

Washington Update

COUNTY OF SANTA BARBARA

February 2, 2011

FUNDING FOR COUNTY PROJECTS

As previously discussed, House Republicans voted to extend their moratorium on project earmarks in the various Appropriations bills to the FY 2012 funding process. On February 1, Senate Appropriations Committee Chairman Inouye (D-HI) announced that the Senate will follow the House lead and also implement a moratorium on earmarks, both for the remainder of the current year (FY 2011, under the Continuing Resolution) and for the upcoming FY 2012 appropriations process. This follows President Obama's statement in his State of the Union address in which he vowed to veto any bill sent to him that contained earmarks. The moratorium means that current efforts to fund County projects will need to focus on the Administration and grant programs, as well as ways to shape policy on guidelines and formulas that govern how funding will be distributed. Despite the absence of earmarks, there will be roles for our Congressional offices to play in assisting the County in influencing Federal agencies as decisions are made regarding project funding, potentially including report language in the respective appropriations bills. At this point, the Senate moratorium extends only to appropriations requests. It is unclear what the posture will be regarding project authorization bills such as SAFETEA-LU reauthorization, a Water Resources Development Act and the Farm bill, which are all heavily driven by individual projects.

FY 2011 AND FY 2012 BUDGET PROCESS

The President's budget proposal will be submitted to Congress in the second week of February. This signals the formal beginning of the FY 2012 budget and appropriations process. But Congress did not complete the FY 2011 appropriations bills before adjourning in December, and the current "continuing resolution" or CR authorizing funding for Federal programs at last year's levels expires in

the first week of March. Congress must take some action before then to fund the Federal government for the rest of the fiscal year. The simplest thing would be to continue the CR thru September 30. However, House Republicans are adamant that they want to cut spending to 2008 levels for the rest of the year, which will certainly be opposed by Senate Democrats, so it is unclear how the situation will be resolved. There is always a possibility of a stalemate that would lead to a government shutdown, but that had such disastrous PR consequences for Congress in 1995 that it is not anticipated.

IMMIGRATION IMPACTS

As the new Republican Majority in the House began organizing for the 112th Congress, it was announced that Congressman Gallegly was selected to be the Chairman of the Judiciary Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law. We immediately contacted Congressman Gallegly to congratulate him on his appointment, and to reiterate to him the impacts of illegal immigration on County services. In particular, we emphasized the ongoing importance of programs to offset the impacts on the public safety, including SCAAP and the Southwest Border Prosecution Initiative. Per his staff, Congressman Gallegly's subcommittee will begin holding hearings this spring.

We also contacted Congressman Gallegly's subcommittee to advocate in support of Congresswoman Linda Sanchez' (D-CA) H.R. 410, the *SCAAP Reimbursement Protection Act of 2011*. This measure is similar to proposals introduced in the previous Congress by both Congresswoman Sanchez and Senator Feinstein. It would reverse a Department of Justice policy interpretation by allowing SCAAP reimbursements for incarcerating illegal aliens *charged* with a crime, rather than the stricter standard of having been convicted of a crime. The DOJ policy

interpretation in 2003 caused reimbursements to local jurisdictions such as the County Sheriff's Department to decline by almost 50%. We are also urging Senator Feinstein to re-introduce her version in the Senate.

CONVERSION TECHNOLOGY

In preparation for Supervisor Carbajal's January advocacy trip to Washington, DC, we discussed the Board's policy in support of incentives for conversion technology efforts with the staff of Congressman Lloyd Doggett (D-TX). Last year, Congressman Doggett introduced the *Waste-to-Energy Technology Act*, and he has re-introduced it in the new Congress as H.R. 66. As a follow-up to Supervisor Carbajal's meeting with Ruth Hupart of the Congressman's office, we have contacted the House Ways and Means Committee to advocate in support of action on the legislation, which would provide an investment tax credit for waste-to-energy facilities. We have also asked Congresswoman Capps and Congressman Gallegly to sign on as cosponsors of the bill.

INDEPENDENT LIVING GRANTS

HUD & HHS recently announced awards to local governments for assisting non-elderly with disabilities to transition out of nursing homes and other institution to independent living. We have been informed that the County of Santa Barbara will receive \$227,000 in funding, plus 25 vouchers from HHS. The County is one of only 5 entities in CA to receive these funds.

HOMELESS ASSISTANCE GRANTS

Last fall we provided the County with HUD's NOFA for the FY 2010 Continuum of Care (CoC) competitive grant program under the McKinney-Vento Homeless Assistance Grant program. When HUD announced the awarding of funding in January, we were informed that \$1,342,677 is being provided for CoC activities in Santa Barbara County. The funding is used to provide permanent and transitional housing to homeless persons as well as services including job training, health care, mental health counseling, substance abuse treatment and child care.

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