

Holland & Knight

Multnomah County Federal Agenda

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November 30, 2010

Status of Federal Agenda – FY2011

- 2 Transportation-HUD Bill requests
 - Sellwood Bridge & Sandy River Trail*
 - House - \$650k; Senate - \$500k
- 3 Commerce-Justice-Science Bill requests
 - Re-entry Services, Financial and Elder Abuse Prosecution, Regional Justice Information Network
 - House - \$200k; Senate - \$0
- 3 Labor-HHS Bill requests
 - Gatekeeper, School Based Health Clinics, Homeless Benefits Recovery
 - House - \$0; Senate - \$0
- 2 Interior & Environment Bill requests
 - Beaver Creek Culvert Replacement*, Sandy River Trail*
 - House - \$0; Senate - \$0
- 1 Energy & Water Bill request
 - Beaver Creek Culvert Replacement*
 - House - \$0; Senate - \$0

* Indicates project is being requested in multiple bills

Lame Duck Session

Priority Legislation

Appropriations – To date, only two FY 2011 bills have passed (Military/Veterans and Transportation/HUD) or passing a Continuing Resolution to fund the government. The current one ends on December 3, 2010

Moratorium On Earmarks

2001 and 2003 (“Bush”) Tax Cuts Extension – highest non appropriations bill priority

Highway Trust Fund Extension – due to expire December 31, 2010

Other Priorities:

- Food Safety
- Child Nutrition Reauthorization Act
- Medicare Physician Payment – Sustainable Growth Rate (SGR)
- Energy Bills
- Hotlined Public Health Bills
- Defense Authorization Bill

Major Legislation Passed in the 111th Congress

- Health Care
- Financial Services Regulatory Reform
- Jobs Bill

Timeline Going Forth

Nov. 30, 2010 – President Obama invites Republican and Democratic leaders John Boehner, Mitch McConnell, Nancy Pelosi and Harry Reid to visit the White House

Dec. 2, 2010 – President Obama invites newly elected governors of both parties to the White House

Early Dec., 2010 – Steering committee makes committee assignments

Jan. 3, 2011 – members of 112th Congress are sworn in

Preview of the First Session of the 112th Congress

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The 112th Congress

- Republicans win back House majority
- GOP pick up 62 seats, biggest gain for a party in a midterm since 1938
- Democrats maintain majority in the Senate
- **New House Distribution**
- 190 Democrats (Net -62)
- 241 Republicans (Net +62)
- **New Senate Distribution**
- 53 Democrats
- 47 Republicans (Net +6)
- Senators Lieberman (ID-Conn) and Bernard Sanders (ID-VT) currently caucus with the Democrats

New Leadership In the House of Representatives

Republicans

- Republican Majority Leadership:
 - Speaker of the House – Boehner (R-8th/OH)
 - Majority Leader – Cantor (R-7th/VA)
 - Majority Whip – McCarthy (R-22nd/CA)
 - Conference Chair – 4 candidates vying

Democrats

- Democrat Minority Leadership:
 - Minority Leader – Pelosi (D-8th/CA)
 - Minority Whip – Hoyer (D-5th/MD)
 - Deputy Leader – Clyburn (D-6th/SC)
 - Conference Chair -

Leadership In the Senate

Republicans

- Mitch McConnell, Minority Leader
- – Jon Kyl, Minority Whip
- Lamar Alexander, Republican Conference Chair
- John Barrasso, Republican Conference Vice Chair
- John Thune, Republican Policy Committee Chair

Democrats

- Harry Reid, Majority Leader
- Daniel Inouye, President Pro Tempore
- Dick Durbin, Assistant Majority Leader
- Charles E. Schumer, Vice Chair of the Conference and Chair of the Democratic Policy Committee
- Patty Murray, Secretary of the Conference
- Debbie Stabenow, Vice Chair of the Democratic Policy Committee
- Mark Begich, Chair of Steering and Outreach Committee

Appropriations Outlook

- House Republicans passed an earmark moratorium for the 112th Congress
- Senate Republican Leadership supports the earmark moratorium
- Senators – McCaskill, Udall, McCain, and Coburn; sponsored vote on earmark moratorium for the 112th Congress
- Senate Democratic Leadership does not support an earmark ban.
- In a wait and see position right now.
- Encouraging the county to still identify priority projects and be ready to submit to Senators Wyden and Merkley

112th Congress: Issues to Face

Under GOP House Majority:

- Modifying or defunding health care reform
- Reducing discretionary spending and the U.S. deficit
- Creating jobs and “stimulating” the economy

Both parties will seek to set the stage for the 2012 elections

Post Election Dynamics

- President Obama will continue to set the agenda from the White House and define relationship with Republicans
- Republicans and Democrats are expected to be more polarized based on election results
- House Republicans will drive the GOP message with their 60+ seat majority
- Although the Republicans failed to take the Senate, cloture rules will require Democrats to make significant compromises
- Expect a game of cat and mouse as Republicans try to enact spending cuts, repeal health care reform completely or in part and stimulate job growth under the threat of the President's veto pen

Other Federal Legislative Issues

Federal issues we are currently monitoring for the county include:

- **Alternative Energy Development Opportunities**—Identify federal opportunities to promote and support alternative energy endeavors such as Energy Efficiency & Conservation Block Grant Funding (EECBG), Property Assessed Clean Energy legislation (PACE), etc.
- **Federal Telecommunications Legislation**—Maintain existing local authority to negotiate franchise agreements in the best interest of the community.
- **Mandatory Collective Bargaining for First Responders**—Oppose efforts requiring local governments to enter into collective bargaining agreements.
- **Federal Stormwater Management Fee Legislation (S. 3481/H.R. 5724)** - Support efforts to amend the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to provide that reasonable service charges applicable to federal entities for water pollution include the same reasonable fees or assessments for stormwater management applicable to any nongovernmental entity.
- **Local Jobs for America Act**- To help ensure that local governments are able to fully function as the economic engines the nation needs them to be, the federal government should provide funds for targeted fiscal assistance directly to local governments to help save public sector jobs.
- **Increased deployment of broadband with responsible management of City's rights-of-way** - The issue of local ROW use compensation and management has recently emerged on the federal level as part of the FCC's National Broadband Plan that was presented to Congress. We are pleased with and support the FCC's recommendation for an intergovernmental task force of local, state, federal, and tribal representatives to develop best practice guidelines.
- **Make infrastructure spending targeted to local governments a priority in any jobs package** - This spending would not only create jobs but also allow local governments to make badly needed repairs to roads and bridges; modernize water and sewer systems that impact public health; further efforts to reduce greenhouse gas emissions by increasing transit and transit oriented development; and retrofit the nation's housing stock to make it more energy efficient.

Federal Legislative Items of Interest to County, cont'd.

- *Full-Service Community Schools Act of 2009* (HR 3545)
 - Would authorize the Secretary of Education to award grants for the support of full service schools
 - Introduced on September 9, 2009; Rep. Blumenauer is a co-sponsor
 - Referred to House Committee on Education and Labor
- *Restoring the Partnership for County Health Care Costs Act of 2009* (HR 2209)
 - Introduced on April 30, 2009, referred to Committees, no further action
 - Legislation not included in Health Care Reform bill
 - No further action has been taken
- *Juvenile Justice Delinquency Prevention Act of 2009* (S. 678)
 - Senate Judiciary Committee markup scheduled for December 17th
 - August 5, 2010 Senator Leahy from Committee filed written report
- *Youth Promise Act of 2009* (S. 435/H.R. 1064)
 - Referred to Senate Judiciary Committee on February 13, 2009
 - Voted out of House Committee on December 12, 2009; Reps Earl Blumenauer, Peter DeFazio, David Wu, Kurt Schrader are co-sponsors
 - No further action has been taken

Public Safety, cont'd.

- ***Recidivism Reduction Act of 2009*** (H.R. 2829)
 - Referred to House Ways and Means, and Energy and Commerce Committees on June 11, 2009
 - No further action has been taken
- ***National Criminal Justice Commission Act of 2009*** (S. 714/ H.R. 5143)
 - Senate Judiciary Committee markup scheduled for December 17th; Senators Jeff Merkley and Ron Wyden are co-sponsors
 - Placed on Senate Legislative Calendar May 6, 2010
 - House Action – Introduced 7/27/2010; passed by voice vote
 - Blumenauer and DeFazio are co-sponsors
- ***Trafficking Deterrence and Victims Support Act of 2009*** (S.2925/H.R. 5575)
 - Senator Wyden – sponsor; Senator Merkley – co-sponsor
 - Placed on Senate Legislative Calendar under general orders September 22, 2010
 - Introduced in the House on June 23, 2020; Reps. Wu and Blumenauer are co-sponsors
- ***Surface Transportation Reauthorization Act***
 - Various versions of bill have been introduced, no formal agreement on length of extension, funding of legislation, etc.

Multnomah County Federal Strategy

- Identify top federal funding priorities
- Review priorities with Congressional Delegation for support through appropriations process or grant process
- Seek other federal funding sources – i.e. take advantage of grant opportunities
- Plan yearly visit to Washington, DC to communicate priorities with appropriate Members and Staff – (February/March 2010)
- Visit with federal agencies that have funding opportunities in line with the county's priority projects.
- H&K will continue to track and update the county on legislation of importance

Questions?