

Washington Update

COUNTY OF SANTA BARBARA

August 31, 2012

FY 2013 FEDERAL FUNDING

Before leaving for the August recess and the Democratic and Republican Presidential Conventions, House and Senate leaders agreed in principle to suspend work on the FY 2013 appropriations bills and instead act on a six month Continuing Resolution that would fund Federal agencies and programs at approximately the FY 2012 level through March, 2013. This is despite having made considerable progress on several of the bills. The rationale behind the decision is to essentially clear the decks in anticipation of tackling the upcoming "fiscal cliff," resulting from the simultaneous across the board cuts (sequestration) mandated by the 2011 Budget Control Act and expiration of Bush era tax cuts. With only eight legislative working days remaining before they once again recess at the end of September to return to their districts to campaign, it also means that Congressional members will not be forced into difficult votes before the elections, as sequestration and the tax cuts will be addressed in a Lamé Duck session in November and December. The Continuing Resolution is being drafted over the August recess, and is expected to be voted on shortly after Congress returns September 10.

2012 FARM BILL

As the August recess approached, we continued to advocate support for action on the 2012 Farm Bill, emphasizing its importance to local farmers, residents, and the County's agricultural industry. The House Agriculture Committee had marked up and approved H.R. 6083, the *Federal Agriculture Reform and Risk Management Act*, earlier in July, but House Speaker Boehner (R-OH) was lukewarm about further action on the bill for a variety of reasons, including pressure from both ends of the political spectrum regarding the size of proposed cuts in nutrition programs such as the Supplemental Nutrition Assistance Program (SNAP). Instead, he attempted to mollify Farm-state members by

bringing to the floor H.R. 6233, the *Agricultural Disaster Assistance Act*, which would provide \$383 million in drought-related assistance to farmers. While the bill narrowly passed on a 223-197 vote, the future of the House Farm Bill is clouded by the limited number of legislative days remaining in the session. The Senate approved its Farm Bill in June.

PACE ENERGY EFFICIENCY PROGRAMS

In June, the Federal Housing Finance Agency (FHFA) released its proposed rule concerning underwriting standards for Fannie Mae and Freddie Mac loans as they relate to participation in Property Assessed Clean Energy (PACE) programs, such as those authorized by AB 811 in California. FHFA had previously issued unilateral regulations that did not allow residential property owners with Fannie Mae and Freddie Mac mortgages to participate in PACE programs, but a ruling by the Federal District Court in Oakland forced the agency to undertake a rulemaking process for the disputed regulations. We provided the proposed rule to the County for analysis and comments, which were due to FHFA by July 30, 2012. We also continue to advocate in support of Congresswoman Hayworth's (R-NY) H.R. 2599, the *PACE Assessment Protection Act*, to enable local governments to be able to exercise liens for their PACE programs.

PUBLIC SAFETY PROGRAMS

We advocated in support of bipartisan legislation that would reauthorize the Edward Byrne Memorial Justice Assistance Grant Program, citing the usefulness of the Federal funding to local law enforcement activities. On July 18, the House Judiciary marked up and approved H.R. 6062, which would reauthorize the grants through FY 2017. The Committee's report to accompany the bill clarifies activities for which Byrne funds can be used, including cold case DNA activities. The full House approved H.R. 6062 by voice vote before recessing on August 2.

Washington Update – August 31, 2012**WORKFORCE INVESTMENT ACT**

In anticipation of action by the House Committee on Education and the Workforce, we continued to advocate the County's support for reauthorization of the Workforce Investment Act (WIA), urging the committee to continue administrative oversight through locally controlled Workforce Investment Boards, make changes to strengthen local governance, improve partner program investment for coordinated services through local One-Stop systems, and enhance flexibility in the uses of funds. We also coordinated with the National Association of Workforce Boards and attended the Committee's June 7th markup of Congresswoman Foxx' (R-NC) H.R. 4297, the *Workforce Investment Improvement Act of 2012*. The bill would consolidate more than two dozen existing federal workforce into a single \$6 billion Workforce Investment Fund, which would be allocated by formula. Of concern are provisions that would require WIA funding to be funneled through States rather than coming directly to local agencies. Further action on H.R. 4297 is pending release of the Committee's report to accompany the measure.

MATERNAL AND CHILD HEALTH

We have continued to advocate the County's support for revising the formula for allocating Title V Maternal and Child Health (MCH) Block Grant funds, citing the existing funding inequity for California. Current allocations are based on data that is roughly 20 years old, and we have repeatedly requested that the formula be updated to reflect the most recent Census data. Late in July, the Health Services and Resources Agency (HRSA) issued a proposed rule to change the way in which MCH funding is allocated to States, and we provided the notice to County staff for analysis. The proposed changes reflect the Census Bureau's implementation of the American Community Survey (ACS) which will enable HRSA to update MCH annually using three year poverty estimates. Comments on the proposed rule are due by September 18.

LEVEE VEGETATION REMOVAL

We coordinated with CSAC and other stakeholders to express concerns with the U.S. Army Corps of Engineers (USACE) policy on levee vegetation management, arguing that it is too rigid and does not provide the flexibility to address the unique needs of various regions of the country, and is also flawed in other aspects. Congresswoman Capps joined 35 members of the California delegation in signing a bipartisan letter to Assistant Secretary of the Army Jo-Ellen Darcy expressing our concerns. Subsequently, Congresswoman Matsui (D-CA) introduced H.R. 5831, the *Levee Vegetation Review Act*, which would require the Secretary of the Army to undertake a comprehensive review of the USACE's guidelines, and would require the inclusion of a regional variance policy. Congresswoman Capps is an original cosponsor of H.R. 5831, and Senator Boxer is the Chair of the Senate Environment and Public Works Committee.

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