

Washington Update

COUNTY OF SANTA BARBARA

April 15, 2010

FY 2011 APPROPRIATIONS

We continue to work in support of the County's programmatic priorities and specific funding proposals through the FY 2011 appropriations bills. Congress returned from its spring district work period the week of April 12, and the various House and Senate Appropriations Subcommittees are continuing hearings on their respective FY 2011 spending bills. As previously reported, the Republican House Caucus voted to impose a one year moratorium on earmark requests, which has prevented Congressman Gallegly from advocating for County projects. However, Congresswoman Capps and Senators Feinstein and Boxer continue to support several of the County's requests. It is anticipated that the House subcommittees will begin drafting their bills sometime in May.

ELDER ABUSE

This year we have continued to advocate the County's support for the *Elder Justice Act*, which includes provisions to establish grant programs aimed at reducing physical abuse, financial exploitation and neglect of elderly people by family members or personnel in institutions and residential care facilities, including \$100 million annually for Adult Protective Services (APS). The proposal was incorporated into the Senate Finance Committee's version of health care reform legislation, and was ultimately included in the *Patient Protection and Affordable Health Care Act* signed into law by President Obama in March.

EMPLOYER PROVIDED CELL PHONES

We reiterated the County's support for legislation to reclassify cell phones and personal digital assistants (PDAs) from listed property to business property under the Internal Revenue Code. The change is necessary because several local governments have been penalized following IRS audits because they did not adequately track and report any "private" use of cell phones and PDAs issued to their

employees. On April 14, the full House took up H.R. 4994, the *Taxpayer Assistance Act of 2010*. Title I of the measure includes provisions to declassify cell phones and PDAs as listed property, and we urged Congresswoman Capps and Congressman Gallegly to support the proposal. It was approved by a vote of 399-9.

SAFETEA-LU REAUTHORIZATION

We contacted members of the House Transportation and Infrastructure Committee and the Senate Committee on Environment and Public Works to reiterate the County's support for continuation of the Off-System- Bridge Program in any SAFETEA-LU reauthorization legislation, emphasizing that the program is an essential funding source for the replacement of 50 percent of the County's maintained bridges. The House bill drafted last year by Committee Chairman Oberstar (D-MN) proposed to eliminate or consolidate 75 of 108 existing highway and transit programs, including the Federal Highway Bridge Program. Action on reauthorization remains in limbo since a funding mechanism for the \$450 billion, six-year program remains unclear, and is further complicated by the House Republicans' moratorium on any earmarks this year.

IMMIGRATION IMPACTS

We contacted the House and Senate Judiciary Committees to urge them to take action on the *SCAAP Reimbursement Protection Act*. Introduced by Senator Feinstein as S. 168 and Congresswoman Linda Sanchez (D-CA) as H.R. 1314, the measure would broaden SCAAP to allow for reimbursements for incarcerating illegal aliens *charged* with a crime rather than convicted of a crime. This would reverse a Department of Justice policy interpretation that caused the County's SCAAP payments to plunge from \$1.04 million in FY 2001 to \$358,424 in FY 2003. Neither committee has of yet scheduled action on the legislation.

We are closely monitoring possible action on comprehensive immigration reform to determine any potential impacts on the County. Senators Schumer (D-NY) and Graham (R-SC) are working on a bipartisan proposal that could be introduced in May. Senate leadership has not indicated a timetable for possible consideration, and the prognosis for action on reform in the coming months before the November elections is clouded.

MARINE VESSEL EMISSIONS

As part of our ongoing follow-up to Supervisor Carbajal's meetings in Washington, DC this past winter, we continued to closely monitor Federal action to reduce emissions from ocean-going marine vessels. On March 26, the International Maritime Organization (IMO) officially accepted the proposal to designate waters off the North American coasts as an Emission Control Area (ECA). Large ships that operate in ECAs must use dramatically cleaner fuel and technology to reduce sulfur content by 98%, particulate matter emissions by 85%, and nitrogen oxide (NOx) emissions by 80%. To achieve these reductions, tougher sulfur standards will phase in starting in 2012, and new ships must use advanced emission control technologies beginning in 2016 to help reduce NOx emissions.

AGRICULTURAL PESTS

We attended a briefing with the California Agricultural Commissioners regarding current efforts on pest detection and control in the State, including ongoing needs for the California County Pest Detection and Augmentation Program. Senators Boxer and Feinstein and Congresswoman Capps have all submitted requests of \$1.35 million for the program through the *FY 2011 Agriculture Appropriations* bill. In January, USDA allotted \$6.1 million to the California program, including \$3.1 million for dog teams and \$2.77 million for fruit fly mitigation.

CHILD SUPPORT INCENTIVE PAYMENTS

We contacted the Senate Finance Committee to advocate in support of Senator Rockefeller's (D-WV) S. 1859, the *Child Support Protection Act of 2009*, which would restore the

ability of State and local governments to use child support incentive payments as matching funds to enhance collection-related activities. The Deficit Reduction Act (DRA) of 2005 eliminated the Federal match that was paid when these incentive payments were reinvested into child support enforcement programs. Although the American Recovery and Reinvestment Act of 2009 included a temporary restoration of this authority, that temporary authority will expire in September 2010. While companion legislation has not yet been introduced in the House, we urged Ways and Means Committee Chairman Levin (D-MI) and Ranking Minority Member Camp (R-MI) to take action on the issue, and asked Congresswoman Capps and Congressman Gallegly to support rescission of the DRA child support provisions.

SOCIAL SERVICES: 2-1-1 SYSTEMS

We contacted the House Energy and Commerce and the Senate Commerce, Science and Transportation Committees to reiterate support of the *Calling for 2-1-1 Act*, which would authorize matching grants to implement and maintain 2-1-1 systems. We also discussed the proposal with the staff of Congresswoman Eshoo (D-CA), the legislation's House sponsor. Congresswoman Eshoo serves on the Energy and Commerce Committee, and H.R. 211 remains one of her highest priorities. The measure now has 232 cosponsors and bipartisan support, including Congresswoman Capps. The Senate bill now has 59 cosponsors, including Senators Boxer and Feinstein. However, neither committee action has scheduled action on the proposal to date.

CHILDHOOD HEALTH ISSUES - OBESITY

In anticipation of hearings on the health risks of obesity, we contacted the Senate Committee to advocate in support of increased resources for local governments such as the County to address the obesity epidemic. We also asked Senators Boxer and Feinstein to support legislative efforts regarding the issue. The committee is currently considering reauthorization of the Child Nutrition Act.

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