

# Washington Update

COUNTY OF SANTA BARBARA

June 22, 2011

## DEBT LIMIT AND DEFICIT COMMISSION

The negotiations over a bipartisan agreement to raise the Federal Debt Limit and simultaneously address deficit reduction are reaching a critical stage, and what that agreement includes will have far-reaching impacts, from this year's appropriations process to SAFETEA-LU reauthorization. At this point, anything and everything are still on the table, including entitlement programs. For example, one proposal would block grant Medicaid to the States, and roll back maintenance of effort requirements for the program to give them more flexibility. While spending caps or triggers are likely to be part of any deficit-reduction deal, none of the hard choices have as yet been made. But with the Administration saying that the debt limit must be raised by August 2 to avoid a government default, the critical mass point is rapidly approaching, and Vice President Biden's bipartisan working group with Congress is targeting July 4<sup>th</sup> for completion of a deal, in order to give the House and Senate a full month to work out implementing legislation.

## FY 2012 APPROPRIATIONS PROCESS

Despite the lack of a Congressional Budget Resolution or a final deficit reduction deal to provide guidance, the House Appropriations Subcommittees are moving forward with their FY 2012 spending bills, and the Senate is expected to do so shortly. Both Houses want to avoid the gridlock of the past few years that resulted in unwieldy omnibus bills deep into the new fiscal year. In anticipation, we have continued to advocate the County's priorities and needs across the broad spectrum of its responsibilities, public health and social services, public safety and disaster preparedness, and environmental and agricultural programs. With the continuing moratorium on earmarks, we have urged robust funding for those agencies and programs that typically fund specific County projects, such as the Army Corps of Engineers and the Bureau of Reclamation.

So far, the full House has completed work on its versions of the *FY 2012 Agriculture Appropriations* and *Homeland Security Appropriations* bills, and as expected there have been significant cuts across the board. In particular, State and local programs suffered in the DHS measure, falling from \$3.1 billion to \$1 billion. Only the Emergency Management Performance Grants (EMPG) was spared, funded at the FY 2011 level of \$350 million. We are joining NACo and other stakeholders in fighting these reductions in the Senate.

## FIREFIGHTING GRANTS

The *FY 2012 Homeland Security Appropriations* bill approved by the House Appropriations Committee only provided \$350 million for Firefighter Assistance grants, including the Assistance to Firefighters (AFG) and Staffing for Adequate Fire and Emergency Response (SAFER) programs. During floor debate on the bill, we advocated in support of an amendment to restore \$320 million to the programs, and it was subsequently approved. We also contacted the Senate Homeland Security and Governmental Affairs Committee to advocate in support of Chairman Lieberman's (I-CT) S. 550, the *Fire Grants Reauthorization Act*. The bill would reauthorize AFG and SAFER for five years with adjustments for inflation, and provide flexibility to waive certain requirements for applicants that demonstrate an economic hardship, including unemployment rate. S. 550 is now awaiting floor action pending issuance of the committee's report on the measure.

## MARINE VESSEL EMISSIONS

We are continuing to work with Congresswoman Capps' office to express concerns regarding provisions included in H.R. 2021, the *Jobs and Energy Permitting Act*, which could unintentionally weaken air quality regulations governing marine vessel emissions. We had worked earlier with APCD Director Terry Dressler to develop an analysis

of the bill and to discuss the County's concerns with House Energy and Commerce Committee staff. Unfortunately, the committee marked up and approved the bill by a vote of 34-14 on June 2, with Congresswoman Capps joining in the dissenting view to reiterate the County's concerns. H.R. 2021 is scheduled for House floor consideration this week. No companion bill has been introduced in the Senate.

#### **SAFETEA-LU REAUTHORIZATION**

We provided Congresswoman Capps and Congressman Gallegly with a Dear Colleague letter drafted by Congressman Graves (R-MO) and Holden (D-PA) in support of retaining the federal off-system bridge program in SAFETEA-LU reauthorization legislation and requested that they join the effort, citing that the County maintains approximately 110 bridges that are currently eligible to receive funding through the program. We have been informed by Congresswoman Capps' staff that she has signed on to the letter.

While it now appears that action on reauthorization of Federal transportation programs will not gear up until later in the summer, both House and Senate committees of jurisdiction are continuing to work behind the scenes on initial drafts. In the Senate, Chairwoman Boxer and Ranking Minority Member Inhofe (R-OK) of the Environment and Public Works Committee released a bipartisan statement of goals that proposes \$339 billion over 6 years for the surface transportation reauthorization, although the mechanism for the funding still has not been delineated. If additional revenues cannot be found, the legislation will likely propose a shorter authorization period.

#### **FEDERAL TAX INTERCEPT**

We contacted the House and Senate committees of jurisdiction in support of legislation that would allow for the interception of Federal tax refunds as a means to recover delinquent criminal restitution, fines, penalty assessments and fees owed to the County. In the House, Congressman Paulsen (R-MN) introduced H.R. 1416, the *Crime Victim Restitution and Court Fee Intercept Program*, and

Senator Wyden (D-OR) introduced a companion bill in the Senate as S. 755. We asked the local Congressional delegation to cosponsor the legislation, and Senator Boxer has signed onto the Senate bill.

#### **IMMIGRATION IMPACTS - SCAAP**

We contacted the Department of Justice's Bureau of Justice Assistance (BJA) regarding the application process for FY 2011 funding under the State Criminal Alien Assistance Program (SCAAP), and provided the information to the County. Applications are due by 6:00 pm on Monday, June 27, and the application process will once again be on line. We also contacted the Senate Judiciary Committee to advocate in support of Senator Feinstein's S. 638, the *SCAAP Reimbursement Protection Act*, which would authorize reimbursements to States and local governments for costs associated with the incarceration of illegal aliens charged with a felony or two or more misdemeanors, and S. 639, the *SCAAP Reauthorization Act*, which would reauthorize SCAAP through FY 2015 at an annual level of \$950 million. S. 638 would reverse BJA's 2003 policy interpretation that cut the County's funding in half by allowing reimbursements for incarcerating illegal aliens *charged* with a crime, rather than the stricter standard of having been convicted of a crime.

#### **PUBLIC SAFETY FUNDING**

When the Bureau of Justice Assistance (BJA) announced its funding under the FY 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) program, we provided the application package to County staff. The funding can be used for a variety of public safety activities, and under the allocation for JAG, Santa Barbara County is eligible for \$119,051 in conjunction with the Cities of Santa Maria and Santa Barbara. The joint application is due by July 21.

v Tom Walters v