



National Association of Police Organizations

NAPO News

NAPO Secures \$298 Million For Cops Hiring Program For FY 2010



Former PBA attorney Bill Johnson is the Executive Director of NAPO.

The National Association of Police Organizations (NAPO) is a coalition of law enforcement unions and associations from across the United States that serves to advance the interests of America's law enforcement and corrections officers through legislative and legal advocacy, political action and education. Founded in 1978, NAPO now represents more than 2,000 police unions and associations, 236,000 sworn law enforcement officers, 11,000 retired officers and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement. Florida PBA, Palm Beach County PBA, and Dade County PBA are members of NAPO.

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On December 13, Congress passed the Fiscal 2010 Omnibus Appropriations Act, H.R. 3288, a spending package comprised of six of the seven remaining fiscal 2010 appropriations bills, including the Commerce-Justice-Science bill (H.R. 2847). The Justice portion of the appropriations measure provides significant funding for state and local law enforcement assistance programs, particularly for the COPS hiring program.

In a victory for NAPO, the fiscal 2010 appropriations measure includes \$298 million for the COPS hiring program. Excluding the \$1 billion appropriated for the program under the American Recovery and Reinvestment Act, this is the highest funding level the hiring program has seen in over six years. By funding the program at \$298 million for fiscal 2010, Congress is showing a true commitment to rebuilding this important program and investing in the safety of our nation's communities.

For the fiscal 2010 COPS hiring grants, the COPS Office will continue to waive both the 25 percent local match and

the \$75,000 per officer salary cap, allowing the hiring grants to provide 100 percent funding on approved salaries and benefits for three years (based on an entry level salary). Additionally, the COPS Office has indicated it will give priority to those agencies that applied and qualified for funding under the American Recovery and Reinvestment Act, but did not receive grant funds.

For the major Justice Department state and local law enforcement grant programs, the spending package would appropriate: \$511 million for Byrne-JAG; \$30 million for the Bulletproof Vest Partnership Grant program; \$170 million for COPS interoperable communications grants; \$4.4 million for Meth Hot Spots; \$12 million for the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA); and \$161 for DNA and forensics programs.

NAPO continues to work to ensure that state and local law enforcement agencies have the resources and personnel they need to do their job effectively.

House Passes Jobs Bill That Includes \$1.18 Billion For Cops Hiring

On December 16, 2009, the House of Representatives passed a \$150 billion jobs-creation bill—the Jobs for Main Street Act of 2010 (H.R. 2847)—that includes approximately \$1.18 billion for the COPS hiring program. This funding would be in addition to the \$298 million appropriated to the hiring program for Fiscal 2010.

The Senate is not expected to take up the legislation until January, where it will be an uphill battle to pass such a

large spending bill during an election year. We will need your help to ensure that the \$1.18 billion for the COPS hiring program remains in the legislation and that it passes the Senate. It is essential that lawmakers hear how important this funding is to your agencies and departments.

Please stay tuned for updates from NAPO on the Jobs for Main Street Act of 2010.

IRS Pushes Back Enactment Of Normal Retirement Age Rules

On Oct. 28, the IRS responded to the concerns raised by NAPO and other public employee organizations by announcing its decision to push back the enactment date of the normal retirement age regulations from January 1, 2011 to January 1, 2013.

NAPO continues to work with the Treasury Department and the IRS to exclude governmental plans entirely from the regulations. We see this extension as a sign that the IRS has realized it made a mistake in including governmental plans in the normal retirement age rules and that it is willing to

work with state and local governmental stakeholder groups to resolve the issue.

Please visit NAPO's website to see IRS Notice 2009-86, which announces the extension for governmental plans. IRS Notice 2009-86 will be published in the November 16, 2009 Internal Revenue Bulletin (IRB) 2009-46.

If you have any questions about the extension or about the normal retirement age rules, please feel free to contact NAPO's Director of Governmental Affairs, **Andrea Mournighan**, at (703) 549-0755.

Health Care Excise Tax Update

The Senate passed the Patient Protection and Affordable Health Care Act, H.R. 3590, on December 24, 2009. H.R. 3590 includes the excise tax, which would inflict a 40 percent tax on health insurance companies, administrators, and self-insured employers that offer and administer high-cost health plans. The House passed its version of the health care reform legislation (H.R. 3962) on November 7, 2009, which does not include an excise take on high-cost plans. Although conference negotiations do not officially begin until both chambers are back in session in mid-January, House and Senate leadership have started work on reconciling the two bills.

NAPO strongly opposes the excise tax and has fought its inclusion in the bill since the beginning. When it was first proposed by **Senator Max Baucus** (D-MT) in the Senate Finance Committee health care overhaul legislation, NAPO sent a letter to Senate leadership urging them to look at and recognize the harmful consequences the excise tax would

have on the health care plans of a significant number of our nation's workers.

Currently, the excise tax would be imposed on plans with annual costs higher than \$8,500 for single coverage and \$23,000 for family coverage. For retirees over 55 years of age or individuals engaged in high-risk professions, including law enforcement, EMS, and fire fighters, these thresholds would be higher—\$9,850 and \$26,000, respectively. The 40 percent excise tax would be imposed on every dollar spent *above* the threshold.

Despite the higher thresholds, comprehensive plans and plans that cover predominantly public safety officers would be hit by this tax as it is based on the total cost of the plan regardless of what it covers or why it costs so much. NAPO is deeply concerned that public safety employees will be forced to pay the excise tax in the form of wage cuts, higher premiums, increased out-of-pocket costs, and lower benefits.

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