

**International Association of Fire Chiefs/Congressional Fire Services Institute
International Association of Fire Fighters/National Volunteer Fire Council
International Association of Arson Investigators/National Fallen Firefighters Foundation**

April 20, 2007

The Honorable George W. Bush
President of the United States
Washington, DC 20500

Dear Mr. President:

In 2003, Congress passed the Hometown Heroes Survivors Benefits Act, which you signed into law. The purpose of this act was to ensure that the families of public safety officers who died in the line of duty due to a heart attack or stroke would receive benefits under the U.S. Department of Justice (DOJ)'s Public Safety Officers' Benefits (PSOB) program. We are concerned that the DOJ is not implementing this legislation properly, and request that you examine the PSOB program to ensure that the families of America's fallen firefighters, emergency medical personnel, and police officers are receiving the benefits mandated by law.

The Hometown Heroes Survivors Benefits Act (P.L. 108-182) states that:

“if a public safety officer dies as the direct and proximate result of a heart attack or stroke, that officer shall be presumed to have died as the direct and proximate result of a personal injury sustained in the line of duty, if -

(1) that officer, while on duty -

(A) engaged in a situation, and such engagement involved nonroutine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or

(B) participated in a training exercise.... (42 U.S.C. § 3796 (k))”

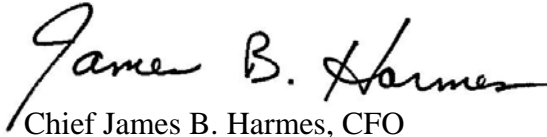
The presumption of death is clearly defined in the law, the accompanying floor statements, and other legislative history.

Recent press reports have indicated that 38 of the first batch of PSOB claims considered under the Hometown Heroes Survivors Benefits Act have been rejected and only two have been approved. Another 200 cases remain undecided. The families of these fallen public safety officers have contacted us and questioned whether the DOJ is truly granting a presumption that public safety officers who died in the line of duty met the requirements for the PSOB program. We have specific concerns that DOJ's interpretation of what constitutes “nonroutine stressful or strenuous physical” activity is preventing public safety officers who die of stroke or heart attack within 24 hours of engaging in emergency response activities from qualifying for these benefits.

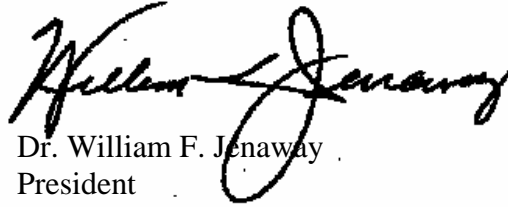
Knowing of your concern for America's first responders, we ask that you review this program to ensure that it is being implemented in accordance with the law that you signed. It is important to

our organizations that the families of these fallen heroes receive the benefits that they have been granted by law and their families so desperately need.

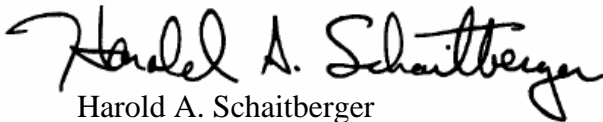
Sincerely,



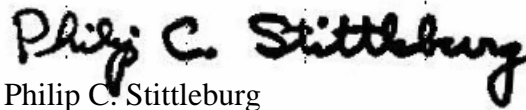
Chief James B. Harmes, CFO
President
International Association of Fire Chiefs



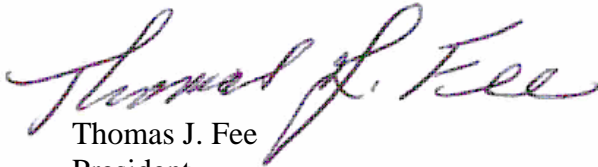
Dr. William F. Jenaway
President
Congressional Fire Services Institute



Harold A. Schaitberger
General President
International Association of Fire Fighters



Philip C. Stittleburg
Chairman
National Volunteer Fire Council



Thomas J. Fee
President
International Association of
Arson Investigators



Hal Bruno
Chairman of the Board
National Fallen Firefighters Foundation

Cc: The Honorable Alberto Gonzales, U.S. Attorney General
The Honorable Patrick J. Leahy, Chairman, U.S. Senate Committee on the Judiciary
The Honorable Arlen Specter, Ranking Member, U.S. Senate Committee on the Judiciary
The Honorable John Conyers, Jr., Chairman, U.S. House of Representatives Committee
on the Judiciary
The Honorable Lamar S. Smith, Ranking Member, U.S. House of Representatives
Committee on the Judiciary