

Washington Update

COUNTY OF SANTA BARBARA

June 29, 2009

FY 2010 APPROPRIATIONS PROCESS

We continued to work with the local Congressional delegation on the County's specific priorities through the FY 2010 appropriations process. Shortly before the July 4 Congressional recess, the House Energy and Water Appropriations Subcommittee marked up and approved the *FY 2010 Energy and Water Appropriations* bill. While the committee has not yet released its report to accompany the spending measure, we have been informed that the bill proposes \$500,000 for the County's Goleta Beach Park Coastal Access and Recreation Enhancement project. Because of the amount of stimulus funding allocated to water projects through the American Recovery and Reinvestment Act (ARRA) – including \$40 million for Santa Maria Levee and \$600,000 for Mission Creek – the subcommittee was very conservative in funding projects in the FY 2010 spending measure. Our emphasis now shifts to the Senate, where the Appropriations Committee will mark up its version of the *FY 2010 Energy and Water Appropriations* bill in July. Senators Feinstein and Boxer have been supportive of the County's projects, including Lake Cachuma and Lower Mission Creek.

INFLUENZA PANDEMIC

As House and Senate conferees met to negotiate the final version of the *FY 2009 Emergency Supplemental Appropriations* bill, we continued to work with NACo and other advocacy groups in support of funding proposed in the House version of the measure to provide additional resources for local public health agencies to prepare and respond to an influenza pandemic. The final version of the funding bill approved by the House and Senate last week provides \$350 million for State and local governments, in addition to the \$1.5 billion requested by President Obama to expand detection efforts, supplementing federal stockpiles, and developing, purchasing and administering vaccines.

EMERGENCY RESPONSE FUNDING

The annual Department of Homeland Security funding measure is traditionally one of the first bills to see action in the annual appropriations process, and we continued to advocate the County's emergency preparedness and response priorities as both the House and Senate took action. The *FY 2010 Homeland Security Appropriations* bill approved by the House Appropriations Committee would provide \$950 million for State Homeland Security and Law Enforcement Terrorism Prevention Grants. This includes \$590 million for Firefighter Assistance Grants, including \$420 million for Staffing for Adequate Fire and Emergency Response (SAFER) grants. The measure would increase Emergency Management Performance Grants (EMPG) by \$15 million to \$315 million; provide \$100 million for the National Pre-disaster Mitigation Fund; recommends \$50 million for the Interoperable Emergency Communications Grant Program; and, proposes \$40 million for grants to upgrade, equip, and construct Emergency Operations Centers. The version of the measure drafted by the Senate would fund many of these programs at the same level as the House. However, it recommends increasing EMPG by \$50 million to \$350 million, and proposes \$800 million for Firefighter Assistance Grants. The full House and Senate will take up their respective versions of the DHS bill this week in July.

We also contacted members of the House and Senate Labor, HHS, Education and Related Agencies Appropriations Subcommittees to advocate in support of adequate funding for State and local bioterrorism preparedness and bioterrorism hospital grants. The Labor, Health and Human Services, Education and Related Agencies Appropriations bill is typically one of the last funding bills drafted, and the House subcommittee is scheduled to begin work on it after the 4th of July recess.

PUBLIC HEALTH FUNDING

We contacted the House and Senate committees of jurisdiction to advocate in support of the *Medicare Access to Community Health Centers (MATCH) Act*. Introduced in the House by Congressman Lewis (D-GA) as H.R. 1643 and in the Senate by Senator Bingaman (D-NM) as S. 648, the proposal would establish a Medicare prospective payment system (PPS) for Medicare-covered services provided by Federally Qualified Health Centers (FQHCs), such as those operated by the County's Department of Public Health. It would establish new, more equitable rates for FQHCs, and enable rates to be adjusted if the scope of services changes. We also urged the members of our local Congressional delegation and Senators Boxer and Feinstein to support the legislation, and to consider signing on as cosponsors. Hearings have not yet been scheduled in the House or Senate on the *MATCH Act*.

IMMIGRATION IMPACTS - SCAAP

When the House Appropriations Subcommittee drafted its version of the *FY 2010 Commerce, Justice, and Science (CJS) Appropriations* bill, it rejected the Administration's proposal to eliminate funding for SCAAP, but provided only \$300 million, compared to \$400 million in FY 2009. We lobbied in support of an amendment to restore \$100 million to SCAAP that Congressman Calvert (R-CA) offered during the full committee markup of the appropriations measure, but it was defeated because several committee members were not satisfied with the programs that would have to be reduced as an offset to the increased spending. We continued to work with various stakeholders on an amendment to identify appropriate offsets and increase SCAAP funding during floor debate on the bill, and late yesterday, CJS Subcommittee Chairman Mollohan (D-WV) successfully offered the amendment to reinstate SCAAP funding at the FY 2009 level of \$400 million.

PUBLIC SAFETY FUNDING

We reiterated the County's public safety funding priorities to the House Appropriations Committee at it took up the *FY 2010 Com-*

merce, Justice, and Science (CJS) Appropriations bill. The committee-approved bill provided \$3.42 billion overall for State and local public safety initiatives, a \$200 million increase over FY 2009. It includes \$529 million for the Edward Byrne Justice Assistance Grants; \$400 million for violence against women prevention and prosecution programs; \$385 million for juvenile delinquency prevention and accountability programs, a \$11 million increase; \$45 million for drug courts; \$40 million for the Southwest Border Prosecution Initiative; \$15 million for competitive grants to reduce gang violence; and \$12 million for treatment of mentally ill offenders. It would also provide \$802 million for Community Oriented Policing Services (COPS), including \$123 million for law enforcement technologies, \$151 million to eliminate DNA analysis backlogs; \$100 million for offender re-entry; and \$32 million for meth hot spots. The full House approved the measure on June 18.

MARINE VESSEL EMISSIONS

As work continued in the House on climate change legislation, we contacted the various committees of jurisdiction to reiterate the County's support for the inclusion of provisions contained in H.R. 2454, the *American Clean Energy and Security Act of 2009*, that would reduce emissions from ocean-going marine vessels, arguing that they represent a major source of uncontrolled air pollution. We also urged Congresswoman Capps and Congressman Gallegly to support the provisions. H.R. 2454 was approved by the full House on June 26 by a narrow vote of 219-212, and the debate on climate change now moves to the Senate.

AGRICULTURAL PESTS

We urged the House and Senate Agriculture Appropriations Subcommittees to include funding for the California County Pest Detection Augmentation Program in their respective versions of the *FY 2010 Agriculture Appropriations* bill, citing the County's agricultural industry, and the importance of additional resources for California counties to be able to adequately inspect for agricultural pests. When the House subcommittee marked up its

bill on June 11, it provided \$581,000 for the augmentation program, and \$693,000 for import inspection in the State, the same levels of funding for both programs that were provided in FY 2009. The full Appropriations Committee approved the FY 2010 Ag spending bill on June 18 but has not yet issued its report to accompany the bill. The Senate is scheduled to begin work on its version just after the 4th of July recess.

EMPLOYER PROVIDED CELL PHONES

We provided County staff with a June 17 IRS bulletin requesting public comments for modifying and simplifying the substantiation requirements applicable to employee usage of employer-provided cell phones. IRS is taking this action because Congress has not yet taken action on legislation to address this issue. The *Modernize Our Bookkeeping In the Law for Employee's (MOBILE) Cell Phone Act* has been introduced by Congressman Johnson (R-TX) in the House as H.R. 690, and by Senator Kerry (D-MA) in the Senate as S. 144, and we have the House Ways and

Means and Senate Finance Committees take action on the legislation, citing the fact that it costs local governments \$1.86 to collect 12 cents for each non-business phone call an employee makes on one of these devices. We also urged our local Congressional delegation to support the proposal. Comments on the IRS Bulletin must be submitted in writing on or before September 4, 2009.

OUTER CONTINENTAL SHELF

We contacted the House and Senate Interior Appropriations Subcommittees to reiterate your Board's April 7 action supporting reinstatement of the Federal moratoria on oil and gas leases on the Outer Continental Shelf. During the pressure of last year's gasoline price spike, Congress voted to end the moratorium against new activities on the OCS. Unfortunately, actions to reinstate the moratorium were not taken by either the House subcommittee or the full Appropriations Committee during the markups of the *FY 2010 Interior, Environment and Related Agencies Appropriations* bill.

v Tom Walters v