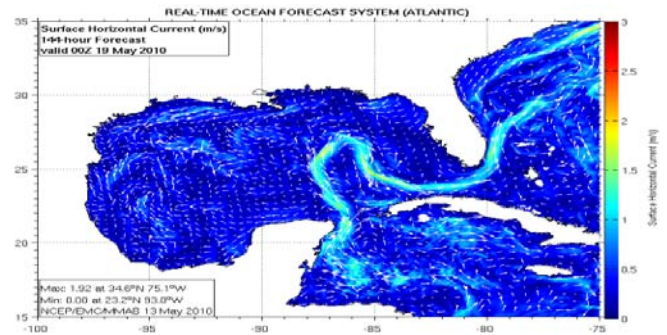




**111th Congress, Second Session
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economic damages cap to \$10 billion and authorize advance payments to communities and states for mitigation efforts.



Oil Spill / Drilling

Mayor Keechl hosted a Deepwater Horizon Oil Spill briefing and press conference with Sen. Bill Nelson and Reps. Wasserman-Schultz and Deutch at the Broward County Emergency Operations on Monday, May 10, 2010. Representatives from the U.S. Coast Guard and National Park Service participated as well as two scientists from the University of Miami, Dr. Kamenkovich and Dr. Shay, in addition to Dr. Dodge from Nova Southeastern University.

Issues centered on the time frame for the oil spill to reach the Loop Current in the Gulf of Mexico, beach and reef protection and other defensive measures for South Florida. The scientists reported that once the oil gets into the Loop Current, it could be 10 days before the oil reaches Broward County. Mayor Keechl outlined the steps Broward County is taking to deal with that eventuality by holding daily task force meetings, weekly conference calls and preparing for clean up if the oil reaches our beaches and reefs.

Senator Nelson has introduced legislation to increase the liability caps for oil companies to ensure that oil polluters, not taxpayers or small businesses, pay for oil spills. Current federal law caps a company's liability for economic damages at \$75 million, which are treated separately from cleanup costs. With damages from the Deepwater Horizon spill expected to far exceed this cap, Sen. Nelson's legislation would retroactively raise the

Comprehensive Immigration Reform Outline

A coalition of Senate Democrats laid out a proposed overhaul of U.S. immigration laws Thursday, May 6, to include: provisions strengthening border security; creating a streamlined employment verification system; altering the visa program to promote the reunification of families, and; establishing a commission to recommend changes to the current system of H-1B and H-2B visas for skilled workers.

The outline also contains an "earned legalization program" for currently undocumented workers, giving them the chance to obtain legal status if they pass a criminal background check, pay a \$500 fine, and show that they have made valuable contributions to American society "through employment, education, military service or other volunteer/community service."

Sens. Charles Schumer and Lindsey Graham are among those who have been working on the legislative framework for immigration reform measures for consideration in 2010 and to gauge the prospects for support. Congressional leaders anticipate immigration reform to be on the agenda, but the time frame is uncertain.

Rebate Program for Home Energy Efficiency Projects

The House of Representatives passed H.R. 5019, a consumer rebate program for energy-efficient home improvements May 6th. The intent of the legislation is to create 'green' jobs in construction and manufacturing, help consumers lower their energy bills and reduce greenhouse gas emissions. The Energy Department would manage the program authorizing about \$6 billion over two years for the HomeStar Energy Efficiency Retrofit Program.

Additionally, the bill authorizes \$600 million over two years for a separate program that provides grants to states for assisting low-income households in replacing manufactured homes built prior to 1976. The rebates would be offered on two levels. The first level, Silver Star, provides rebates of \$1,000 to \$1,500 for basic upgrades such as adding insulation or replacing water heaters. Rebates would be capped at \$3,000 per home. The second level, Gold Star, allows consumers to receive a \$3,000 rebate if they complete a home energy audit and make changes that cut energy costs by at least 20 percent. The Senate companion, S. 3177, is pending before the Finance Committee which may hold a hearing later this month on the measure.

Airport Reauthorization Bill

The National Association of Counties sent letters to Congressional committees with jurisdiction over the Airport Reauthorization bill in an effort to: (1) raise the ceiling for the optional Passenger Facility Charge (PFC) from \$4.50 to \$7.00 by which local commercial airports can decide to charge to help pay to modernize and repair airport infrastructure; and (2) opposing any provision that would require changes to the current Aircraft Rescues and Fire Fighting (ARFF) standards.

The House bill, H.R. 915, raises the PFC to \$7.00 while the bill passed by the Senate on March 22, H.R. 1586, did not have language on this issue. The House bill, but not the Senate bill, also includes a provision that could require airports of all sizes to dramatically increase the number of fire fighters and facilities. The Aviation Department has previously estimated that changes to ARFF standards as proposed by Congress could potentially cost FLL over \$7 million in capital expenditures and \$3.7 million in annual operating increases.

Jobs, Taxes & FMAP

Congressional leaders are pushing legislation that includes a multiyear extension of unemployment benefits, an extension of expiring tax provisions and Medicare doctor payments totaling \$180 billion and a \$33 billion Afghanistan war supplemental bill. A package of small-business tax incentives, to be paired with legislation expanding access to credit, is also slated for approval by the Memorial Day recess.

The immediate focus of the legislation is on the "extender" bill, or "jobs" bill (H.R. 4213), which would revive and extend expired tax breaks. Another important issue in the legislation is the estate tax, which is currently repealed, and barring congressional action, returns next year to pre-2001 levels by taxing estates worth more than \$1 million with a tax that tops out at 55 percent.

This legislation could be a vehicle for other important provisions raising the liability cap for oil spills (Senator Nelson's bill), and extension of the reduced \$3,000 income threshold to qualify for refundable child tax credits. Without congressional action, that threshold would return to \$12,550, but to extend the stimulus provision for one more year could be costly -- around \$7 billion. Other possibilities include a \$5 billion, multiyear proposal enabling disabled military retirees to receive retirement benefits and veterans' disability compensation. The package could top \$200 billion over a decade.

This legislation also includes Federal Medical Assistance Percentages (FMAP)-- the amount of Federal funds matching state expenditures for entitlement benefits. In the bill, approximately \$80 billion would relieve Medicaid costs to states, along with an extension of unemployment insurance benefits and COBRA health subsidies for laid-off workers — benefits which are designated as emergency spending and would not have to be offset.

The bill also includes \$31 to \$34 billion in tax break extensions – including the research and development credit and biodiesel credit and may include an extra \$13 billion in infrastructure-related tax incentives.

New Climate Legislation Released

Sens. Kerry and Lieberman unveiled a climate change bill on May 12. The American Power Act would cap greenhouse gas emissions at 17 percent of 2005 levels by 2050, in line with a House-passed bill (H.R. 2454).

The measure would incorporate aspects of the cap-and-trade structure used in the House bill, while modifying the model to assuage moderates who are concerned about its economic impact and opposed to creating a financial derivatives market for trading carbon credits. Carbon emissions by electric utilities and manufacturers would be capped, and polluters would buy government-issued credits, which they could trade among themselves. Trading of the allowances by outside players would be restricted. Producers and importers of refined transportation fuels would also buy pollution permits from the government, but would not participate in the trading market.

The bill would also allow new oil and gas drilling off the SE Atlantic coast, but states could prohibit drilling within 75 miles of their shores. Florida would be permitted to extend a 125-mile ban.

The bill's authors hope the concession to Florida will prevent a filibuster by Sen. Bill Nelson, a leading drilling opponent. States that allow drilling would receive 37.5 percent of the royalties paid by oil companies drilling off their coasts.

Still, some in the Senate, including Majority Leader Reid, have said that the oil spill has heightened the urgency to move policy aimed at decreasing oil use and ramping up alternative energy.

Clean Water Legislation

Commissioner Jacobs was invited to join House Transportation and Infrastructure Committee Chairman Oberstar at a press conference April 21st on Capitol Hill to introduce H.R. 5088, America's Commitment to Clean Water Act (ACCWA).



A major purpose of the legislation is to reaffirm the Clean Water Act's (CWA) ability to protect all of the nation's waters. Another aim is to reverse the U.S. Supreme Court's decisions in *Solid Waste Agency of Northern Cook County v. Army Corps of Engineers* (2001) and *Rapanos v. United States* (2006) that limit federal authority under the CWA to regulate dredge-and-fill activities affecting certain lakes, rivers, streams and wetlands. The Court's decisions have been blamed for creating confusion and uncertainty for communities, developers, and agricultural interests as to the application of the law, resulting in increased processing time and backlogs for the issuance of permits required under the CWA. Key changes made by H.R. 5088 include:

- Clarifying federal CWA jurisdiction over "waters of the United States" by defining such waters using a regulatory definition created in 1986 under the Reagan administration;
- Deleting the term "navigable waters" in the CWA in favor of the term "waters of the United States";
- Codifying an exemption for "prior converted croplands"; and
- Codifying an exemption for "waste treatment systems".

Budget Update

On April 22nd, the Senate Budget Committee approved its FY 2011 budget resolution by a vote of 12-10, with one Democrat, Sen. Feingold (D-WI) voting against the measure. The proposal freezes non-defense discretionary spending for the next three years.

Overall, the budget resolution provides an increase to \$59.8 billion for discretionary spending for federal health programs for FY 2011, about \$7.3 billion less than the \$67.1 billion the American

Public Health Association (APHA) and other health advocates were proposing. The proposal calls for additional cuts to federal discretionary health spending through FY 2013. The Senate proposal also cuts global health activities funded through the United States Agency for International Development (USAID) and the President's Emergency Plan for AIDS Relief (PEPFAR) by \$4 billion, down to \$54.8 billion.

While the Chairman's Senate budget resolution identifies a number of increases for health-related issues, including community health centers, the State Access Health Program and the National Health Service Corps, it will ultimately be the Appropriations Committee which sets spending levels for specific agencies and programs based on budget allocations from the Budget Committee.

Some groups are troubled with the resolution's emphasis on achieving savings and deficit reduction by targeting non-defense discretionary spending (which comprises only one-eighth of federal spending) with more than \$4 billion in cuts. These discretionary health programs provide funding for many of the critical health services American's depend on in tough economic times.

It is unclear whether the House of Representatives will move forward with a budget resolution this year or whether they will adopt a so-called "deeming resolution" to set caps on discretionary spending for the 12 annual appropriations bills.

Additionally they could try to move the appropriations bills without any form of budget guidance legislation.

Health Coverage for Young Adults

As part of the Patient Protection and Affordable Care Act, signed into law 7 weeks ago, the Obama Administration issued new regulations on May 12 that allow young adults to stay on their parents' health insurance plans until age 26. Under this policy, insurers will be required to allow any American under the age of 26 who doesn't get health insurance through their job to stay on their parents' plan. To get more details, you can read this [fact sheet](#) or [Q&A](#). This provision was scheduled to go into effect in September. But over the last few weeks, the Administration reached out to insurance companies and asked them to make this change immediately. So far, every major insurance company – more than 65 in total – and

several major self-insured organizations have said they will provide continuous coverage for young adults this summer. Businesses have been notified that the tax exclusion for employer health benefits will apply to all the young adults who choose to stay on their parents' plans.

In addition to this new security for young adults, small business owners have been notified about a new tax credit to help them provide health coverage for their employees. Seniors who have hit the prescription drug donut hole (Medicare D prescription drug plan coverage gap) will begin getting \$250 rebate checks next month to help them afford their medications. The Administration is also working closely with states to develop a new insurance option for uninsured Americans with preexisting conditions.

NACo Annual Conference

The National Association of Counties Annual Conference will be occurring July 16- 20th in Reno, Nevada. For details, please visit [NACO Annual Meeting Details](#).

NACo LUCC Conference

The Large Urban County Caucus, of which Commissioner Lieberman is Chair, will hold its Annual Conference in LA, June 2-4th. To register, please go to the LUCC website at [www.urbancounties.org](#) and fill out the document entitled "2010 LUCC Annual Meeting Registration Form." For additional details, please visit the LUCC website ([www.urbancounties.org](#)).

SE FL Climate Adaptation Plan DC Fly-In

Climate Communities is sponsoring its 2nd Annual Climate Leadership Summit in Washington, DC May 24-26th to connect innovative communities with federal leaders engaged in climate change policy and programming. Members of the SE FL Regional Climate Change Compact who are also partners in the SE FL Adaptation Pilot Project (Miami-Dade, Monroe, Broward and Palm Beach), will be traveling to attend the Climate Leadership Summit. Commissioner Jacobs will represent Broward.

In conjunction with the Summit, Climate Communities will be scheduling Capitol Hill meetings so that the four counties, as well as the South Florida Water Management District (SFWMD), may collaboratively advocate for the SE FL Adaptation Pilot Project and other regional environmental issues, scheduled for May 25th.