistency across staff in determining claims, nor does it have a documented process for expediting claims or for proceeding when applicants or public safety agencies are not responsive. Without documented procedures, PSOB has no assurance that claims are being processed in a consistent and timely manner.
- PSOB does not have an established program performance management system that includes goals, monitoring plans, and quality data, which hides from PSOB and stakeholders potential issues affecting the program, including “reasons for delays in claim processing, why eligible public safety officers or surviving families may miss out on the benefit, and opportunities for program improvement.”

The five recommendations GAO makes in the report are regarding (1) ensuring statutory reporting requirements are met, (2) improving the effectiveness of PSOB’s outreach and claims assistance efforts, (3) assessing whether the claims status information available to applicants is sufficient and actionable, (4) documenting and implementing a comprehensive program performance management system, and (5) documenting procedures for carrying out PSOB claims management and administrative procedures.

The implementation of these recommendations is incredibly important especially as the expansion of PSOB to cover COVID and PTSD related line of duty deaths has nearly doubled the number of applications to the program over the past several years.

The GAO report lays out much of what is wrong with the PSOB Program and illustrates an inability of the program to recognize the negative impact its incompetence has on claimants. As a member of the PSOB stakeholder advisory group, NAPO will continue to push for the implementation of these recommendations as well as other efforts to increase transparency and accountability within the Program to safeguard the intent of the law and to make certain officers and their families are not left in the dark and strung along

when it comes to the status of their benefits claims. We will also work with the Senators and Members of Congress who requested this report on possible legislative fixes.

While we are disappointed in PSOB's failings, it is a worthwhile program that does provide much needed death, disability, and education benefits. The current PSOB death and disability benefit is \$448,575 and the PSOB Educational Assistance benefit is \$1,536/mo. For more information about PSOB and how to file a claim, visit <https://bjaojp.gov/program/psob>.

NAPO Supports Bills to Enhance & Reauthorize HIDTA Program

The High Intensity Drug Trafficking Areas (HIDTA) Program under the Office of National Drug Control Policy (ONDCP) plays an essential role in the nation's drug control strategy. The success of HIDTA is touted by key law enforcement, treatment and prevention stakeholders across the nation due to its ability to seamlessly operate on local, regional, and national levels coordinating resources to address our nation's drug epidemic. NAPO is supporting two bills that would enhance and reauthorize this important program: the HIDTA Enhancement Act and the Ending Drug Trafficking in Our Communities Act.

The HIDTA Enhancement Act (S. 5270), sponsored by Senators Mark Kelly (D-AZ) and Shelley Moore Capito (R-WV), would reauthorize the program at \$333 million annually through 2030 and expands its supplemental competitive grants to include enhanced fentanyl seizure and interdiction activities. It also requires the Attorney General to ensure there is sufficient resources in U.S. Attorney's offices to aid in the investigation and prosecution of cases involving fentanyl and fentanyl-related substances.

The Ending Drug Trafficking in Our Communities Act (H.R. 9623), sponsored by Representatives Josh Harder (D-CA) and Nathaniel Moran (R-TX), would reauthorize the program at \$400 million over the next five years and would give HIDTA directors more flexibility in identifying and promulgating promising practices.

The HIDTA Program must be reauthorized with additional flexibility and resources to fully take on the deadly fentanyl and opioid epidemic our communities are facing. NAPO thanks Senators Kelly and Capito and Representatives Harder and Moran for their support and leadership on reauthorizing the HIDTA Program.

Legislation to Fight Fentanyl Importation Reintroduced

Senators Charles Grassley (R-IA) and Maggie Hassan (D-NH) and Representatives Russell Fry (R-NC), August Pfluger (R-TX), Jimmy Panetta (D-CA), and Don Davis (D-NC) reintroduced the NAPO-supported Stop the Importation and Manufacturing of Synthetic Analogues (SIMSA) Act, that would combat the manufacturing and importation of fentanyl from countries such as China and Mexico.

Illegal drug traffickers and importers can circumvent the current scheduling of drugs by minutely changing the formula of a synthetic drug, creating a new substance that is technically lawful, but still highly dangerous and deadly. The SIMSA Act would create an additional schedule – Schedule A – to the Controlled Substances Act to address substances that are significantly similar in chemical composition to and just as addictive and unsafe to the human body as already controlled substances. It would also allow the Attorney General to temporarily or permanently add a drug that meets certain criteria to Schedule A, allowing the government to quickly respond and control these synthetic analogues.

This nation is experiencing a significant drug crisis, which threatens the future of our youth and our country as a whole. According to the National Institute on Drug Abuse, 107,941 Americans died from drug overdoses in 2022, and synthetic opioids were involved in over 73,838 of those deaths, a significant increase in opioid-related overdose deaths over previous years. Many of these deaths were from using synthetic analogues of fentanyl. By allowing these drugs to be quickly added to the Controlled Substances Act and establishing penalties for illegally importing and exporting a Schedule A substance, the SIMSA Act would significantly help law enforcement in their efforts to stop the trafficking and importation of these drugs into the country.

Another key component to law enforcement's fight against opioids entering our communities is increased penalties for domestic trafficking of fentanyl and synthetic analogues. While the SIMSA Act does not address this, NAPO looks forward to working with Senator Grassley and Rep. Katko to ensure law enforcement is given every tool available to deter and address the spread of this epidemic.

NAPO's Legislative Positions & Sponsor/Cosponsor Updates

NAPO's updated "Sponsor/Cosponsor" spreadsheet is available on [NAPO's website](#). The spreadsheet accompanies the latest "[Legislative Positions](#)" document, which is also available on the NAPO website. NAPO's Legislative Positions is a document that highlights all the legislation that we have taken an official position on or are monitoring during the 118th Congress. It is continually updated to reflect the work we are doing on Capitol Hill.

The "[Sponsor/Cosponsor](#)" spreadsheet is a useful tool to check if your members of Congress have supported pieces of legislation that will impact our members. NAPO updates this spreadsheet regularly and continues to ensure our voice is heard on Capitol Hill.



Submit Your TOP COP Nominations Today!

Please take the time to nominate examples of outstanding police work for this prestigious award. We count on you, our members, to help us get the word about TOP COPS out and obtain nominations for officers nationwide. Join us in honoring America's Finest by nominating a case today. The nomination form is attached and can be found on our [website](#), and it must be postmarked or faxed to (703) 684-0515 by **January 10, 2025**. If you have any questions, please do not hesitate to contact NAPO's Director of Events, Elizabeth Loranger, at elorange@napo.org or (703) 549-0775.

2025 will mark the 32nd year that NAPO has hosted the TOP COPS Awards®. The TOP COP Awards® Dinner will take place May 12, 2025, at the Omni Shoreham Hotel, again coinciding with National Police Week. With your help and partnership, the TOP COPS Awards® will continue to be a tremendous success!



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Please monitor NAPO's website, www.napo.org, and Facebook page: [National Association of Police Organizations](#), and follow us on X at [NAPOpolice](#) for breaking news and updates.