

Broward FLI

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STATUS OF FY 2011 APPROPRIATIONS

When the new Congress convened in early January, the major piece of unfinished business left over from last year was the completion of the FY 2011 appropriations process. The federal government is currently operating under a Continuing Resolution which funds agencies at the FY 2010 level and runs until March 4th.

One of the first actions taken by any Congress is the approval of the Rules that will govern operations for the next two years. The House of Representatives approved its new Rules package on January 5. Included in that package was a provision that grants the Chairman of the House Budget Committee Paul Ryan the authority to set overall spending limits for FY 2011.

It had been widely speculated that the House would pass legislation to reduce FY 2011 non-defense, non-security discretionary spending to the FY 2008 level. On January 25th, the House voted on a resolution, H. Res. 38, to do just that. On February 3rd, Chairman Ryan announced the FY 2011 spending limits at a level \$74 billion below the President's budget. Non-security discretionary spending is limited to \$420 billion to bring the spending back to pre-stimulus FY 2008 levels for the last seven months of the year.

Funding levels established by Chairman Ryan and House leadership are much lower than the Senate leadership or the President may be willing to accept. The House, Senate, and the President have until March 4th to work out a compromise, or approve another short-term Continuing Resolution to provide more time to negotiate. The House leadership has announced the bill will be debated on the floor the week of February 14th.

EARMARKS IN THE 112TH CONGRESS

The House leadership has stated that it will not include congressional earmarks in appropriations measures during the 112th Congress. Last fall, Senate Republicans also indicated that they would support an earmark moratorium in the 112th Congress. On January 25th, President Obama promised to veto any legislation that included earmarks. On February 1, Senate Appropriations Committee Chairman Daniel Inouye announced that he would not accept earmark requests for FY 2012, but would revisit this issue next year and explore ways to improve the earmarking process. The President's proposed budget will be released February 14th.

3% WITHHOLDING LAW

The 3% withholding law, which was enacted in Section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 (P.L. 109-222), mandates that federal, state and local governments withhold 3% of nearly all of their contract payments for goods and services. Compliance with this law will impose significant, unnecessary financial burdens on both the public and private sectors. The effective date of this new withholding requirement was initially set for January 1, 2011 but it was delayed one year to January 1, 2012 by the American Recovery Reinvestment Act. Full repeal is necessary.

S. 89, introduced by Senators Vitter, Burr, Inhofe, Isakson, and Wicker, repeals this requirement. An alternative bill, S. 164, introduced by Senators Brown, Snowe and Klobuchar, repeals Section 511, but also includes repeal of the “1099 provision” language requiring companies, starting in 2012, to report all goods and services transactions valued over \$600 to the IRS. The 1099 repeal bill may offer an avenue to include the repeal of the 3% law, since 1099 repeal has significant support.

CONGRESSIONAL STAFF MEETING

Broward County hosted its annual Congressional Staff Meeting at the Florida House in Washington, DC on Friday, January 28, 2011 to discuss Broward County’s 2011 Federal Legislative Program - Appropriations Requests. Staffs from Senators Nelson and Rubio and Representatives Wasserman Schultz, Diaz Balart, West, Deutch, Hastings and Wilson were in attendance. All Delegation staff expressed support for ways to send money back to their constituents in Broward County. Of specific interest, was the fact that many Congressional Offices will be hiring grants specialists to assist in securing funding for their constituents in this non-earmark environment. A significant portion of the meeting was focused on Broward County’s existing and anticipated formula, block and discretionary grant programming needs.

The Delegation staff expressed interest in meeting more often on grants and appropriations and mentioned that a “fly-in” would be occurring in the summer.

CONGRESSMAN WEST MEETS WITH BROWARD

Representative Allen West met with Broward County staff to discuss beach renourishment projects. The County’s beach renourishment projects have not received federal funding in recent years and without swift action, the projects are at risk of being left out again in FY 2011 and possibly for years to come. Moreover, under the current Continuing Resolution (CR), which expires on March 4th but will likely be extended through the fiscal year, projects must have been included in the previous year’s appropriations bill in order to receive funding in the CR. Rep. West demonstrated serious concern about the county’s renourishment project funding issues, and expressed interest in working with the county to facilitate federal funding for projects in the near- and long-term, while exploring ways to streamline the generally complicated regulatory process involved in renourishment projects. As a result of the meeting, Rep. West will be communicating to the Army Corps of Engineers as well as Rep. Paul Ryan, Chairman of the House Budget Committee. Additionally, at Rep. West’s suggestion, the Congressman will hold a standing meeting every other month in District 22 with county stakeholders to discuss

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progress on beach renourishment issues.

Representative West also met with Broward County staff on issues including: The Economic Development Council; Import Export Training Seminars and Symposiums; Global Trade and Investment; Foreign Direct Investment; Trade Missions; Trade Agreements; The Bureau of Economic Analysis (BEA); Small Business Community outreach programs; Recovery Zone Facility Bonds; Build America Bonds.

NACo LEGISLATIVE CONFERENCE

The National Association of Counties (NACo) will hold its annual Legislative Conference in Washington, DC March 5-9th. The meeting will bring together over 2,000 elected and appointed county officials from across the country to focus on legislative issues facing county government. Seminars include but are not limited to the following:

- Workforce Development in a Changing Economy
- A New World in Transportation
- Affordable Care Act: Prevention and Public Health Investments
- Renewable Energy Siting Issues: What You Need to Know

The final day of the conference will include lobbying on Capitol Hill. If you are planning to attend the NACo Legislative Conference, please let us know.