

Washington Update

COUNTY OF SANTA BARBARA

December 3, 2010

LAME DUCK SESSION - APPROPRIATIONS

Congress returned for its Lame Duck session on November 15. While there has been considerable discussion regarding the options for action on the FY 2011 appropriations process, nothing has been resolved, and Congress is continuing to seek a resolution to this year's funding bills since returning this week from the Thanksgiving break. The options remain:

- Completion of all 12 FY 2011 funding bills by rolling them into one or more omnibus appropriations measures;
- Approval of a short term Continuing Resolution (CR) to fund Federal agencies and programs at the FY 2010 level into next year, and defer final decisions to the new Congress; and
- Approval of a year-long CR to fund Federal programs at last year's level for the remainder of FY 2011.

Prospects for the first option dimmed somewhat when Senate Minority Leader McConnell (R- KY) announced that he would oppose an omnibus bill. However, Senate Appropriations Committee Chairman Inouye is continuing to work to put together an omnibus package, and there may be enough Republican Senators willing to support it that a filibuster can be avoided. If so, it is likely that the still-Democratic House would vote to complete the process rather than support a CR going into next year. The House and Senate voted this week to extend the existing CR through December 18, buying more time to work on a solution.

FY 2012 APPROPRIATIONS - EARMARKS

On a related issue, both House and Senate Republican conferences voted to continue a voluntary ban on earmarks for individual projects during the 112th Congress. However, there is still disagreement about what constitutes an earmark, and whether the ban would extend to legislation that is traditionally driven

by individual projects, including SAFETEA-LU reauthorization, the Water Resources Development Act (WRDA) and the Farm Bill. Democrats have not instituted any earmark bans, and while House Democrats will be affected by the Republican ban when the GOP takes control in January, Senate Democrats continue to assert their Constitutional responsibility to direct spending rather than cede power to the Administration.

IMMIGRATION IMPACTS - SCAAP

Last spring we contacted the Bureau of Justice Assistance (BJA) regarding their application process for FY 2010 reimbursements under the State Criminal Aliens Assistance Program (SCAAP). Applications were due in May, and BJA has now announced that the County of Santa Barbara will receive \$576,500 as its share of the reimbursements to offset the costs of incarcerating criminal illegal aliens.

CHILDHOOD HEALTH - OBESITY

We continued to closely monitor efforts to reauthorize child nutrition programs and, in anticipation of House floor action on the legislation, reiterated to Congresswoman Capps and Congressman Gallegly the importance of provisions to increase resources for local agencies to address childhood obesity. On Thursday, December 2, the House voted 264-157 to approve S. 3307, the *Healthy, Hunger-Free Kids*. The measure creates a new \$375 million Nutrition Education and Obesity Prevention Grant Program to implement programs targeting childhood obesity, including community and public health approaches. The Senate approved S. 3307 last summer, and completion of the bill in the Lame Duck session was a top priority of the Democratic Leadership. The House action clears the measure for President Obama's signature.