

# National Sheriffs' Association Newsletter: Capitol Watch

March 1, 2011  
Vol. 7, Issue 2

## On Capitol Hill

Congress' main focus will continue to be on the passage of a Continuing Resolution (CR) for the remainder of FY11. The current CR expires on March 4<sup>th</sup>.

The House passed their version of a CR with significant budget cuts before recessing for the President's Day holiday. The Senate however has vowed not to pass the House version.

The House will be working to pass a two-week extension CR to fund the government until March 18<sup>th</sup>, in an attempt to avoid a government shutdown. The Senate will additionally need to take up the two-week extension to avoid a shut-down while continuing to work on a CR for the remainder of FY11.

However, if a CR or CR extension is not finalized by March 4<sup>th</sup>, the federal government faces the real possibility of a government shut-down.

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## News & Updates



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**NSA 2011 Annual  
Conference  
June 18-22, 2011**

**America's Center  
St. Louis, MO**

For more information, go to [www.sheriffs.org](http://www.sheriffs.org)

If you have any questions, please contact Stephanie Garlock at [sgarlock@sheriffs.org](mailto:sgarlock@sheriffs.org) or (703) 838-5316.

## President Obama Unveils FY2012 Budget Request

On February 14, President Obama unveiled his Budget Proposal for FY2012. Although there has been a strong push to significantly cut the budget, many of the law enforcement programs sustained minor proposed reductions – a plus for law enforcement.

However, there are a few programs that have taken a hit. Byrne Discretionary and COPS Technology have been zeroed out – these programs have typically been earmarked and as both Congress and the President have vowed to do away with earmarks, these programs have been proposed for zero funding.

Additionally, SCAAP has been proposed to be reduced to \$136M for FY2012. The rationale behind this cut is that the Administration would like to continue to focus on removal of criminal aliens through programs such as ICE's Secure Communities. Further, under the Administration's proposal, SCAAP will make payments to States and localities only for those inmates who have verified status as illegal aliens. Additionally, another reason for the cut is that payments for "unknowns" (58 percent of the program in 2010) will be discontinued.

### Proposed Budget Highlights for FY2010:

- Byrne JAG: \$487M
  - Bulletproof Vest Partnership: \$30M
  - S&L Anti-Terrorism Training: \$2M
- Byrne Discretionary: \$0
- Byrne Competitive: \$25M
- SCAAP: \$136M
- COPS Hiring: \$600M
  - Non-Sworn LE Hires: \$50M
  - Tribal Police: \$45M
  - College Loan Repay for New Officers: \$20M
- COPS Technology Grants: \$0
- HIDTA: \$200M
- RISS: \$17.5M
- Byrne Innovation Grants: \$30M
- State Homeland Security Grants: \$1B
- Urban Area Security Initiative: \$920M
- Operation Stonegarden: \$50M

- CEDAP: \$0
- MIOTCRA: \$0
- Drug,/Mental Health Courts: \$57M

Please remember, the President's Budget Proposal is simply a blueprint for Congress to follow, which Congress rarely does. However, we continue to stress that FY2012 is going to be a VERY difficult fiscal year. There is currently significant pressure in Congress to cut funding – not increase.

NSA will be working with our law enforcement and state and local intergovernmental partners to ensure that funding for critical law enforcement programs is not cut further in FY2012 Appropriations bills, and work to increase funding if possible.

### **State and Local Clandestine Lab Clean-up Funding Ceases**

Last week, the DEA informed state and local law enforcement nationwide that they would be ceasing state and local clandestine lab clean-up nationwide.

Typically, funding for the clandestine lab clean-up has come to the DEA through a grant in the COPS Office. However, due to the fact that the CR is expected to expire on March 4<sup>th</sup> – there is currently NO money for this program, as the budget for the remainder of FY11 has yet to be completed or that a CR for the remainder of FY11 has yet to be completed.

DEA wants to help and is working hard to try to find a solution; however, at the current time, they do not have the financial resources. Furthermore, the DEA has tried to identify other sources of funding to make up for the COPS shortfall. They have gone to several other agencies, but there is simply no money to spare; hence, the information from the DEA regarding the ceasing of state and local clandestine lab clean-ups

The nation is facing a very real possibility of a government shut-down unless Congress deals with the CR/budget for FY11 by March 4<sup>th</sup>. The House has passed their version of a CR which does include \$10M for the clandestine lab clean-

up. However, the Senate has vowed NOT to take up the House passed CR, due to the massive budget cuts.

NSA is closely monitoring both the CR and the clandestine lab funding issue. The importance of funding clandestine lab clean-up at a state and local level has been relayed by NSA to Senate Appropriations staff and it is an issue that Senate Appropriations staff is closely examining.

**Sheriffs: It is critical that you reach out to your Congressional Members; stress the importance of the state and local clandestine lab clean-up funding; and urge Members to ensure funding remains in a FY11 CR. Additionally, it is important that you reiterate the dangers that meth labs pose to your community and the dangers that these labs pose when law enforcement is unable to clean them up.**

As a side note, \$0 funding was proposed by the President's FY12 budget for this clandestine lab program. NSA will be working with our law enforcement partners to ensure Congress appropriates funding for this critical program for FY12.

### **LEGISLATIVE PUSH: Cosponsors Needed for Hatch Act Reform Bill**

**Sheriffs:** It is imperative that you continue to urge your U.S. House of Representatives to become cosponsors of **HR498 – the State and Local Law Enforcement Hatch Act Reform Act of 2011. Please remember:** the stronger the support from Members of Congress, the greater the ability to pass the legislation. A sample letter of support and fact sheet on the bill can be found **HERE**.

Current supporters of the legislation include: Reps. Latta (R-OH); Holden (D-PA); Austria (R-OH); Benishek (R-MI); Connolly (D-VA); Coffman (R-CO); Dent (R-PA); Lee (R-NY); Lummis (R-WY); Miller (R-FL); Pascrell (D-NJ); Reed (R-NY); Rogers (R-MI); Rooney (R-FL); West (R-FL); and Westmoreland (R-GA).

NSA is working with Rep. Latta to move the legislation forward in the 112<sup>th</sup> Congress. Your continued support is key to our success.

## **NSA Announces Support for Webb Crime Commission Bill**

NSA has announced official support for S. 306 – the National Criminal Justice Commission Act of 2011. Introduced by Sen. Webb (D-VA), S. 306 seeks to account for the recent developments in the criminal justice system by creating a national criminal justice commission to undertake a comprehensive review of the criminal justice system, encompassing federal, state, local, and tribal criminal justice policies and practices; and make reform recommendations for the President, Congress, state, local, and tribal governments.

A comprehensive review of the U.S. criminal justice system has not occurred since 1965, when President Lyndon Johnson issued an executive order establishing the Commission on Law Enforcement and Administration of Justice. The results of that commission provided significant recommendations for addressing crime, the criminal justice system, and the public which were implemented and still in existence today.

However, in the last 45 years, many transformations have occurred throughout the United States and within the criminal justice system. In particular, there has been a significant shift from a solely punitive system to a move of community policing; crime prevention; rehabilitation; and reentry. Along with the shift in the criminal justice system, new federal agencies and offices have been created to address emerging issues in law enforcement, such as acts of terrorism and threats to the nation's homeland security. Given the new complexities and aspects of the criminal justice system, it is imperative that law enforcement, as well as all parties, have the tools and knowledge necessary to adapt to the continually evolving justice system.

NSA looks forward to working with Sen. Webb to enact this critical legislation during the 112<sup>th</sup> Congress.

## **D Block Continues to Gain Momentum on Capitol Hill**

Efforts to allocate the D Block to public safety continue to gain momentum on Capitol Hill. Along with the introduction of Sen. Rockefeller's legislation in the Senate,

Reps. King (R-NY) and Thompson (D-MS) have introduced the Broadband for First Responders Act of 2011 (H.R. 607) in the House.

Public safety and members of the Public Safety Alliance were in Washington, D.C. during the week of February 7<sup>th</sup> to meet with Members of Congress to urge their support for the allocation of the D Block to public safety and provide the funding necessary to create and implement a nationwide public safety mobile broadband network..

Additionally, on February 16<sup>th</sup>, the Senate Commerce Committee, chaired by Sen. Rockefeller, held a hearing on the need to allocate the D Block to public safety for the creation of a nationwide public safety mobile broadband network.

We are at a critical point. The FCC is still required by law to auction the D Block unless Congress enacts legislation to the contrary. NSA would continue to ask sheriffs to reach out to their U.S. Senators and House of Representatives members and urge their support for allocation of the D Block to public safety. For talking points, please contact Stephanie Garlock at [sgarlock@sheriffs.org](mailto:sgarlock@sheriffs.org).

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