

June 25, 2010

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## **Filibuster Sidelines "Slimmed-Down" Extenders Bill in Senate – Again!**

Forty Senate Republicans, joined by Nebraska Democrat Ben Nelson, successfully blocked a motion to end debate on H.R. 4213, the American Jobs and Closing Tax Loopholes Act of 2010, for a third time the evening of June 24. Losing the procedural vote prompted Senate Majority Leader Harry Reid (D-Nev.) to pull the bill and declare that the Senate would move on to other business. Fifty-five Senate Democrats, along with independent Senators Bernie Sanders (Vermont) and Joseph Lieberman (Conn.) voted to end the filibuster. Senate President Pro Tempore Robert C. Byrd (D-W.V.) and Senator Lisa Murkowski (R-Alaska) did not vote.

The bill, which extends unemployment benefits and a number of popular tax breaks, also includes a six month extension of the American Recovery and Reinvestment Act's (ARRA) increased Medicaid federal medical assistance percentage (FMAP) for states and counties which is set to expire on December 31, 2010. The FMAP extension had been reduced from a fully funded six month extension of the ARRA FMAP at \$24 billion down to \$16 billion over six months in an effort to address worries about the federal deficit voiced by a number of moderate senators in both parties.

Without an FMAP extension, many states and counties will be forced to take actions which will undermine the fragile economic recovery like furloughing employees, cutting programs or raising taxes.

County officials should contact their senators and ask them to push their respective leaders to extend Medicaid FMAP assistance.

To get the list of your senators, please click [here](#):



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## **House Passes Yet another Short Term Extension of National Flood Insurance Program**

During the week, the House of Representatives approved by the voice vote H.R. 5569, the National Flood Insurance Program (NFIP) Extension Act of 2010. This legislation authorizes the program until September 30, 2010, but is yet another short term extension for the NFIP.

For several years, Congress has debated and enacted legislation to reform the NFIP, but provisions concerning whether or not to add wind damage coverage, raising the maximum coverage limits and forgiving the programs debt are just some of the varied reasons final passage of a multiyear NFIP authorization bill has stalled.

In the Senate, a short term extension of the NFIP program is included in H.R. 4213, the American Jobs and Closing Tax Loopholes Act of 2010 (also known as the "Tax Extenders" legislation). However, the extenders legislation has yet to be enacted by the full Senate. Additionally, Senator David Vitter (R-La.) has introduced legislation (S. 3347) which would reauthorize the NFIP until December 31, 2010, but this too has yet to be considered by the Senate.

Over the last couple of years, the NFIP has expired briefly and Congress has reauthorized the program. Nonetheless, these lapses in the program, as well as these short-term reauthorizations have restricted the programs ability to write and renew flood insurance coverage and adversely impacted or delayed thousands of real estate closings.

NACo will continue to strongly urge Congress to enact a multiyear reauthorization of the NFIP program.

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## **House Homeland Security Appropriations Subcommittee Approves FY2011 Homeland Security Bill**

On June 24, the House Security Appropriations Subcommittee approved the FY11 Department of Homeland Security Appropriations Bill, making it the first of the 12 annual Appropriations bills to be marked up. The spending legislation proposes \$43.9 billion for the Department of Homeland Security (DHS), an increase of \$1.1 billion (compared to the FY10 level enacted by Congress). Key state and local first responder assistance programs are proposed to receive a total of \$3 billion, which is a very slight increase compared to what Congress provided for these program this year.

Specifically, the FY11 DHS House Appropriations bill proposes the following amounts for some of DHS' key grant programs to state and local governments:

- \$950 million for DHS' State Homeland Security Grant Program (\$950 million enacted in FY10);
- \$907 million for DHS' Urban Area Security Initiative Program (\$887 million enacted in FY10);
- \$840 million for FIRE Grants (\$810 million enacted in FY10), of which

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\$420 million is proposed for grants for Staffing for Adequate Fire and Emergency Response (SAFER) program and \$420 million is proposed for the Assistance to Firefighters Grant (AFG) program; and  
-- \$345 million for the Emergency Management Performance Grant Program (\$340 million enacted in FY10)

The budget request also proposes \$1.9 billion for the Disaster Relief Fund, \$300 million for Port Security Grants, \$300 million for Public Transportation Grants, \$194 million for FEMA's Flood Map Modernization Fund, \$200 million for FEMA's Emergency Food and Shelter, \$100 million for Pre-disaster Mitigation Grants, \$50 million for Interoperable Communication Grants, \$41 million for the Metropolitan Medical Response System, and \$50 million for Emergency Operations Center Grant.

The legislation will now move to the full House Appropriation Committee, where final passage may happen soon. The Senate Homeland Security appropriations Subcommittee has not yet scheduled a markup or previewed their version of the bill yet. NACo will keep members posted on future developments as they become available.

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### **Congress Weighs in on Administration's PILT Delay**

On June 25, a bipartisan group of 15 Senators and 21 Representatives submitted a letter to Interior Secretary Ken Salazar strongly encouraging the Department to "issue these funds at their previously scheduled release date" of June 2010. At a minimum, "the Department should determine if there is any short term solution to this issue so that a payment can go out this month."

The congressional letter further stated, "County governments, already facing a dismal economic situation, cannot wait an extra month for these funds, or simply suspend their operations for a month. They need these funds now, simply to keep their doors open."

The letter follows last week's announcement by the Department of the Interior that it would postpone the disbursement of annual PILT payments to counties to "late July." Local governments have historically received annual PILT payments in June of each year and plan their budgets accordingly. This last minute announcement to delay PILT payments without providing any notice is problematic, and places countless public lands counties in difficult financial hardship.

NACo applauds the prompt response from the Congress and will continue to work closely with our Congressional partners to encourage the Department of the Interior to issue payments to counties prior to June 30, 2010.

[To view the letter to the Department of Interior, click here](#)  
Contact [Ryan R. Yates 202/942-4207](mailto:Ryan.R.Yates@naco.org)

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### **Federal Pesticides Permit Program Moves Forward**

The U. S. Environmental Protection Agency opened comments on the proposed Pesticides Permit program. This program will impact any county

that uses pesticides, insecticides, or herbicides to address mosquito and other flying pest control; Aquatic Weed and Algae Control; Aquatic Nuisance Animal Control; and Forest Canopy Pest Control. All counties that use pesticides, insecticides or herbicides will be impacted.

Through the comment period, the EPA is attempting to identify sectors of local government that will be impacted by the rule. It is expected the new permit program will impact a number of local government activities associated with public health, land use, forest and park management, flood control, and air and water programs.

The permit program is expected to be final by the end of 2010. Comments are due no later than July 19.

To view the Proposal, go to:  
Contact: Julie Ufner 202/942-4269

### **Congress Seeks Support for Inclusion of Secure Rural Schools in the FY2012 Budget**

A bipartisan and geographically diverse group House and Senate members are circulating Dear Colleague letters urging support for the inclusion of the Secure Rural Schools (SRS) program in the President's FY2012 budget request.

NACo requests you contact your members of Congress to urge that he or she sign onto the letter to president Obama and emphasize the need to reauthorize SRS beyond FY2011.

Failure to extend SRS in 2012 will have devastating impacts on rural forested communities. The losses in these communities will, directly and indirectly, cost thousands of jobs and millions of dollars in tax losses to local and state governments.

Click here to view a copy of the House Dear Colleague letter. A copy of this has been sent by the National Association of Counties to all House and Senate offices.

To view a copy of the Senate letter, please look here:  
Contact: Ryan R. Yates 202/942-4207

### **HUD Secretary Donovan Announces \$100 Million in Grants for Sustainable Regional Planning Program**

On June 24, 2010, U.S. Department of Housing and Urban Affairs (HUD) Secretary Shaun Donovan announced that HUD released the Notice of Funding Availability (NOFA) for the \$100 million Sustainable Communities Regional Planning Grant Program, to create more sustainable communities by connecting housing to jobs and transportation, and foster local innovation.

The Regional Planning grants will be awarded competitively to multi-jurisdictional and multi-sector partnerships, and regional consortia consisting of state and local governments, metropolitan planning organizations (MPOs), educational institutions, non-profit organizations and philanthropic organizations. The funding approved by Congress in the HUD FY2010 budget,

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is part of a \$200 million fund for HUD's new Office of Sustainable Housing and Communities. The funding will support regional planning efforts that integrate housing, transportation, land use, and environmental and economic factors in a manner that empowers jurisdictions to consider challenges of economic competitiveness; social equity, and environmental impacts.

The program builds on the Partnership for Sustainable Communities, an innovative interagency collaboration, launched by President Obama in June 2009, between the Department of Transportation (DOT), the Department of Housing and Urban Development (HUD) and the Environmental Protection Agency (EPA) to provide more sustainable housing and transportation choices for families. The Partnership is designed to remove the traditional silos that exist between federal departments and strategically target the agencies' transportation, land use, environmental, housing and community development resources to provide communities the resources they need to build more livable, sustainable communities.

HUD established two funding categories for the Sustainable Communities Regional Planning Grant program. Category 1 Funds can be used to support the preparation of Regional Plans for Sustainable Development. Category 2 Funds can be used to support efforts to fine-tune existing regional plans so that they address the Partnership's Livability Principles, to prepare more detailed execution plans for an adopted Regional Plan for Sustainable Development, and limited predevelopment planning activities for catalytic projects. Of the funds available, \$2 million will be reserved for capacity support grants distributed separately, and not less than \$25 million will be awarded to regions with populations of less than 500,000.

Grant applications, which will be reviewed by HUD, the Department of Transportation and the Environmental Protection Agency, are due August 23, 2010.

[For the grants, please click here:](#)

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### **TIGER II Planning Grants Available**

The Department of Transportation (DOT) and the Department of Housing and Urban Development (HUD) are making \$35 million and \$40 million respectively for planning grants through the TIGER II discretionary grant program. The USDOT grants would fund the planning, preparation, or design of surface transportation projects eligible for funding under the TIGER II program. The HUD grants are for amending or replacing local master plans, zoning codes, and building codes either on a jurisdiction-wide basis or in a specific neighborhood, district, corridor, or sector to promote mixed-use development, affordable housing, the re-use of older buildings and structures for new purposes, and similar activities with the goal of promoting sustainability at the local or neighborhood level. The notice for these programs can be viewed at the attached link.

A web conference on these grants will take place on July 1 at 2:00 pm EDT. Due to capacity limitations, registration is required. Please go to the site below.

The seminars are held via web conference, which means that you view the PowerPoint presentations over the Internet while listening to the presenters

over the computer or telephone.

[For the notice for these programs, please click here:](#)

[For registration, please go here:](#)

[Contact: Bob Fogel 202/942-4217](#)

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### **USDA Farm Service Agency Opens Nominations for County Committees**

Agriculture Secretary Tom Vilsack announced that nominations for local Farm Service Agency (FSA) county committees are open now through August 2. To be eligible, a person must participate or cooperate in a program administered by FSA, be eligible to vote in a county committee election and reside in the local administrative area in which the person is a candidate. Producers may nominate themselves or others. To become a candidate, an eligible individual must sign the nomination form FSA-669A, which is available below. Nomination forms for the 2010 election must be postmarked and received in the local USDA Service Center by close of business on August 2. The election will take place November 5-6.

[For the nominationform FSA-669A, click here:](#)

[Contact: Erik Johnston 202/942-4230](#)

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### **Administration Unveils Strategic Plan to End Homelessness**

On June 22, the Interagency Council on Homelessness (ICH) unveiled "Opening Doors: Federal Strategic Plan to End Homelessness." The plan offers a new level of federal agency cooperation among ICH and the Departments of Housing and Urban Development, Health and Human Services, Labor, Veterans' Affairs, and

Education. The plan has four goals:

- Finish the job of ending chronic homelessness in five years;
- Prevent and end homelessness among veterans in five years;
- Prevent and end homelessness for families, youth, and children in ten years; and
- Set a path to ending all types of homelessness.

[A copy of the document can be obtained at](#)

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### **About NACo**

National Association of Counties (NACo) is the only national organization that represents county governments in the U.S. NACo provides essential services to the nation's 3,068 counties. NACo advances issues with a unified voice before the federal government, improves the public's understanding of county government, assists counties in finding and sharing innovative solutions through education and research and provides value-added services to save counties and taxpayers money.

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