

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

864



**FROM:** Executive Office

**SUBMITTAL DATE:**  
February 7, 2012

**SUBJECT:** 2012 Federal Legislative Platform

**RECOMMENDED MOTION:** That the Board of Supervisors approve the 2012 Federal Legislative Platform and direct the Executive Office and the county's Washington, D.C. based representatives to advance the legislative proposals contained herein.

**BACKGROUND:** Each year the Board of Supervisors adopts a Federal Legislative Platform to guide the legislative advocacy efforts at the federal level. The Executive Office working in conjunction with Board members, department heads, state and regional advocates developed the Federal Platform to address a variety of crucial issues facing the county.

Departmental Concurrence

*Alex Gann*

Alex Gann  
Principal Management Analyst

AG:ag  
(Continued On Attached Pages)

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:
	Annual Net County Cost:	\$ 0	For Fiscal Year: 2011/12

<b>SOURCE OF FUNDS:</b>	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY: *Jay E. Orr*  
Jay E. Orr

**County Executive Office Signature**

Dept't Recomm.:  Policy  Policy  
Per Exec. Ofc.:  Consent  Consent

**Prev. Agn. Ref.** 3.58 of 7/12/11

**District:** All

**Agenda Number:** F

3.66

## **2012 Federal Legislative Platform**

Previously approved Board positions from earlier federal platforms are still in effect. The 2012 platform includes: new federal policy items and key selected policy items of continuing importance. Due to the dynamic nature of the legislative process, additional federal legislative issues of concern to the county will be brought forward to the Board for appropriate action throughout the year as the need arises.

Based on the principles of fiscal stability, preservation of local control, efficient service delivery and operations and the promotion of inter-agency cooperation, the Riverside County Board of Supervisors provide specific direction and overall policy guidance by adopting an annual platform for each legislative session in accordance with Board Policy A-27.

# **RIVERSIDE COUNTY**

## **2012**

### **FEDERAL LEGISLATIVE PLATFORM**



#### **BOARD OF SUPERVISORS**

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# Executive Summary

## **Executive Summary**

The Executive Office prepared this document with assistance from the Board members, department heads, federal advocates and regional stakeholders. Previously approved Board positions from earlier Federal Platforms are still in effect. The 2012 platform includes: key federal legislative priorities, new existing policy items, selected policy items of continuing importance, and finally the CSAC federal priorities are presented for Board approval. Due to the dynamic nature of the legislative process, additional federal legislative issues of concern to the county will be brought forward to the Board for appropriate action throughout the year as the need arises.

Based on the principles of fiscal stability, preservation of local control, efficient service delivery and operations and the promotion of inter-agency cooperation, the Riverside County Board of Supervisors provide specific direction and overall policy guidance by adopting an annual platform for each legislative session in accordance with Board Policy A-27.



**New Federal Legislative Policy Items**

## **Export-Import Bank of the United States**

**Issue:** Expansion of Service of the Export-Import Bank of the United States in the County of Riverside in 2012.

**Action:** Support, advocate, and promote.

**Background:** The Export-Import Bank of the United States provides export financing assistance to manufacture and other exporters in Riverside County via a partnership agreement executed by the Assistant County Executive Officer/EDA, with the approval of the Board of Supervisors. The County Foreign Trade Commissioner/EDA serves as the county representative to the Ex-IM Bank in Washington, D.C., and to the business community. With the recent Brookings Institute study indicating Riverside County ranking 23 in the nation in exports, Ex-Im Bank should consider funding a full-time position in Riverside County to better serve our business community. Almost 50 county businesses rely on Ex-Im Bank services to assist in capitalizing exports. Advocating for the addition of a full-time staff position for the Ex-Im Bank will be a benefit to the county and its businesses and expands and improves services, which must now be offered from Newport Beach and/or San Diego. Also authorizes county staff within the Economic Development Agency to advocate for this staffing increase in the house and senate along within the administration whenever deemed in the best interest of the county.



## **Housing and Urban Development and Veterans Affairs Supported Housing Program**

**Issue:** Increase 2012 funding for the Housing and Urban Development and Veterans Affairs Supportive Housing (HUD-VASH) Program vouchers and obtain additional VASH vouchers for Riverside County.

**Action:** Support.

**Background:** The HUD-VASH program combines a Section 8 Housing Choice Voucher with case management and clinical services provided by the VA. Evaluation of the HUD-VASH program has found that recipients increase days housed, employment, income, and social networks. The HUD-VASH program has demonstrated decreases in the number of days recipients spend homeless or in institutions and reductions in the use of alcohol.

Recent homeless national census figures estimate that there are approximately 131,000 veterans experiencing homelessness, many of whom are chronically homeless, living on the streets with a severe physical or mental disability. Individuals who experience chronic homelessness typically require permanent supportive housing – housing linked with intensive supports such as, those provided by the HUD-VASH program – to help them maintain housing stability. A number of studies have demonstrated that permanent supportive housing is a cost-effective approach that helps people who have intensive needs to maintain stable housing, and some evidence shows that once back in housing, they are likely to access health and substance abuse treatment services.

The Housing Authority was authorized 155 VASH program vouchers in FY 2009 and has successfully partnered with the Loma Linda VA Hospital to implement the VASH program locally. The current allotment of 155 vouchers is not sufficient enough to address the needs of homeless veterans in Riverside County and the Housing Authority is recommending an additional allotment of 100 vouchers.

## Workforce Investment Act Legislation

**Issue:** Federal Workforce Investment Act Funding Level.

**Action:** Provide Level Funding for Workforce Investment Act Programs with 5% Allocation to Governors for Discretionary Programs.

**Background:** The Economic Development Agency, Workforce Division administers the federally funded workforce services legislated by the Workforce Investment Act (WIA). These services are delivered through four comprehensive Workforce Development Centers, two satellite offices, a Mobile One-stop and six Youth Opportunity Centers. Workforce programs include human resource services and tax incentives to businesses, and employment and training services to adults, displaced workers and youth. All services are federally mandated and funded.

Our primary source of funding is federal WIA formula funds. Formula WIA funds totaling \$20,192,079 were awarded for the 2010-2011 fiscal year. The current fiscal year's (2011-12) allocation is \$18,071,489 representing a 12% decrease in funding. Riverside County received an additional \$23,943,534 in ARRA funds covering two years to be spent by June 2011. With the loss of the ARRA funding and the 12% cut to our current allocation, the Workforce Division has experienced a 26,064,124 decrease in funding, or roughly 62% over the past three fiscal years.

The unemployment rate for Riverside County was 8.5% for 2008, and increased to 14.7% for 2010. Currently, it sits at 14%, with 127,000 residents unemployed. This compares to 77,400 in 2008. The demand for workforce services continues to outpace the division's current financial resources and staff capacity. Over the past fiscal year, the division provided assessments, job search and career counseling services to over 13,200 individuals and 89,000 returning customers, which 1,490 businesses received services. Over 3,600 qualified candidates were hired. Approximately 1,200 youth, ages 16-21 received long-term comprehensive service focused on academic achievement, workforce preparation and character development. Of these youth, over 70% were considered out of school.

As if the ever increasing demand on limited resources isn't enough, State Senate Bill 734, signed by the Governor, requires 20% of all WIA available funds be spent on training. The 20% expenditure requirement does not include the direct staff and operating costs associated with delivering training services. Beginning in 2012, SB 734 will result in a greater decrease in services to businesses and job seekers who are in need of employment services, not job training.

## Salton Sea Restoration 2012

**Issue:** The County of Riverside views the restoration of the Salton Sea as a significant priority to the Legislative Platform for 2012. Lack of consensus on a preferred alternative to restore the Salton Sea will cause additional delays, which will have a profound impact on the ecosystem of the Salton Sea include: adverse impacts to air quality, bird habitat, fisheries, agriculture, public health, and the economy.

**Action:** 1. Consensus on a preferred alternative is necessary to achieve the needed restoration of the sea and to protect the impacted ecosystem.

2. Assistance is needed to identify a sustainable funding mechanism to support restoration activities.

**Background:** The Salton Sea is a closed drainage basin that occupies the lowest elevations of the Salton Sink of Imperial and Riverside County in Southern California. The salt water lake covers approximately 376 square miles making it the largest in California. The Salton Basin has been alternately a fresh water lake and a dry desert basin, depending on random river flows and the balance between inflow and evaporative loss.

The lack of an outflow over the past 107 years has caused the Salton Sea's ecosystem to undergo accelerated change. Variations in agricultural runoff cause fluctuations in water level, the relatively high salinity of the inflow feeding the sea, along with evaporation has resulted in ever increasing salinity. By the 1960's, it was apparent that the salinity of the Salton Sea was rising, jeopardizing many species of fish. Fertilizer and nutrient runoff combined with the increasing salinity have resulted in large algal blooms and elevated bacteria levels which have impacted the oxygen content of the sea, resulting in significant fish kills over the last several decades. The Salton Sea has been termed a "crown jewel of avian biodiversity" with over 400 bird species documented at the Salton Sea. The Salton Sea supports 30% of the remaining population of the American White Pelican and is a major resting stop on the Pacific Flyway.

The California State Legislature, by legislation enacted in 2003 and 2004, directed the Secretary of the California Resources Agency to prepare a restoration plan for the Salton Sea ecosystem, and an accompanying Environmental Impact Report. As part of that effort, which is based on State legislation enacted in 2003 and 2004, the Secretary for Resources established an Advisory Committee to provide recommendations to assist in the preparation of the Ecosystem Restoration Plan. On January 24, 2008, the California Legislative Analysis Office released a report entitled "Saving the Salton Sea." The preferred State alternative outlined within this draft plan calls for spending a total of almost \$9 billion over 25 years and proposes a smaller but more manageable Salton Sea. During that same time period the Salton Sea Authority made up of local water agencies, tribal interests and the counties of Riverside and Imperial developed an

alternate preferred plan to restore the sea. In September 2010, the Governor signed Senate Bill 51, authored by State Senator Denise Ducheny, creating the Salton Sea Restoration Council, a governing body of state and local officials and citizen representatives to oversee restoration efforts at the dying sea. This body has never met and has not taken any action on behalf of the sea.

2012 Federal Legislative session provides an excellent opportunity for county advocates to continue to peruse solutions to restore the sea. Assistant County Executive Officer/EDA shall use his/her discretion in supporting legislation, amendments to bills, opposing legislation, and working for bill passage in this session.

## Foreign Trade Zones in 2012

**Issue:** Expansion of the Palm Springs Foreign Trade Zone and the creation of the Four Winds Tribal Coalition Free Trade Zone.

**Action:** Support the expansion of the Palm Springs Foreign Trade Zone and the creation of the Four Winds Tribal Coalition.

**Background:** In 2011 the Board of Supervisors supported the expansion of the Palm Springs Foreign Trade Zone (FTZ) and the creation of the new Four Winds Tribal Coalition Trade Zone. Each effort is of vital importance to the county and cities. FTZ's reduce the cost of doing business and ensuring these two FTZ's are approved in Washington, D.C. at the Department of Homeland Security and Department of Commerce are of great importance. These programs have been of great benefit to our regional economy and have helped create jobs and reduce the cost of doing business. FTZ's are part of a business attraction and retention program that has helped keep business here and bring in new business and jobs. Assistant County Executive Officer/EDA, Managing Director/EDA, and/or the County Foreign Trade Commissioner/EDA will continue to work on this program with federal and local officials for the purpose of job creation and retention during the 2012 legislative session.

## Support for Free Trade Agreements Free Trade Agreements (FTA)

**Issue:** Support for additional Free Trade Agreements.

**Action:** Support for additional Free Trade Agreements by the United States.

**Background:** Riverside County became the nation's first county to formally advocate for the passage of the Korean, Columbian, and Panamanian Free Trade Agreements in 2010. After two years of advocacy, we have seen the passage of FTA's. These agreements knock down trade barriers between the U.S. and other nations and help create additional jobs here at home as export orders to new nations increase products and good shipments. Historically, Riverside County exporters have seen large increases in product sales of shore as duties, tariffs, and taxes are eliminated or reduced. FTA's are essential to continue to growing our exports and producing jobs here at home. Under the direction of the Assistant County Executive Officer/EDA, Managing Director/EDA, and the County Foreign Trade Commissioner these programs will continue to aide our business community and advocating for these FTA's will be a crucial role for EDA/Office of Foreign Trade in the next legislative session.

## Shipping of Wine 2012

**Issue:** Legislation in the Congress that would have allowed individual states to eliminate direct-to-consumer shipping of wine and is likely to be reintroduced in the subsequent sessions of the Congress.

**Action:** Oppose legislation that would relinquish Federal authority of alcohol regulation to the States, eliminating the protections granted by the Commerce Clause in the regulation of wine and alcohol.

**Background:** The Commerce Clause of the Constitution grants the U.S. Congress the sole power to regulate interstate trade, and bars states from passing laws and regulations that impede such trade. In the Supreme Court case of *Granholm v. Heald* (2005), the Court ruled that a state cannot pass laws that discriminate between in-state and out-of-state wineries unless the state can prove that it lacks other means of addressing such issues as public safety and public health.

Legislation would have allowed certain state alcohol laws to avoid judicial scrutiny through a presumption of validity, insulate and sanction discriminatory state laws by reversing evidentiary rules for Commerce Clause challenges and increasing the burden of proof for plaintiffs. In essence, the measure would have allowed the elimination of direct-to-consumer shipping of wine in the 37 states and District of Columbia that currently permit it, including California, reducing consumer choice and hurting wineries.

California – including Riverside County – is the 4<sup>th</sup> largest wine producing region in the world. The industry creates more than 330,000 jobs, produces billions of dollars in economic impact, and preserves agricultural land and family farms. However, only 17 percent of wineries are distributed by wholesalers nationally, and 54 percent are unable to secure a wholesaler even where they actively seek representation. As a result, many wineries must rely on direct sales to survive. By allowing states to close down this method of distribution, the proposals would hurt businesses, jobs, and state and local economies in states with a thriving wine industry.

County Economic Development Agency team members including the Assistant County Executive Officer/EDA, Managing Director/EDA, and/or the County Foreign Trade Commissioner continue to advocate for wine country and economic development via increase in international and domestic sales of wines produced here in our county.

## **County Library Funding in 2012**

**Issue:** Funding for Riverside County Library System.

**Action:** Oppose further cuts to library funding and advocate for grants for libraries.

**Background:** Riverside County operates a highly successful and cost effective regional library system. Our libraries continue to see decreases in funding sources on the federal level as a trend continues to reduce funding allocations. Future cuts in federal fund and federal grants will force the library to reduce services and times the libraries are open for public use. Opposing further reductions and successfully securing federal grants is important to the fiscal health of the county library system. The Assistant County Executive Officer/EDA, Managing Director/EDA, and Assistant Director/EDA-Cultural Services shall continue to work with federal elected and appointed leadership to advocate for increased federal operational funds and grant funding in the 2012 session.



## **Ben Clark Public Safety Training Center**

**Issue:** Ben Clark Public Safety Training Center.

**Action:** Support Federal Legislation and/or grant funding for improvement to infrastructure in 2012 session.

**Background:** Ben Clark Public Safety Training Center (BCTC), deed to the County of Riverside in 1999 is in need of upgrades, improvements, and replacement of its infrastructure. Seeking federal funds for these improvements is crucial to further develop this valuable asset. Working with the Sheriff and Fire Department, EDA will assist in identifying and serving federal funds and grants and will pursue funding via Public Worker and Economic Adjustment and Assistance Program.

## **Federal Funding for the Edward-Dean Library & Gardens**

**Issue:** Federal Funding for the Edward-Dean Library & Gardens.

**Action:** Support, advocate, and promote.

**Background:** Secure federal one time funding for the Edward-Dean Museum and Gardens. These funds are necessary to assist with accreditation of the museum and improve the quality of the museum displays for the public. Assistant County Executive Officer/EDA, Managing Director/EDA, and Assistant Director/EDA for Culture Services and Economic Development shall serve as points of contact and use resources as needed to support, oppose or amend a bill.

## 2012 Federal Budget-Aviation

**Issue:** H.R. 658: FAA Reauthorization and Reform Act for Airport Improvement Program (AIP) Grant Funding.

**Action:** To pass legislation to enact a multi-year (four year) extension of the FAA reauthorization act and to maintain an appropriate level of AIP funding.

**Background:** Congress has extended the current act more than 20 times since 2007. Federal FY 2012 legislation includes proposed AIP funding of \$3.5 billion; however, the Congressional version proposes to reduce the budget to \$3.35 billion for AIP, while the President's budget proposes funding at \$2.4 billion. These reductions may result in a loss of discretionary AIP grant funds in an amount up to \$4,000,000/yr and entitlement funds in an amount up to \$600,000/yr.

The FAA also conveyed to airport sponsors the reduction in grant administrative expenses, from 10% to 3%. This reduction passes the grant administration costs to the county and may result in a loss of \$60,000/yr.

Riverside County's principal source of funding for its airport capital improvements are AIP grant funds from the FAA.

## **Section 8 Program**

**Issue:** A 30% reduction in Federal Funding in the Administrative Revenue for the Section 8 Program.

**Action:** Remove any reduction of Administration Revenue for this program.

**Background:** The increase in Federal Funding for the Section 8 Housing Assistance Payments (HAP) means that more families are expected to be leased-up. However, the budget cut for the Administrative Funding will impact the HACR's ability to house more families. Without appropriate staffing levels, the Section 8 Program will accumulate more Net Restricted Assets used for HAP, which will likely be recaptured by HUD in the following years. This will ultimately result in less funding for rental subsidies for low to medium-income families in Riverside County.

## Public Housing Program

**Issue:** A 25% reduction of Public Housing Capital Fund.

**Action:** Restore 100% of Capital Funds.

**Background:** The underfunding of the Capital Fund Program will result in physical deterioration of the Public Housing sites due to lack of resources for capital improvements and modernization efforts, which would in turn make it difficult to attract renters and stabilize occupancy levels.

**Issue:** Recapture of Operating Reserves.

**Action:** Allow more time for Public Housing Authorities (PHAs) to draw down reserves for the benefit of improvements to the Public Housing sites. Allow PHAs to keep six month reserve levels, instead of four months to have ample revenue for future improvements and emergency/disaster repairs.

**Background:** HUD's move towards the recapture of operating reserves will result in fewer opportunities to do preventive maintenance; less funding to cover stand-by pay for maintenance staff to do immediate repairs and less revenue for much needed maintenance materials and services. This will also in the long run force the HACR to reduce staff.

## **Resident Opportunity for Self Sufficiency (ROSS) Program**

**Issue:** Elimination of funding.

**Action:** Restore funding for ROSS.

**Background:** The ROSS Program is instrumental in providing individual counseling on the mortgage and real estate process and training on financial literacy for those who are striving to be independent home-owners. Without funding for ROSS Coordinators, the Housing Authority of the County of Riverside will lose staff that would be able to help Public Housing residents with employment, financial, and better lifestyle goals.

## **Move To Work (MTW) Designation**

**Issue:** HUD Selection for MTW Agencies.

**Action:** Allow MTW status for the Housing Authority for the County of Riverside.

**Background:** The proposed MTW legislation identifies changes that would allow no arbitrary cap on the number of Public Housing Authorities (PHA) to be considered for MTW status. The MTW designation is based on merits and flexibilities of the program proposed by the PHA. Riverside County is looking to secure a Move to Work (MTW) designation to allow greater flexibility in the administration of the local Section 8 and Public Housing programs.

## Community Development Block Grant (CDBG)

**Issue:** 1. Possible reduction in funding of up to 17% from FY 2011 in the Senate proposed budget; and,

2. Possible reduction in 20% program administrative set-aside in the House proposed budget.

**Action:** Increase or maintain CDBG funding at FY 2011 funding levels to enable the county to sustain minimal efforts for assisting low/moderate income persons and communities. Maintain 20% administrative cap.

**Background:** For FY 2011, CDBG funding was reduced by more than 16% from FY 2010 levels. When adjusted for inflation, the CDBG program is near record low funding. CDBG provides local and state governments flexibility in addressing specific priorities related to community development needs, including infrastructure as well as essential public services and facilities. Further reductions or unnecessary restrictions in the CDBG program will greatly impair the county and our cooperating cities' ability to address the needs of low and moderate income families, seniors, the homeless, and others.



## **Public Health and Medical Emergency Preparedness and Response Funding**

**Issue:** Funding local health jurisdiction planning, preparedness and response to acts of terrorism, disasters, or other public health emergencies.

**Action:** Support the continuation and/or increase of federal and state funding to offset the local costs associated with planning for and responding to the medical/public health consequences of terrorism, natural disasters and/or other public health emergencies.

Support the removal of restrictions on the utilization of grant funds to support personnel, including permanent and temporary staff positions and contract personnel.

Support the continued use of grant funds for the infrastructure needed for personnel, including rent, communications equipment and computer support. Continue to allow these costs to be billed as direct charges.

Support the development of funding formulas that consider proximity of jurisdictions to high profile targets and are not based solely on the presence of such targets within jurisdictional boundaries.

**Background:** The terrorist activity on and after September 11, 2001, Hurricane Katrina, the October 2007 fires in Southern California and the 2009 H1N1 Pandemic Influenza response are a few examples of events that have identified the impact of terrorism, natural disasters and public health emergencies on local, state and federal medical/health response capabilities.

Recent changes in federal funding have placed limitations on the amount of personnel that can be supported by emergency preparedness and response grants. Although the grants allow for the utilization of contract staff, these staff are often unfamiliar with local policies and procedures, do not necessarily have a vested interest in the community in which they are working, and are often only contracted for a short period of time. In addition, some federal grants include contract staff in personnel caps. Federal grants should not restrict the funding of personnel at the local level; such restrictions severely impair the ability of the local health jurisdiction to develop and support comprehensive activities to combat the evolving threats of terrorism, natural disasters and other public health emergencies.

Increases in state and federal funding are needed to augment local programs to prepare for and respond to all forms of terrorism, natural disasters or other public health emergencies. Legislation is needed which increases prevention and response capabilities and strengthens the partnerships between state, federal and local agencies to effectively identify, prevent and respond to the medical/health consequences of terrorism, disasters or other public health emergencies. Funding formulas should

consider proximity to high profile, high impact targets as nearby jurisdictions to such targets will likely be severely impacted through the provision of mutual aid to the impacted jurisdiction or by the influx of large numbers of people seeking shelter and/or treatment.

## Communicable Disease Screening for Immigrants, Refugees and Asylees

**Issue:** Screening, Follow-up and Reimbursement for Immigrants, Refugees and Asylees with Communicable Diseases of Public Health Significance.

**Action:** Support the Federal Government's efforts to standardize, improve and strengthen pre-entry screening of immigrants, refugees and asylees for communicable diseases of public health significance.

Support communication and mandatory follow-up with local health departments regarding immigrants, refugees and asylees who have been identified during screening as having either a communicable disease or a potentially communicable disease (e.g., those persons classified as Class B-1 tuberculosis status) of public health significance. Support reimbursement from the Federal Government to local health departments for all un-reimbursed services provided on behalf of immigrants, refugees and asylees with communicable diseases of public health significance.

**Background:** Local health departments are often called upon to determine if an immigrant, refugee or asylee needs care and treatment for a communicable disease of public health significance. Pre-entry screening of immigrants, refugees and asylees is designed to prevent persons with active, transmissible communicable diseases from entering the United States, but the screening is not uniform. The requirement that immigrants, refugees and asylees with certain communicable diseases and potentially communicable diseases report for evaluation by local health departments is currently voluntary. This lack of consistent quality of pre-entry screening and lack of funded, mandatory requirements for evaluation upon arrival in the United States places an undue burden on local health departments and threatens the health of the communities they serve.

Immigrants, refugees and asylees need care and treatment for communicable diseases in the communities in which they reside. Local health departments are often called upon to absorb the cost of such services. Local health departments experience a financial burden in providing this care, essential to the health of the immigrant, refugee or asylee as well as to protect the health of the local community from the spread of communicable diseases of public health significance.

## **Training, Recruitment and Retention of Public Health Workforce**

**Issue:** Training, Recruitment and Retention of Public Health Workforce.

**Action:** Support legislation that allows for the establishment of a Public Health Workforce Scholarship Program and a Public Health Workforce Loan Repayment Program.

**Background:** The ability of the public health system is to prevent, respond to and recover from bioterrorism, infectious disease outbreaks and other health threats depends on the existence of adequate numbers of well-trained public health and environmental health professionals. The current public health system has an aging staff nearing retirement with no clear influx of highly skilled and capable employees to fill the void.

## **Child Nutrition Reauthorization Funding**

**Issue:** Child Nutrition Reauthorization.

**Action:** Support Child Nutrition Reauthorization to provide adequate funding for WIC participation and Nutrition Services and Administration (NSA) and make the WIC participant application process simpler and more streamlined.

**Background:** The economic recovery may take longer than anticipated and more families will turn to WIC for nutrition assistance requiring additional funding. Since fiscal years 2006 unforeseen economic circumstances have forced WIC to utilize contingency funds to assure that mothers and young children were not turned away. WIC urges Congress and the Administration to carefully monitor WIC participation and food cost inflation to assure that the budget request responds to economic conditions. Should the economic recovery take longer than anticipated, more families will turn to WIC for nutrition assistance and WIC may require additional funding. WIC strives to combat childhood overweight and obesity and has been part of the President's budget proposals to Eat Healthier, Live Better.

## **Animal Services**

**Issue:** Legislation and funding for Animal Services programs.

**Action:** Support State and Federal Legislation and funding that benefits municipal Animal Services departments to protect domestic animals, limit unwanted pets, effectively re-unite lost pets with their owners, and promote responsible ownership.

**Background:** The current economic crisis increased Animal Services departments' work load related to animal abuse, neglect, abandonment and the general increase in unwanted pets. As people lose their jobs and homes, they can no longer afford to care for their pets and/or no longer have a place to live that allows pets. Pet owners drop off animals they can no longer care for at shelters or abandon them. There is a profound increase in large animal abandonment, especially horses.

Although there are already more pets than there are homes for them, people continue to breed animals as a way to earn money. Pet owners continue to choose not to spay or neuter their animals due to economic factors, ignorance or limited availability to low cost services which exacerbates the problem.

Micro-chipping has proven to be an effective and efficient way to re-unite lost pets with their owners. It reduces the time spent searching for owners and caring for animals in already crowded shelters.

## Office on Aging

**Issue:** Older Americans Act Reauthorization and Appropriations.

**Action:** Support Reauthorization and Funding of the Older Americans Act and Administration on Aging (AoA) included in the President's 2012 Budget.

**Background:** The President has included slight funding increases for the Older Americans Act in his 2012 Budget. In September 2011 the Senate Appropriations Committee has approved Older Americans Act funding at the FY 2011 levels and approved the transfer of the State Health Insurance Assistance and Information Program (SHIP) (HICAP in California) from CMS to the Administration on Aging. The Senate Appropriations Committee did not approve the transfer of Title V, The Senior Community Service Employment Program from the Department of Labor to the Administration on Aging (AoA) as proposed in the President's 2012 Budget. First time federal funding for Adult Protective Services included in the President's AoA budget request was also rejected by the Senate Appropriations Committee. The National Association of Area Agencies on Aging (N4A) will continue to support the President's recommended budget with the inclusion of funding for Adult Protective Services and the proposed move of Title V, The Senior Community Employment Service Employment Program to AoA. Title V sustained a significant cut in FY 2011 and the Riverside County Office on Aging and N4A believes that the program will be better protected from further cuts housed in AoA with other Aging Programs and Services. The Super Committee will recommend overall budget cuts and Congress will need to approve the final FY 2012 Budget for AoA and the Older Americans Act. Reauthorization of the Act will further protect programs, services and funding.

The Office on Aging relies heavily on federal funding in general, and in funding provided through the Older Americans Act specifically. The Older Americans Act accounts for over 60% of the department's revenue. In addition to the County General Fund cuts sustained over the last budget cycles, a cut to Older Americans Act funding would certainly curtail the ability of the Office on Aging to provide basic services to seniors throughout the county including home delivered meals, congregate meals at senior centers and other vital Older Americans Act supportive services and further reduce department staffing levels.

## **Reconnect Children, Youth, and Families with Nature and the Outdoors**

**Issue:** Children today spend less time outdoors than any generation in human history resulting in the obesity epidemic, thus putting a strain on our economy for increased health care costs.

**Action:** Enact legislation that would reconnect children, youth, and families with nature and the outdoors by providing incentives to state and local entities to connect communities with green space while providing opportunities for outdoor recreation and physical activity.

**Background:** The Moving Outdoors in Nature Act was introduced in the 111th Congress and will likely be re-introduced in the 112th. The Act calls on the President to develop a national strategy for getting children and families more active out of doors. Such a strategy should include a coordination of efforts among federal agencies to identify barriers to children, youth, and families spending healthy time outdoors, and should implement specific policy solutions to address those barriers. The program would provide grants to eligible entities, such as park and recreation agencies, for the development and implementation of state and local strategies to increase physical activity by getting more Americans outdoors.



## **Expand Environmental Education in Partnership with Parks and Recreation**

**Issue:** Within NCLI, only the Environmental Education Grant Program defines park and recreation agencies as eligible partners. Allowing park and recreation agencies as eligible partners for all programs would give education agencies the option to partner with park and recreation agencies.

**Action:** Enact legislation that supports environmental and outdoor education in our nation's K through 12 public schools. Such legislation should ensure state and local park and recreation agencies are eligible to partner with education agencies for the development of a State Environmental Literacy Plan, professional development of teachers, and the strengthening of environmental education curricula.

**Background:** The No Child Left Inside Act (NCLI) (H.R. 2054 and S. 866) was introduced as a stand-alone bill in the 110th and the 111th Congress and will likely be introduced again in the 112th. The bill seeks to amend the Elementary and Secondary Education Act (ESEA) to include environmental education. Currently, funding provided through the ESEA is tied primarily to reading and math test scores leading to a loss of instruction time in environmental education. NCLI would provide grant funding for the development and implementation of a state environmental education literacy plan, teacher development, hands-on field experiences for students, and the implementation of environmental education curricula. Only states with an environmental literacy plan would be eligible for professional development and environmental education grants.

**Direct 40% of Total Land and Water Conservation Fund (LWCF)  
Funding to the LWCF  
State Assistance Program and Provide Full and  
Dedicated Funding for LWCF**

**Issue:** The removal of language specifying the amount that must go to the State Assistance Program has yielded significantly disproportional funding (16% vs. 40%) to states and localities.

**Action:** Allocate a minimum of 40% of total LWCF appropriations to the State Assistance Program in FY 12.

Enact authorizing legislation specifying that a minimum of 40% of LWCF funds are to be allocated to the State Assistance Program annually and provide full and dedicated funding for the Land and Water Conservation Fund at the maximum amount authorized by law (\$900 million annually).

**Background:** In 1965, Congress authorized the Land and Water Conservation Fund (LWCF) to "preserve, develop and assure accessibility to outdoor recreation resources in order to strengthen the health and vitality of the citizens of the United States." The LWCF program is authorized to receive \$900 million annually from revenues that are generated primarily from oil and gas leases in the Outer Continental Shelf (OCS) of the Gulf of Mexico as well as a small amount of revenue from federal motorboat fuel tax and surplus property sales. The premise for the LWCF Act is that revenue generated from the permanent extraction of our nation's natural resources should be invested in a permanent conservation and recreation benefit to all Americans.

Two keystone programs within LWCF are the Federal Land Acquisition Program and the State Assistance Program which provides funds to states and localities through matching grants for capital projects. When originally authorized, the Act required a minimum of 60% of the funding to go to the State Assistance Program and 40% to go to the Federal Land Acquisition Program. In the late 1970s, the State Assistance provision was removed. Current law requires a minimum of 40% of LWCF funds to be allocated only to the Federal Land Acquisition Program.

**Reauthorize the Surface Transportation Act, Maintaining Key Programs and Funding to Promote Livable Sustainable Communities**

**Issue:** Not continuing investments in bike and pedestrian trails, recreational trails, safe routes to school, and other key programs would result in significant loss of opportunities to improve health, address obesity, and improve quality of life in Riverside County.

**Action:** Enact a multi-year reauthorization of the Surface Transportation Act. Such legislation should maintain funding for key programs that promote health, protect the environment, and produce economic benefits. Priorities include making parks and recreation agencies eligible for funding authorized to build livable sustainable communities; key elements of the Transportation Enhancements Program, the Recreational Trails Program, Safe Routes to School, and the Sport Fish Restoration and Boating Safety Trust Fund.

**Background:** SAFETEA-LU, the current authorization, expired in 2009, and has been extended through a series of short-term extensions. Beginning in 1991 with ISTEA, and since that time, Congress has directed that the transportation bill include priorities and funding for more than just highway construction, calling for a multi-modal national transportation system that recognizes the role of transportation in improving health, promoting economic benefits, and improving the quality of the environment.

**Community Action Partnership of Riverside County  
(CAP Riverside)**

**Issue:** Community Services Block Grant (CSBG). Low-Income Home Energy Assistance Program (LIHEAP).

**Action:** Oppose the Administration's proposal to cut CSBG funding by 50% and open a competitive bidding process for CSBG funding. Nationally, Community Action has taken the position that in light of the current economic situation, funding cuts are inevitable. We recommend a roll back to 2008 levels for CSBG funding.

CAP Riverside supports LIHEAP funding that is most equitable for California, and opposes a formula that favors only cold-weather states.

**Background:** President Obama has targeted Community Action as a program that he would cut. We believe that this decision was made because his new staff does not understand the program and its history. Community Action was one of the original programs from the 1964 War on Poverty, and there are over 1,200 Community Action Agencies nationwide.

The Board of Supervisors is very supportive of CAP Riverside and we are pleased to be a part of the County's Legislative Platform.

## Federal Grants

**Issue:** Federal Grants, U.S. Department of Housing & Urban Development.

**Action:** Support.

**Background:** This unit is responsible for the administration of certain Federal Grants from the US Dept. of Housing and Urban Development (HUD) including CDBG, Emergency Shelter Grant (ESG), Homeless Prevention Rehousing Program (HPRP), and Community Development Block Grant-Recovery (CDBG-R). The grant programs benefit people, families, and organizations throughout Riverside County.

Federal Funding Cuts:

Funding for the CDBG program for FY 2011 was reduced by nearly 17% from 2010.

Congress is considering another 17% reduction for FY 2012.

When adjusted for inflation, the FY 2011 CDBG allocation is only 67% of funding for 2005, less than 50% of the CDBG funding for 1995, and only 32% of the funding in 1980.

Ongoing reductions in CDBG funding has adversely impacted the county's ability to fund, support, and develop vital and essential programs, services, and facilities for those most in need, including youth, seniors, families, and the homeless.

We are at the lowest staffing level in more than 20 years. All staff working in the CDBG/Grant Unit have taken on a greater workload due to staffing restrictions. Conversely, HUD has not reduced the administrative burdens or responsibilities of the county. In addition, existing staff administer and monitor various Housing and Economic Recovery Act (HERA) and American Recovery Reinvestment Act (ARRA) "stimulus" grant programs without increased staffing.

Elimination of the Federal Summer Work Experience Program resulted in fewer seasonal staff available to provide much needed public services. Summer camps and Movies in the Park have been scaled back due to staffing restrictions.

EDA has switched to using community services/inmate labor instead of employing young people participating in Federal Employment Programs.

Reductions in the Community Development Block Grant program have virtually eliminated funding for low income youth and seniors to participate in our community activities.

Authorizes Assistant County Executive Officer/EDA, Managing Director/EDA, and an Assistant Director of EDA to work for grant awards as needed.



## **CSAC Federal Priorities**

## CSAC Federal Priorities

### **New Authorization of the Nation's Surface Transportation Law (SAFETEA-LU):**

The nation's surface transportation law, SAFETEA-LU, is currently operating under its 7th extension that will expire on September 30, 2011. As of this writing, it is unclear whether Congress will be able to complete a new six-year transportation bill before the current extension expires, or whether Congress will renew the current extension once more. If Congress enacts another extension, some within the transportation community speculate that Congress will likely wait until after the 2012 mid-term election to complete a new authorization.

For its part, CSAC continues to actively promote its transportation reauthorization agenda with key policymakers. Among things, the association is recommending a more streamlined and flexible approach to allocating federal transportation funds to state, regional, and local agencies. CSAC is also promoting several environmental streamlining proposals such as a CEQA for NEPA reciprocity pilot program and is advocating for funding for a number of priority programs, including the Highway Bridge Program and the High Risk Rural Roads Program.

### **State Criminal Alien Assistance Program (SCAAP):**

The SCAAP program is a critically important budget item for many of California's counties. CSAC is one of the leading local government organizations in the fight to protect and enhance funding for SCAAP, which continues to be underfunded by Congress. CSAC will continue to advocate for maximum funding levels to offset the cost of housing undocumented criminals in county detention facilities.

Additionally, CSAC strongly supports legislation introduced by Senator Dianne Feinstein (D-CA) and Representative Linda Sánchez (D-CA) (S 168/HR 1314) that would require the Department of Justice to reimburse local jurisdictions for incarceration costs associated with undocumented individuals that have been convicted or accused of a felony or two or more misdemeanors. The current statute is limited to allowing reimbursement only in cases in which an individual is actually convicted of such crimes. The Feinstein/Sánchez bills are expected to be reintroduced in the 112th Congress.

### **Federal Climate Change/Renewable Energy Policy:**

The House of Representatives approved comprehensive climate change and renewable energy legislation (HR 2454) in the 111th Congress, but the Senate was unable to reach consensus on a package due to a variety of reasons. Lawmakers are expected to renew efforts aimed at addressing global warming in 2011, although it remains unclear whether the size and scope of next year's legislative effort will be as ambitious as previous attempts.



Among other things, CSAC is urging Congress to provide financial incentives to states that adopt and set greenhouse gas emissions reductions targets. CSAC also is urging Congress to provide additional funding for the Energy Efficiency and Conservation Block Grant, which provides resources to local governments for a variety of energy efficiency programs. Additionally, the association is promoting that the widest possible range of renewable energy sources – such as biomass, hydropower, and post-recycled municipal solid waste – qualify as resources to help California meet its renewable energy goals.

CSAC is urging Congress to seek a resolution to the Property Assessed Clean Energy (PACE) program. CSAC supports the continuation of PACE programs and the priority lien status for PACE loans. PACE programs create jobs, stimulate business growth, reduce greenhouse gas emissions and add lasting value to residential and commercial properties without increasing risks of mortgage defaults.

### **Native American Affairs:**

In the wake of the U.S. Supreme Court's decision in *Carcieri v. Salazar*, which limits the Secretary of Interior's trust land acquisition authority to those tribes that were under federal jurisdiction at the time of the passage of the Indian Reorganization Act (IRA) of 1934, several key members of Congress introduced legislation that would overturn the Court's ruling. Under the bills (S 1703/HR 3742/HR 3697), the Secretary of Interior would be granted authority to take land into trust for all Indian tribes.

In response, CSAC has been leading a multi-state coalition of county government associations that opposes the aforementioned *Carcieri* "quick-fix" bills in the absence of much-needed reforms in the fee-to-trust process. Among other reforms, counties are proposing modifications to the IRA that would require tribes to meet a set of heightened regulatory standards as a condition of the Secretary of Interior approving trust land applications.

Tribes mounted an aggressive lobbying effort to include the quick fix as part of any legislation being considered in the 111th Congress (they were successful in including *Carcieri* fix language in the House Interior Appropriations Subcommittee-approved fiscal year 2011 spending bill), an effort that has already continued in the 112th. This issue and other key tribal matters affecting counties – such as off-reservation gaming issues – will remain ripe for discussion in 2011.

### **Temporary Assistance for Needy Families (TANF) Reauthorization:**

The Temporary Assistance for Needy Families (TANF) program is currently operating on a short-term extension. When lawmakers convene for this fall's lame-duck session, Congress is expected to vote to extend the program through September 30, 2011.

The impending one-year continuation of the TANF program sets the stage for Congress in 2011 to debate in earnest the scope of the next multi-year bill. With the nation's economy continuing to struggle and unemployment rates still soaring, policymakers will

be looking at recent trends in welfare rolls and poverty figures as they consider options for reauthorizing TANF.

Congress – as well as previously issued regulations – placed additional administrative burdens on the TANF program. Many of those requirements had the effect of changing the focus on following federally imposed processes to the detriment of moving families into self-sufficiency.

CSAC is urging Congress to restore state and county flexibility to tailor work and family stabilization activities to families' individual needs. CSAC also supports maintaining the focus on work activities under TANF, while recognizing that "work first" does not mean "work only."

### **Secure Rural Schools Reauthorization:**

Originally passed and signed into law in 2000, the Secure Rural Schools and Community Self-Determination Act (SRS) represents a contract between the Federal Government and more than 700 rural counties and school districts that have historically depended on revenues from timber harvests on federal lands in their jurisdictions. These rural communities and schools have relied upon a share of the national forest receipts program to supplement local funding for education services and roads.

In response to the steep decline in timber sales, Congress passed SRS and President Clinton signed the bill into law. The original authorization provided six years of funding, with Congress extending the SRS for one year in 2007. In 2008, the 110th Congress reauthorized the program for an additional four-year period. The current act expires on September 30, 2011, with final payments slated to be distributed in January of 2012.

The SRS program is important to a number of forest counties in California. With the program scheduled to expire at the end of fiscal year 2011, CSAC is advocating for a long-term reauthorization of the SRS.

### **Clean Water Act:**

The Clean Water Act (CWA) and subsequent amendments have positively impacted the health of the nation's rivers and streams. At the same time, however, the CWA has created a host of unintended consequences. One such unintentional result of the Act is the continued inability of counties and other local entities to properly maintain flood protection facilities and drainage ditches.

Pursuant to Section 404 of the CWA, the Secretary of the Army Corps of Engineers may issue permits for the discharge of dredged or fill material into navigable waters of the United States and exempts certain activities from the permitting process. Although the Act appears to explicitly exempt maintenance activities of currently serviceable flood control facilities from permitting requirements, the Corps has not interpreted the law in this manner. As a result, virtually all routine maintenance of flood protection facilities and drainage ditches are subject to 404 permits, which has caused significant backlogs

in the Corps' permit processing times and ultimately thwarted local agencies from performing routine maintenance in a timely manner.

CSAC will continue to seek an amendment to Section 404 of the CWA to define maintenance of flood control channels or facilities as a non-prohibited activity, thereby providing a permitting exemption for maintenance activities.

**Levee Vegetation Management:**

CSAC supports modification to the Army Corps of Engineers policy on vegetation management of Corps built flood control facilities that considers regional variation across the nation; includes an exemption provision where appropriate; conforms to other federal and state laws; and includes local government in a transparent and collaborative process.

**CSAC Internal Monitoring:**

*In addition, CSAC will continue to provide internal monitoring on a number of issues that are of significance to California's counties.*

**National Health Care Reform:**

The landmark Patient Protection and Affordable Care Act Federal Health Care Reform Law requires states to implement many of its major provisions by 2014. California's counties will play a key role in the implementation of the bill over the next three years and must monitor and participate in the rulemaking and regulatory process at the federal level to help achieve a workable framework to provide health care to all Californians.

**Transient Occupancy Tax:**

CSAC will work to ensure counties' continued authority to assess and collect transient occupancy taxes on the full rate paid by the consumer for all appropriate transient lodging, regardless of whether the consumer pays through a hotel or any other vendor.

**Federal Geothermal Royalties:**

The Geothermal Steam Act of 1970 specifies a formula for the distribution of geothermal revenues to federal, state, and county governments. Under the formula, the Federal Government retains 25% of the revenue, the states receive 50%, and county governments receive 25%. Attempts have been made to permanently repeal the sharing of geothermal revenues with counties. Given the importance of these revenues to the affected counties, CSAC opposes any legislation that would discontinue geothermal royalty payments to county governments.

**Community Development Block Grant (CDBG):**

The fiscal year 2010 federal budget included nearly \$4.5 billion for HUD's Community Development Fund, or a roughly \$600 million increase over fiscal year 2009 spending levels. Of the total amount, almost \$4 billion is available for the Community Development Block Grant (CDBG) program.

The CDBG funding provided in the fiscal year 2010 budget is on top of the \$1 billion in funding that was included as part of ARRA. CSAC has actively promoted full funding for the CDBG.

**Child Welfare Financing Reform:**

As part of TANF reauthorization, Congress may consider legislation to reform the child welfare financing system, as well as provide additional resources to stabilize families and train and retain child welfare staff. CSAC supports additional programmatic flexibility along with an updated foster care payment methodology.

**Byrne Grant Funding:**

The American Recovery and Reinvestment Act (ARRA) made significant investments in the Byrne Memorial Justice Assistance Grant (JAG). CSAC strongly supports prioritizing Byrne funding in the annual appropriations process, and we will continue to work collaboratively with our congressional delegation and others in the coming year to secure and promote increased funding for this program and the positive local outcomes it helps achieve.

**Cooperative Endangered Species Conservation Fund:**

CSAC supports increased funding for the U.S. Fish and Wildlife Service's Cooperative Endangered Species Conservation Fund from \$85 million in fiscal year 2010 to \$125 million. This increase would restore the fund to approximately its fiscal 2001 level (adjusted for inflation) and provide much needed support to regional Habitat Conservation Plans (HCPs) in California and nationally.

**2-1-1 Statewide:**

CSAC has actively supported both State and Federal Legislation to help build and fund a statewide 2-1-1 referral system. 2-1-1 is a free, easy-to-remember telephone number that connects people to essential community information and services. In 2008, over one million Californians called 2-1-1 for help finding needed community services such as rent and mortgage assistance, food and shelter, health care, job training, transportation, child care, and senior care. 2-1-1 also plays an informational role during emergencies and disasters and relieves pressure on the 9-1-1 system at these critical times. This value of this service was evident during the 2007 San Diego wildfires when 2-1-1 call centers provided information and support to more than 130,000 callers in five days.

Currently, just 21 of California's 58 counties have 2-1-1 service. Some funding for 2-1-1 infrastructure may become available via federal economic stimulus funds or Federal Legislation. CSAC will continue to work at both the state and federal levels to promote the need for a comprehensive statewide 2-1-1 system.

**State's Water Crisis:**

California's political leaders and various state and local water interests continue to pressure California's Congressional Delegation and the Obama Administration to address the state's chronic water shortage. A wide range of proposals are being discussed that would address water transfers, endangered species laws, water quality and Delta protections to name a few. CSAC will monitor these proposals to ensure consistency with the organization's comprehensive policy direction on water.

**Payments-in-lieu-of-Taxes:**

Pursuant to PL 110-343, all counties are receiving 100% of authorized PILT payments in fiscal years 2008 through 2012. Prior to fiscal year 2008, PILT payments were subject to the annual appropriations process. CSAC will support efforts to convert the temporary mandatory spending into a permanent feature of the PILT program.



## Previous Federal Policies Positions

## Federal Housing Funding

**Issue:** Federal Housing Funding is not based on a predictable formula that allows local housing authorities to properly plan future budgets. Furthermore, funding allocations have declined as rising unemployment increased the need for housing assistance in Riverside County.

**Action:** Create a set formula to determine the level of funding for the Housing Choice Voucher Program. The formula should reflect and adequately fund increasing housing needs.

**Background:** A five month delay in receiving the 2009 HUD funding notice left the Housing Authority of the County of Riverside (HACR) with insufficient time to adjust its budget and address funding shortfalls. HUD uses different formulas each year to determine funding levels, leaving local housing authorities with limited guidelines for budget planning. This created delays for families in need of rental assistance and can create serious budget issues for the agency.

Additionally, Riverside County's funding allocation was required to use its program reserves as part of its funding allocation. This reduced the level of funding Riverside County would receive from HUD for rental assistance. Unprecedented increases in the county's unemployment surged demand for Housing Assistance Payments, known as Section 8 subsidies. The housing authority was forced to reduce program costs and has issued vouchers to families from their waiting list to those who were slated to receive assistance. Families from outside the area who wanted to move to Riverside and transfer their Section 8 voucher were no longer accepted and those who wanted to move outside of the county were required to relocate to lower-cost locations. Increases in payments to landlords and rising demand for housing assistance further stressed the agency's finances.

The HACR was able to avoid further cuts to rental assistance by using all of its program reserves. Any delays in future funding notices or additional cuts to funding would jeopardize the rental assistance provided for many Riverside County families.

## **Jobs Stimulus Funding**

**Issue:** Jobs Stimulus Funding.

**Action:** Encourage federal jobs funding that creates jobs in regions hard hit by foreclosures and property value decline.

Prior stimulus programs have focused on job sectors such as weatherization and construction that are not helpful to Riverside County. Most of our two million residents live in homes that are new and generally have good insulation. Further, we have an excess supply of recently built homes and any new home construction would further lower home values. The proposed jobs programs would have little beneficial impact on county unemployment, which currently stands at 15 percent.



## Regional Habitat Planning

**Issue:** Regional Habitat Planning, Conservation, Management and Monitoring Fiscal Support via the *U.S. Fish and Wildlife Service's Section 6 Cooperative Endangered Species Conservation Fund* in the FY 2011 *Senate Interior and Related Agencies Appropriations bill*.

**Action:** In partnership with approximately a dozen counties in northern and southern California, we request that funding for the U.S. Fish and Wildlife Service's Section 6 Cooperative Endangered Species Conservation Fund (the "Fund") be restored to previous levels, from the \$85.0 million current-year level to \$125 million in FY 2011. This will restore the Fund to approximately its fiscal 2001 level, adjusted for inflation and provide much needed support to regional Habitat Conservation Plans (HCPs) in Riverside County, throughout the state and nationally.

The Fund includes grants for land acquisition of approved HCPs, planning grants for HCPs in preparation, land acquisition grants for species that have Recovery Plans and sub grants for management and monitoring activities. Section 6 grants are the main source of federal funding to aid the preparation and implementation of HCPs.

In the years ahead, the land acquisition grants will be an essential component for meeting the biological conservation and permit streamlining benefits of HCPs. Management and monitoring activities, which are critical to the continued success of these plans, also need to be funded. However, the program is currently funded at a substantially lower level than in Fiscal 2001 in actual dollars. Fiscal 2001 appropriations were \$104.7 million. The current funding level is only \$85.0 million. The decrease is far more severe when inflation is taken into account.

Due to the increasing number of HCPs emerging throughout the country, the Fund will have to increase significantly over the next several years in order to ensure that HCPs continue to be initiated and implemented successfully. In California alone, the number of regional HCPs has doubled while the Fund has failed to keep pace with inflation. Despite the recent economic downturn, costs to fully implement and manage regional HCP reserve systems remain high. Demand is particularly high for planning and land acquisition funding, given the large number of completed HCPs and Recovery Plans.

With adequate funding, HCP's can significantly capitalize on our present economic situation by securing lands, previously out of market range, needed to establish the reserve systems. Given this unique opportunity a large increase of the Fund over the next several years is justifiable and necessary.

## **Ratification of the Columbia, Panama, and South Korea Free Trade Agreements (FTA)**

**Action:** Support the ratification of the Columbia, Panama, and South Korea Free Trade Agreements (FTA) by the United States Senate.

**Background:** Encourage the Congress of the United States and the Administration to pass the South Korean Free Trade Agreement, Panama Free Trade Agreement, and Columbian Free Trade Agreement. These free trade agreements are vital to the further economic recovery of the economy of the County of Riverside. Riverside County currently ranks 23<sup>rd</sup> in the nation in exports. Opening up new markets for exports is critical to our private sector business in the manufacturing and agricultural sectors. Exports, according to Beacon Economics, Claremont McKenna College, and the University of California, Riverside are the single sector that is growing in all economic indicators. This makes the execution and approval of these free trade agreements more important than ever.

Currently, more than 90 percent of Columbian exports enter the U.S. duty-free and regrettably, products manufactured in the County and the U.S. face high and stiff tariffs and other trade barriers. According to the County's Office of Foreign Trade, ratifying the Columbia FTA will eliminate duty on 80 percent of products manufactured in the County thus opening more markets for exports by the 1,020 manufacturers located in the County. Agri-business would also reap tremendous benefits from this FTA as it would see tariffs and duties eliminated on 50 percent of its exports immediately. Similarly the Panama FTA would open those foreign markets to County firms and farmers and result in allowing 88 percent of products manufactured in the County to enter duty-free upon entry in force of the agreement.

The South Korea FTA will eliminate tariffs and other barriers to the trade of goods and services, promote economic growth and development and strengthen existing economic ties between the U.S. and its 7<sup>th</sup> largest trading partner. This FTA would provide greater protection for patents, trademarks, and trade secrets; and provides small and medium-sized businesses access to greater exports to South Korea.

Riverside County has been hard hit by the economic downturn, including having one of the highest foreclosure rates in the nation. The County urges Congress to take quick action on the Columbia, Panama, and South Korea Free Trade Agreements because of the significant economic benefits they will bring to Riverside County.

## Direct-to-Consumer Shipping of Wine

**Issue:** Legislation was introduced in the 111<sup>th</sup> Congress that would have allowed individual States to eliminate direct-to-consumer shipping of wine, and is likely to be reintroduced in the 112<sup>th</sup> Congress.

**Action:** Oppose legislation that would relinquish Federal authority of alcohol regulation to the States, eliminating the protections granted by the Commerce Clause in the regulation of wine and alcohol.

**Background:** The Commerce Clause of the Constitution grants the U.S. Congress the sole power to regulate interstate trade, and bars States from passing laws and regulations that impede such trade. In the Supreme Court case of *Granholm v. Heald* (2005), the Court ruled that a state cannot pass laws that discriminate between in-state and out-of-state wineries unless the state can prove that it lacks other means of addressing such issues as public safety and public health.

Legislation introduced in the 111<sup>th</sup> Congress as H.R. 5034 would have allowed certain State alcohol laws to avoid judicial scrutiny through a presumption of validity, and insulate and sanction discriminatory state laws by reversing evidentiary rules for Commerce Clause challenges and increasing the burden of proof for plaintiffs. In essence, the measure would have allowed the elimination of direct-to-consumer shipping of wine in the 37 states and District of Columbia that currently permit it, including California, reducing consumer choice and hurting wineries.

California – including Riverside County – is the 4<sup>th</sup> largest wine producing region in the world. The industry creates more than 330,000 jobs, produces billions of dollars in economic impact, and preserves agricultural land and family farms. However, only 17 percent of wineries are distributed by wholesalers nationally, and 54 percent are unable to secure a wholesaler even where they actively seek representation. As a result, many wineries must rely on direct sales to survive. By allowing states to close down this method of distribution, the proposals would hurt businesses, jobs, and state and local economies in states with a thriving wine industry.

## Emancipated Foster Youth

**Issue:** Emancipated Foster Youth.

**Action:** To protect and support children in foster care by supporting legislation that provide states access to federal resources to support emancipated foster youth up to age 21.

Every year, more than 4,000 California youth lose foster care support when they reach the age of 18. These children who 'age out' often face economic, educational and social hurdles as they try to transition independently into adulthood. The critical years between the age of 18 and 21 are when these youth are most at risk of becoming homeless, involved in the criminal justice system or unemployed. Not only are there personal costs to the youth involved, but the failure to support these children reverberates throughout the state and local governments in the form of incarceration and social service costs.

The intent of this proposal is to support legislation to provide California with the ability to leverage federal resources to support foster children up to age 21.

## **Foster Care Background Checks**

**Issue:** Foster Care Background Checks.

**Action:** Federal law went into effect on October 2008 that requires California to use federal requirements to conduct its criminal background checks. California currently has a thorough background check process which allows for exemptions for potential foster-care parents, under specific circumstances. The exemption option is not available under the federal law. This will result in a decrease in the number of persons, especially relatives, who can be authorized to care for children in foster care.

The intent of this proposal is to support children in foster care by allowing California to determine standards of foster care placements.

Continued use of the current California background check process in foster care placements would not create a fiscal change.

## **Supplemental Security Income (SSI) Benefits for Emancipated Foster Youths**

**Issue:** Supplemental Security Income (SSI) Benefits for Emancipated Foster Youths.

To protect and support children in foster care by supporting legislation that would allow foster care youth nearing emancipation to apply for SSI benefits in a timely manner.

**Action:** The intent of this proposal would be to support legislation to provide California with the ability to allow for timely application for SSI benefits to emancipating youth.

## **Communicable Disease Screening for Immigrants, Refugees and Asylees**

**Issue:** Screening, Follow-up and Reimbursement for Immigrants, Refugees and Asylees with Communicable Diseases of Public Health Significance.

**Action:** Support the Federal Government's efforts to standardize, improve and strengthen pre-entry screening of immigrants, refugees and asylees for communicable diseases of public health significance.

Support communication and mandatory follow-up with local health departments regarding immigrants, refugees and asylees who have been identified during screening as having either a communicable disease or a potentially communicable disease (e.g., those persons classified as Class B-1 tuberculosis status) of public health significance.

Support reimbursement from the Federal Government to local health departments for all un-reimbursed services provided on behalf of immigrants, refugees and asylees with communicable diseases of public health significance.

**Background:** Local health departments are often called upon to determine if an immigrant, refugee or asylee needs care and treatment for a communicable disease of public health significance. Pre-entry screening of immigrants, refugees and asylees is designed to prevent persons with active, transmissible communicable diseases from entering the United States, but the screening is not uniform. The requirement that immigrants, refugees and asylees with certain communicable diseases and potentially communicable diseases report for evaluation by local health departments is currently voluntary. This lack of consistent quality of pre-entry screening and lack of funded, mandatory requirements for evaluation upon arrival in the United States places an undue burden on local health departments and threatens the health of the communities they serve.

Immigrants, refugees and asylees need care and treatment for communicable diseases in the communities in which they reside. Local health departments are often called upon to absorb the cost of such services. Local health departments experience a financial burden in providing this care, essential to the health of the immigrant, refugee or asylee as well as to protect the health of the local community from the spread of communicable diseases of public health significance.



## **Continuing Federal Policy Positions**



## **Continuing Federal Policy Positions**

### **Re-Entry and Anti-Recidivism Programs:**

Support measures that will increase funding for re-entry and anti-recidivism programs to provide a second chance at the local level.

### **Alternative Energy:**

Support incentives and programs that encourage alternative energy, including wind power and solar.

### **Santa Ana River Parkway:**

Support federal funding for this tri-county parkway, including support of the Army Corps of Engineer's request for funds for use at Prado Dam.

### **Unfunded Mandates:**

Support measures that ease the burden of federal regulations and mandates on local governments by:

- Requiring adequate federal funds for new mandates arising from federal law, regulation, or policy; and,
- Reimburse local governments for the costs of complying with existing federal mandates.

### **Public Safety Funding:**

Support measures that provide funding opportunities for local public safety efforts, including law enforcement, juvenile justice and delinquency prevention, violence against women, domestic terrorism, communications interoperability, and drug court activities.

### **Public Health Funding:**

Support measures that continue or increase critical federal funding for local public health services, including Medicaid/Medicare, DSH, Ryan White, SAMHSA, and Preventative Health funding.

### **Social Services Funding:**

Support measures that continue or increase critical federal funding for local social services, including Child Welfare Services programs, the Social Services Block Grant, the Community Services Block Grant and funding under the Older Americans Act.

### **Maternal and Child Health Care:**

Support funding for Maternal and Child Health Block Grants and legislation to revise the distribution formula for MCH funds to provide a more equitable distribution of funding for jurisdictions that have experienced population growth.

**Election Reform:**

Support measures that provide support and funding for upgrading and maintaining local voting systems.

**Endangered Species Act (ESA):**

Support measures consistent with the Board's policy to amend and reauthorize the ESA, including a more systemic approach to implementation of the Act.

**Payment in Lieu of Taxes (PILT):**

Support measures that increase PILT to the amount authorized by the Act in 1994.

**Housing, Homeless, and Community Development Funding:**

Support measures that address the housing and homeless needs in the county, and increase and fully fund the CDBG program.

**Agricultural Pests:**

Support measures to provide funding to address agricultural pest issues in the county.

**Mental Health:**

Support measures that provide funding for mentally ill offenders and other mental health programs.

**Habitat Conservation:**

Support measures that support and fund:

- 1) Habitat conservation and related activities,
- 2) Transportation and communication corridors to relieve congestion; and,
- 3) Planning efforts to establish future land use and housing needs.

**Temporary Assistant to Needy Families (TANF):**

Support measures that will reauthorize and improve the TANF program.

**Riverside County Regional Medical Center:**

Support legislation that would provide funding for capital improvement projects to improve Riverside County Regional Medical Center's ability to serve as the region's first responder for health-related incidents, and oppose any attempts to reduce Medicaid payments to public hospitals.

**Reimbursement Rates for Uninsured Persons Utilizing Hospitals:**

Support state efforts to gain additional federal funding to both reduce losses to hospitals under the Medicaid program, and to provide reimbursement for uninsured patients seen by hospitals.

**Empowerment Zones:**

Support measures that establish a formal funding mechanism and ensure long-term funding for Empowerment Zones.

**Foreign Trade Zones:**

Support Federal legislation that will allow existing Foreign Trade Zones to expand and support legislation that will allow for the creation of new Foreign Trade Zones.



## **2012 Federal Funding**

## 2012 Federal Funding

The first session of the 112<sup>th</sup> Congress was dominated by the fiscal crises facing the Federal government. The new Congress, with a Republican Majority in the House, was forced to complete work on the FY 2011 appropriations process after its predecessors failed to come to agreement on any of the spending bills last year. A moratorium was placed on Congressionally-directed spending for specific local projects – also known as earmarks – and subsequently extended through the FY 2012 appropriations process.

Almost immediately, negotiations over an agreement to raise the Federal Debt Limit and simultaneously address deficit reduction took center stage and devolved into a divisive partisan political battle as a potential default of the U.S. government loomed at the beginning of August. The final compromise included the establishment of a Joint House/Senate Select Committee on Deficit Reduction to reach agreement on at least \$1.2 trillion in savings, and mandatory caps on the annual appropriations process. The subsequent failure of the Committee to negotiate an agreement raises the specter of a “sequestration” process to achieve the budget savings through government-wide automatic cuts in spending over nine years, beginning in January 2013. While the FY 2012 appropriations process started on an orderly path for the first time in many years, it once again bogged down, devolving first to a “Minibus” measure combining three of the annual funding bills, and ultimately to another year-end “Megabus” act that contained the remaining nine appropriations bills.

Federal legislation of significance to your Board and the County's mandated responsibilities approved by Congress and signed into law in 2011 included:

- Enactment of legislation to repeal the mandated requirement that all local, State, and Federal government agencies withhold 3% of payments to vendors and contractors for Federal income tax purposes;
- Reauthorization of the Promoting Safe and Stable Families Program;
- Reauthorization of the Child Welfare Services Program; and,
- Ratification of Foreign Trade Agreements with Colombia, Panama, and South Korea.

While funding for specific projects in general and Riverside County proposals and projects in particular was limited by the continuation of the moratorium on earmarks, the County was awarded several Federal grants and reimbursements, including:

- \$7.42 million for the Riverside-San Bernardino Transitional Grant Area under FY 2011 Ryan White HIV/AIDS funding;
- 3 grants totaling \$6.3 million to extend water and sewer lines to Mountain View Estates; and,

- \$7.5 million under the Section 6 Cooperative Endangered Species Conservation Fund; including:
  - \$6 million for the Coachella Valley Multiple Species Habitat Conservation Plan;
  - \$1 million for the Desert Renewable Energy Conservation Plan HCP; and,
  - \$500,000 for the San Jacinto and Santa Rosa Mountains National Monument.
- \$3.7 million to the Riverside County and City urban region under the Urban Areas Security Initiative;
- \$821,568 under the State Criminal Aliens Assistance Program (SCAAP);
- \$609,341 under the FY 2011 Emergency Shelter Grant program;
- \$281,693 to the County's Community Health Agency under the Metropolitan Medical Response System (MMRS);
- \$150,719 under the FY 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) program; and,
- 25 vouchers and a one-year budget authority of \$204,507 under HUD-VA Veterans Affairs Supportive Housing Program.

The challenges of 2011 on the Federal level will continue into the second session of the 112<sup>th</sup> Congress, exacerbated by Presidential election year politics. Under the specter of the economic situation and budgetary constraints arising from the Federal deficit, Congress will attempt to address authorization or reauthorization of a variety of statutes of significance to the County, including: SAFETEA-LU; TANF; the Workforce Investment Act; the Farm Bill; and the Older Americans Act.