

In November 2007, the House and Senate Judiciary Committees began negotiations to work out the differences between their two bills. NAPO weighed in on the negotiations, pressing for the Senate to accept the House provision protecting the private information of police officers and the identities of their families. While the Senate did pass the House version, H.R. 660, they would not agree to the NAPO-endorsed provision as it was stated. **Senator Patrick Leahy** (D-VT) and **Representative John Conyers** (D-MI), chairmen of their respective Judiciary Committees and sponsors of S. 378 and H.R. 660, came up with a compromised provision

that would protect a "State or local officer or employee whose restricted personal information is made publicly available because of the participation in, or assistance provided to, a Federal criminal investigation by that officer or employee."

While NAPO is disappointed that Congress did not see fit to protect all state and local law enforcement officers, we feel that extending protection to those involved in federal investigations is a step forward. We continue to work with Senator Leahy and Representative Conyers to ensure that the personal information of all law enforcement officers and their families will be protected.

## Senate Clarifies H.E.L.P.S. Retirees Provision within the Pension Protection Act

On December 19, 2007, the Senate passed legislation, S.1974, that will make technical corrections related to the Pension Protection Act of 2006 (PPA). The bill, introduced by **Senator Edward Kennedy** (D-MA), amends the H.E.L.P.S. Retirees language that passed as part of the PPA in order to clarify what types of health care plans would be covered under the law. The H.E.L.P.S. provision allows qualified public safety retirees to use up to \$3,000 annually from their retirement plan to pay health care premiums.

In its initial analysis of the H.E.L.P.S. provision, the Treasury Department found that the provision only pertained to payments to third party health insurance companies and not to self-funded plans. Thus, under this interpretation, public safety retirees who pay premiums to a self-funded plan would have been excluded from this benefit. NAPO, together with other public employee and retirement groups, voiced our objection to the Treasury Department

concerning this interpretation, as it was the intent of Congress in passing this provision that self-insured retirees be included under the law.

As a result of NAPO's efforts, the Treasury Department issued a letter to **Congressman Jim McCrery** (R-LA) on May 15, 2007, indicating that because it was the intent of Congress to include self-funded plans and because Congress would be seeking a legislative remedy in the technical corrections bill, the Internal Revenue Service (IRS) will allow beneficiaries of self-funded plans to take advantage of the H.E.L.P.S. benefit.

On December 24, 2007, the Internal Revenue Bulletin published IRS Notice 2007-99, Modifying Notice 2007-7, Q&A to Incorporate Change Made by the Pension Protection Act Pertaining to Distributions from Health, Accident Plans. This Notice allows participants in self-insured plans to be considered eligible for the H.E.L.P.S. Retirees Benefit.

## Congress Cuts Funding to Law Enforcement Programs in Final Fiscal 2008 Appropriations Act

Facing the fast approaching holiday recess and having only passed one fiscal 2008 appropriations bill, Congress struggled to pass the eleven remaining spending bills. With a White House veto looming if Congress appropriated more than the \$933 billion requested in the President's fiscal 2008 budget and House Republicans vowing to back the President's veto, House appropriators pulled together an "omnibus" spending measure that would meet the President's spending cap. On December 17, 2007 the House took up and passed the omnibus bill that rolled all of the remaining eleven bills into one, large appropriations package.

The original House and Senate appropriations bills exceeded the President's budget request by \$22 billion, causing the White House to issue a veto threat. The White House was unwilling to compromise on the overall spending level, forcing Congress to par back its spending plan even further to meet the President's spending limit. Unfortunately, in order to do this, the House and Senate chose to cut into proposed funding levels for several law enforcement programs, including Department of Justice state and local law enforcement assistance grants. The grants hit the hardest are the Justice Assistance Grants (JAG) and the COPS hiring program, for which NAPO had secured significant funding after it had been zeroed out for three years. JAG will be funded at \$170 million, which is a huge decrease from the \$520 million appropriated for the program in fiscal 2007 and a 75% decrease from the proposed House and Senate fiscal 2008 levels. Funding for the COPS hiring initiative was dropped from \$100 million in the House and \$110 million in the Senate down to \$20 million.

Other state and local law enforcement assistance programs, such as COPS and the Byrne discretionary grants

will be funded at a similar level to what they were in fiscal 2007, which is still well below the level at which Congress had originally proposed to fund them in fiscal 2008. The Mentally Ill Offender Treatment and Crime Reduction Act will be funded at \$6.5 million, which is \$1.5 million more than fiscal 2007, but \$3.4 million less than the original proposed fiscal 2008 level.

The COPS Technology and Interoperability grants, however, did receive a boost in funding - almost double what it received in fiscal 2007 and double what the House and Senate proposed for the program for 2008. It will receive \$205.4 million in funds for fiscal 2008.

As for the state and local homeland security grants, in the omnibus appropriations bill they would meet the House and Senate proposed fiscal 2008 levels - \$950 million for the State Homeland Security Grants program and \$820 million for the Urban Area Security Initiative, with the Law Enforcement Terrorism Prevention program receiving 25% of each program. These funding levels are \$1.8 billion over the President's 2008 budget request and \$613 million above fiscal 2007. This funding also flies in the face of rumors circling around the Office of Management and Budget (OMB) that say the President is looking to eliminate most or all of the state and local first responder homeland security grants in fiscal 2009.

On December 18, 2007, the Senate passed the omnibus appropriations measure. The bill was sent back to the House for final approval of the Senate-amended bill on December 19. NAPO is working with House and Senate appropriators to add essential funding back to these important programs in an emergency supplemental spending bill within the next couple of months.

## Immigration Enforcement Bill Introduced in House

On November 6, 2007, **Representative Heath Shuler** (D-NC) introduced the "Secure America through Verification and Enforcement (SAVE) Act of 2007", H.R. 4088, which aims to provide immigration reform by securing America's borders, clarifying and enforcing existing laws, and enabling a practical employer verification program.

H.R. 4088 recognizes the increasingly important role state and local law enforcement play in thwarting illegal immigration and related criminal activity. This bill provides a necessary boost in federal support of state and local immigration enforcement efforts through the hiring of additional Border Patrol Agents and Criminal Alien Program Officers, and the expansion of federal training programs for state and local law enforcement officers. Additionally, the legislation establishes a Border Relief Grant Program, which would aid state and local law enforcement in their fight against crime along the borders by assisting agencies in the hiring, training, and retention of additional officers to take on immigration enforcement duties. These additional

federal resources would help state and local law enforcement better cooperate with and assist the Immigration and Customs Enforcement keep our nation's borders and communities secure.

Today, state and local law enforcement are facing more challenges than ever before, and officers are taking on additional duties to meet these challenges. From an increase in violent crime rates and a constant vigilance against terrorist threats to illegal immigration issues, law enforcement officers can no longer solely focus on community-oriented policing. These officers need the full support of the federal government to continue serving and protecting our neighborhoods and NAPO feels that the "SAVE Act of 2007" gives them such support.

NAPO supports the efforts of Congressman Shuler and is actively fighting to ensure that state and local law enforcement officers are fully supported in their efforts to enforce immigration laws. ●

## The Top Ten Ways To Tell The New Guy Is Nuts:

1. He breaks off a foot pursuit to lay a mat down facing east in order to submit to Allah for the fourth time that day.
2. When asked about why he came on, the guy says, "I'm just sick of everyone acting like they're better than me."
3. He constantly asks colleagues, "You think you're better than me?"
4. She says all this talk about illegal aliens is missing the point and that we should concentrate on the aliens from outer space, because they're the ones who have the ray guns.
5. He follows the Miranda warning with a passage from Corinthians.
6. Signed up for the good pay and respect from the public.
7. Tattoo says, "Vampire King."
8. Voted against a four-day off, three-on work week.
9. Says he would vote for Bush again only if he could.
10. Still completely freaked out about the fact that Rosie's no longer on "The View."

Although he was a qualified meteorologist, Hopkins ran up a terrible record of forecasting for the TV news program. He became something of a local joke when a newspaper began keeping a record of his predictions and showed that he'd been wrong almost three hundred times in a single year.

That kind of notoriety was enough to get him fired.

He moved to another part of the country and applied for a similar job.

One blank on the job application called for the reason for leaving his previous position.

Hopkins wrote, "The climate didn't agree with me."