



**Date:** October 18, 2007

**To:** Federal Legislation Committee Members

**From:** Patrick H. West, City Manager *by cfs*

**Subject:** **Federal Advocacy Services Recommendation**

---

At the October 9, 2007 City Council meeting, the City Council voted to refer the attached item (Attachment A) regarding the extension of the Carpi Clay & Smith contract back to the Federal Legislation Committee for additional detail and further review. This memo provides the requested information for the Committee to consider and presents two recommendations.

### **Background**

For over 30 years, the City has used E. Del Smith and Company (now known as Carpi Clay & Smith) for its federal advocacy services. In January 2007, the City Council authorized a contract with Van Scoyoc Associates for day-to-day advocacy at a cost of \$13,000 per month (plus \$2,000 per month for expenses). At that time, the City Council authorized the City Manager to keep Carpi Clay & Smith on contract for a transition period of nine months for specialized advocacy related to C-17 and Transportation issues at their full contract amount of \$9,860 per month. Following the transition period, Van Scoyoc Associates was expected to assume the services provided by Carpi Clay & Smith beginning October 1, 2007 for Fiscal Year 2008 (FY 08). Attachment B is a copy of the City Council letter that further explains this action. Thus, the City's FY 08 Budget fully budgets for the Van Scoyoc Associates contract, but does not include funding for the Carpi Clay & Smith contract. Contracts for both Carpi Clay & Smith and Van Scoyoc Associates expired on September 30, 2007.

### **Committee's Motion**

At the September 24, 2007 Federal Legislation Committee meeting, the Committee approved the following motion:

"Extend the Del Smith contract through the end of 2007 on a month-to-month until we can have information on a completed RFQ to see who is going to augment the Van Scoyoc Team"

### **Amount for Carpi Clay & Smith Contract**

Based on the above motion, staff entered into discussions with Carpi Clay & Smith to determine what the cost of the firm's services would be to better inform any Council decision on whether to extend the contract or not. On October 3, staff reached a verbal agreement with Mr. Del Smith to provide C-17 and select Army Corps advocacy for the next three months at a rate of \$4,500 a month. While there is no funding budgeted for these services, staff believed that the agreed-upon total of \$13,500 for three months of service could be absorbed within existing budget. However, Mr. Smith informed staff on October 5 that his

firm determined that they could not provide these services for any less than \$7,500 per month, which would total \$22,500 for three months. Staff believe that \$7,500 per month (\$90,000 annually) is an excessive amount to pay for advocacy on only two issue areas, especially considering that \$9,860 (\$118,320 annually) was what the firm had previously requested to provide all government affairs services prior to Van Scoyoc Associates taking over those duties.

### **Van Scoyoc Associates**

Staff is proceeding with a City Council agenda item for the October 23 meeting requesting City Council authorization to enter into a contract with Van Scoyoc Associates for the entire FY 08 Fiscal Year. Van Scoyoc Associates are ready and qualified to meet the City's entire advocacy needs, and are prepared to assume the advocacy for the C-17, Army Corps and Transportation issues at no additional cost to the City.

Over the past nine months, the firm has quickly learned the City's issues, and has strongly advocated for these issues on the City's behalf. Attachment C includes examples of just a few of the high-priority issues the City and Van Scoyoc worked on over the past nine months and Attachment D is an example of one of the firm's monthly reports. Further, Van Scoyoc Associates plans to travel to Long Beach the week of October 29 to meet with the Mayor and City Council, department heads, and staff to help plan the City's legislative strategy for Fiscal Year 2008.

### **Supplemental Lobbyist Services**

In the interest of exploring another advocacy alternative, staff initiated a Request for Qualifications (RFQ) process to identify other potential firms that could help augment the City's lobbyist efforts. While staff is very pleased with the services provided by Van Scoyoc Associates, a supplemental firm may be helpful in dealing with the new Democratic leadership in the House and Senate resulting from the November 2006 election. This concept will be vetted, and if deemed a benefit to the City, further discussions will ensue. Any contract or purchase order with a new firm would be contingent upon the City identifying additional resources to support it, as no funds are budgeted for this purpose in the FY 08 Budget. Staff will continue to update the Federal Legislation Committee regarding this RFQ process.

### **Recommendations**

Staff recommends the following:

1. Support the recommended contract for federal advocacy services with Van Scoyoc Associates at \$13,000/month (plus \$2,000/month expenses) for Fiscal Year 2008.
2. Receive and file the Committee's original motion to extend the City's contract with Carpi Clay & Smith for specialized advocacy services.

October 18, 2007  
Federal Legislation Committee Members  
Page 3

Please contact Tom Modica, Manager of Government Affairs, at 8-5091 if you have any questions or concerns.

cc: Mayor and Members of the City Council  
Christine Shippey, Assistant City Manager  
Reginald Harrison, Deputy City Manager  
Tom Modica, Manager of Government Affairs  
Jyl Marden, City Council Liaison

PHW:TM:pc  
(Attachment)  
M:\Administration\IGR\Del Smith\2007 Memos\FedLegCmt\_UpdatedAdvocacyRec\_10-12-07.doc



**City of Long Beach**  
*Working Together to Serve*

**Memorandum**  
**R-23**

**Date:** October 9, 2007  
**To:** Mayor and Members of the City Council  
**From:** Gary DeLong, Federal Legislation Committee Chair  
**Subject:** **Recommendation to Extend the Contract with Carpi Clay & Smith for Federal Advocacy Services**

---

The Federal Legislation Committee, at its September 24, 2007 meeting, approved a motion asking the City Council to consider extending the City's contract with Carpi Clay & Smith (formally known as E. Del Smith and Company) through the end of the 2007 calendar year.

It is the recommendation of the Federal Legislation Committee that the City Council consider this request.

Respectfully submitted,

FEDERAL LEGISLATION COMMITTEE

  
\_\_\_\_\_  
Councilmember Gary DeLong, Chair



# CITY OF LONG BEACH

OFFICE OF THE CITY MANAGER

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6711 • FAX (562) 570-6583

GERALD R. MILLER  
CITY MANAGER

December 19, 2006

HONORABLE MAYOR AND COUNCIL MEMBERS  
City of Long Beach  
California

## RECOMMENDATION:

Authorize the City Manager to execute a contract for federal legislative representation services provided by Van Scoyoc Associates, Inc., for a term of nine months at an amount not to exceed \$135,000 and increase appropriations in the General Fund (GP) in the City Manager's Office (CM) by \$46,260. (Citywide).

## DISCUSSION

The firm of E. Del Smith and Company, Inc., has represented the City of Long Beach in Washington, D.C., before the United States Congress and various federal agencies for over 30 years. The most recent contract between the City and E. Del Smith and Company, Inc., which was authorized by the City Council on October 18, 2005, and extended on October 3, 2006, expires on December 31, 2006.

During the previous fiscal year, the City Manager implemented a Request for Proposals (RFP) process to seek proposals from professional consulting firms to provide federal legislative representation services. After a lengthy and rigorous review process, Van Scoyoc Associates, Inc., was selected as the most qualified firm to address the City's federal representation needs.

### **Request for Proposals Process**

In March 2006, the City initiated a competitive Request for Proposal (RFP) process to solicit proposals from various federal legislative representation firms for services to be provided in Fiscal Year 2007. In an effort to reach a wide audience of potentially interested firms, the City sent RFPs to over 50 different lobbying firms ranging from small firms to very large firms, placed an advertisement in a Washington, D.C. publication that focuses solely on federal issues, and made the RFP available on the City's website. As a result of the outreach efforts, 21 firms submitted proposals to the City. A diverse interview panel selected the top six firms to interview, and then recommended the top three candidates to the City Manager. The City Manager and the Mayor interviewed the top three candidates and selected Van Scoyoc Associates, Inc., as the recommended firm.

### **Van Scoyoc Associates, Inc.**

Van Scoyoc Associates, Inc. (VSA), specializes in developing and promoting comprehensive legislative strategies at both the federal and state levels. Their successful approach includes intensive identification of objectives, strategic communications plans,



**C-7**

# CITY OF LONG BEACH

OFFICE OF THE CITY MANAGER

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6711 • FAX (562) 570-6583

GERALD R. MILLER  
CITY MANAGER

January 9, 2007

HONORABLE MAYOR AND COUNCIL MEMBERS  
City of Long Beach  
California

## RECOMMENDATION:

Authorize the City Manager to execute an amendment to contract No. 29372 extending the term an additional nine months for federal legislative representation services provided by E. Del Smith and Company, Inc., for an amount not to exceed \$88,740 and increase appropriations in the General Fund (GP) in the City Manager's Office (CM) by \$88,740. (Citywide)

## DISCUSSION

The firm of E. Del Smith and Company, Inc. has represented the City of Long Beach in Washington, D.C., before the United States Congress and various federal agencies for over 37 years. The most recent contract between the City and E. Del Smith and Company, Inc., which was authorized by the City Council on October 18, 2005, and extended on October 3, 2006, and expired on December 31, 2006.

During Fiscal Year 2006, the City Manager implemented a Request for Proposals (RFP) process to seek proposals from professional consulting firms to provide federal legislative representation services. After a lengthy and rigorous review process, Van Scoyoc Associates, Inc. was selected to represent Long Beach as the City's primary federal legislative representative.

It is recommended that the City retain the services of E. Del Smith and Company, Inc. to facilitate a smooth transition to a new federal representative and to work on high-priority issues for which the firm has unique qualifications. Specific issues where E. Del Smith and Company, Inc. will be helpful over the next nine months may include targeted advocacy to secure more C-17 production orders and continuing discussions regarding transportation funding for the next Surface Transportation Reauthorization bill.

This letter was reviewed by Deputy City Attorney Lori A. Conway and Budget Management Officer David Wodynski on January 4, 2007.

## **Summary of Van Scoyoc Advocacy Efforts**

### **Advocacy Trips to Washington, D.C.**

Over the past nine months, the firm has quickly learned the City's issues and strongly advocated for Long Beach on the City's behalf. The firm planned and executed three trips back to Washington, D.C., in the past nine months for the Mayor and the Federal Legislative Committee members to advocate for City projects and issues. These included two trips for the Mayor in February 2007 and September 2007, and one trip for the Federal Legislation Committee in March 2007. Examples of meetings included: Speaker Pelosi's California Chief of Staff, Senator Boxer, Senator Feinstein, Rep. Millender-McDonald, Rep. Rohrabacher, Rep. Linda Sanchez, Rep. Loretta Sanchez, Rep. Harman, Rep. Royball-Allard, Rep. Schiff, Rep. Dicks, Rep. Lewis, Rep. Calvert, Chief Counsel to Chairman Lieberman of the Senate Homeland Security Committee, Counsel to Chairwoman Boxer's Environment and Public Works Committee, Governor Arnold Schwarzenegger's D.C. Director, Army Corps staff, and many others.

### **Funding for the Los Angeles River Estuary**

Van Scoyoc Associates has helped build on the City's past efforts to secure funding for the dredging of the Los Angeles River Estuary. This is the City's top appropriations request, as the current shoaling in the Estuary is creating operational difficulties for the ships that rely on this federal navigation channel. Van Scoyoc Associates has worked closely with Senator's Feinstein and Boxer and Rep. Rohrabacher and former Rep. Millender-McDonald and Army Corps staff to include \$4.56 million in the Senate Energy and Water Appropriations Bill for this project. The City is hopeful that during conference negotiations on the appropriations bills the full \$4.56 million will be protected and the Army Corps will be able to proceed with this project in the next few months.

### **Gang Prevention Program Funding**

Van Scoyoc Associates has worked closely with Senator Boxer's office to secure \$300,000 in the Senate Commerce/Justice/Science bill for a Gang Prevention Program. This program would provide much needed federal resources designed to prevent children ages 8-14 from entering gangs in Long Beach. The City is hopeful that during conference negotiations on the appropriations bills the full \$300,000 will be protected and the Police Department will be able to implement this program in FY 08.

### **Wetlands Protection and Restoration**

Van Scoyoc Associates helped the City identify and support a federal bill that could provide federal resources to purchase and restore the Los Cerritos Wetlands and other wetlands in the City. The "Coastal and Estuarine Land Protection Act" (S. 1142) is cosponsored by both Senators Boxer and Feinstein and supported by the City. This bill would establish a Coastal and Estuarine Land Protection Program, within the National Oceanic and Atmospheric Administration, which would seek to protect coastal ecosystems from development. Under this program, grants would be made available to assist coastal states that have approved coastal zone management plans to acquire property. If this legislation passes, it could become a future funding opportunity for the Los Cerritos Wetlands and other wetlands in Long Beach.

The firm has also assisted the City in asking for reconsideration of federal policy to allow the Port of Long Beach to receive mitigation credit for funding the restoration of the Los Cerritos wetlands. Van Scoyoc Associates worked with Rep. Rohrabacher to send a letter to Fish and

## **Summary of Van Scoyoc Advocacy Efforts**

Wildlife Service (USFWS) Director Dale Hall asking for reconsideration of their currently policy. Current federal policy restricts port mitigation to subtidal and low intertidal wetlands. Because Los Cerritos is considered high intertidal or freshwater wetland, the Port would have no incentive to participate in the restoration effort. Van Scoyoc Associates also recently scheduled a meeting in Washington, D.C. for Federal Legislation Committee Chair Gary DeLong to discuss this issue with Army Corps staff as well. As a result of that meeting, the firm will set up meetings of the California-based federal agencies and the City, Port and other agencies to discuss the next steps.

### **Marine Vessel Emissions Reduction Act**

Van Scoyoc Associates has aggressively supported Senator Boxer and Senator Feinstein's Marine Vessel Emissions Reduction Act of 2007 (S. 1499), a key federal bill to dramatically improve air quality emissions from marine vessels. S. 1499 requires significant reductions in emissions of air pollutants from marine vessels that contribute to dangerous smog and soot pollution. This bill strives to limit the sulfur content of fuel used by domestic and foreign-flagged marine vessels when they enter or leave U.S. ports to 1,000 parts per million. Currently, many marine vessels currently burn fuel with an average sulfur content of 27,000 parts per million.

### **Homeland Security**

Van Scoyoc Associates played an important role for the City in the passage of the "Implementing the 9/11 Commission Recommendations Act of 2007." The House of Representatives and the U.S. Senate both passed legislation earlier this year (H.R. 1 and S. 4) designed to address the 9-11 Commission's recommendations regarding Homeland Security that have not yet been implemented. The City, with the assistance of Van Scoyoc Associates, actively provided input to help shape the conference negotiations on this bill to the City's advantage. Specifically, the City pursued the following amendments to the bill:

- Remove an onerous 25 percent match requirement for homeland security grants.
- Allow funding for personnel directly related to counter-terrorism.
- Allow funding for maintenance and replacement of equipment purchased under previous homeland security grants and funding for Continuity of Government planning and implementation.
- Require States to spend their share of Urban Area Security Initiative (UASI) grant funding (up to 20 percent of the total grant amount awarded to UASI in the State) to benefit the region and outline the uses for the funding.

The City also strongly supported the inclusion of the following in the bill: risk-based funding approach, grants for interoperability, improved intelligence sharing with local governments, protection of privacy and civil liberties, and proliferation of the incident command system.

The City was pleased that nearly every Long Beach priority, particularly for the grant programs, was addressed in some manner in the Conference Report that was ultimately passed by Congress and signed by the President.



# **Summary of Van Scoyoc Advocacy Efforts**

## **Community Development Block Grant (CDBG) Funding**

This year, cities across the nation fought a proposal by the President to drastically reduce funding for the CDBG program. The President proposed a \$700 million, or 19 percent, cut to the program, which could significantly reduce the nearly \$9 million the City received for this program last year. Van Scoyoc Associates partnered with the US Conference of Mayors and other cities to express our opposition to this reduction. As a result, the House has allocated \$4 billion for CDBG (\$228 million above the FY 07 amount, as well as \$963 million above the President's request) and the Senate has allocated \$3.77 billion. The final number will be determined in a conference committee later this fall.

## **Community Oriented Policing Services (COPS) Grant**

The City has supported both the reauthorization of the COPS program this year, as well as efforts in the House and Senate to increase the appropriation for this program. Van Scoyoc Associates has worked closely with the US Conference of Mayors to track the progress of this issue and to communicate the City's support. The COPS Improvement Act of 2007 (S.368), would raise the authorized funding level of the COPS program to \$1.15 billion in each of the next six fiscal years, starting in 2008. The breakdown of the \$1.15 billion is as follows:

- \$600 million for officers hired to perform intelligence, anti-terror or homeland security duties
- \$350 million for technology grants
- \$200 million for local district attorneys to hire community prosecutors

The House version of the FY 2008 Commerce, Justice, Science Appropriation Bill includes \$100 million for the COPS hiring program, which has not been funded in recent years. The Senate version of the bill does not include COPS hiring, but Senator Biden (D-DE) will introduce an amendment on the Senate floor to provide \$110 million for the program.

## **Energy and Environment**

This year Long Beach, with the help of Van Scoyoc Associates, supported the US Conference of Mayors' proposal for a \$4 billion Energy and Environment Block Grant program at the Department of Energy, patterned after HUD's successful Community Development Block Grant. This legislation recognizes that local governments are particularly well positioned to develop, implement, and promote energy efficiency and greenhouse gas reduction strategies at the community level, as part of a comprehensive national strategy to address global warming. This legislation requires cities to first use the funding to establish an energy efficiency and climate protection strategy, and after its approval, use the funding to implement actions identified in the strategy to improve energy efficiency and/or reduce greenhouse gas emissions. This proposal was included as part of the House Energy Bill in June 2007.

## **Fire Sprinkler Bills**

In February, Senator Gordon Smith (R-OR) introduced the "Fire Sprinkler Incentive Act of 2007" (S. 582). This legislation would classify automatic fire sprinkler systems as 5-year property for purposes of depreciation. There is also a companion bill (H.R. 1742) that has been introduced in the House by Representative James Langevin (D-RI). The City has supported both the House and Senate versions of the bill, and Van Scoyoc Associates has helped communicate that support. Currently, S. 582 has been referred to the Senate Finance Committee. This bill has been referred to the House Committee on Ways and Means.



**Date:** October 12, 2007  
**To:** Federal Legislation Committee Members  
**From:** Patrick H. West, City Manager *PHW*  
**Subject:** **Washington D.C. Update (September 2007)**

---

Please find attached a report from Van Scoyoc Associates detailing some of the major issues the City and its federal legislative advocates worked on and tracked in September 2007.

If you have any questions or require further information on the City's federal legislative efforts, please contact Tom Modica, Manager of Government Affairs, at 8-5091.

**Cc:** Mayor and Members of the City Council  
Christine F. Shippey, Assistant City Manager  
Reginald I. Harrison, Deputy City Manager  
Curtis Tani, Acting Deputy City Manager  
All City Department Heads  
Tom Modica, Manager of Government Affairs  
Jyl Marden, City Council Liaison

CFS:TM: pc  
M:\IGR\Federal\Federal Leg Comm\Memos 2007\LobbyistReport\_September2007\_10-12-07.doc  
(Attachments)



101 Constitution Avenue, N.W.  
Suite 600 West  
Washington, DC 20007

MEMORANDUM

To: Pat West, City Manager  
CC: Christine Shippey, Assistant City Manager  
Tom Modica, Manager of Government Affairs  
From: Thane Young  
Tammy Cameron  
Laura Morgan  
Subject: Legislative Update for September 2007  
Date: October 3, 2007

**Appropriations**

With the start of federal fiscal year 2008, none of the 12 appropriations bills have been enacted. Instead, Congress last week passed a continuing resolution to fund the federal government at FY 2007 levels until November 16. In the meantime, Congress is considering various strategies to send the appropriations bills to the President and avoid his threatened vetoes. For the past several weeks, House and Senate leaders were expected to attach bills the President has threatened to veto to three bills he favored: appropriations for Defense, Homeland Security, and Veterans. This series of "mini-bus" appropriations were thought to be more acceptable to the White House than an easy target "omnibus" bill that combined most, if not all, of the 12 appropriations bills. However, a new strategy has emerged to advance the Labor-HHS-Education appropriation, which contains almost half of the over-budget spending the President cites as his reason for rejecting the bills. The House has passed all 12 bills while the Senate has passed only four.

Separate from the traditional appropriations bills, the President is preparing a supplemental appropriation for FY 2008, requesting an additional \$193 billion to fund the war efforts in Iraq and Afghanistan. That spending plan is still being prepared and will be considered after the other appropriations bills have been completed. An outside chance remains that additional earmarks will be made to certain bills, particularly the Transportation Appropriation as Senators added earmarks for Surface Transportation

Priorities (STP) while the House did not. The House, which acts first on appropriations bills, does not consider STP projects because the House Transportation and Infrastructure Committee objects to appropriators providing funds for projects and programs not already authorized. However, House conferees have in previous years insisted on adding projects to match the Senate.

This presents an opportunity to reemphasize the City's request for funding I-710 improvements and was a particular focus of the Mayor's and Councilmember DeLong's recent visit to Washington. During the trip, the City asked Rep. Richardson and our delegation to support the City's request for up to \$4 million for the I-710 Shoemaker Bridge and Downtown Ramps project. The City also asked our delegation to retain funding for the gang intervention/prevention program at \$300,000 in the Senate version of Commerce, Justice, Science Appropriations, and dredging for Los Angeles River Estuary (LARE) (Queensway Bay), at \$4.56 million in the Senate version of the Energy and Water Development Appropriations. Please see the attached appropriations spreadsheet for a brief update on the status of the City's appropriations requests for FY 2008.

**Homeland Security**

While the Homeland Security Appropriation is traditionally one of the first appropriations bills enacted, it remains mired this year in the struggle with the White House over FY 2008 spending. However, this year cities were able to work with the Senate and House to restore cuts proposed by the President to key Homeland Security grant programs. The following chart outlines proposed spending on programs important to the City:

<b>Programs</b>	<b>House</b> <i>H.R. 2638 - Passed House</i> <i>By a vote of 268-150</i>	<b>Senate</b> <i>S. 1644 - Passed Senate</i> <i>By a vote of 89-4</i>
<b>Urban Area Security Initiative (UASI)</b>	\$850 million (\$80 million above 2007 and \$250 more than the President's request)	\$820 million (\$50 million above 2007 and \$220 above the President's request)
<b>State Homeland Grant Program (SHGP)</b>	\$550 million (\$25 million above 2007 and \$300 more than the President's request)	\$525 million (Equal to 2007 and \$275 more than the President's request)
<b>Law Enforcement Terrorism Prevention Program (LETPP)</b>	\$400 million (President's budget requested \$200 million for this program and merged it with the UASI program)	\$375 million (President's budget requested \$200 million for this program and merged it with the UASI program)
<b>Port Security Funding Grants</b>	\$400 million (\$190 million above 2007 and the President's request)	\$400 million
<b>Emergency Management Performance Grants (EMPG)</b>	\$300 million (\$100 million above 2007 and President's request)	\$300 million

### **SCHIP**

The House and Senate have passed a compromise bill to extend and revise the State Children's Health Insurance Program (SCHIP). The President has vetoed the bill. Although the Senate passed the bill by a wide enough victory margin to override the veto, they likely will not have the opportunity. Both houses must vote to override, and the first vote must be taken in the house that originated the bill. The House acted first but fell 19 votes short of the two-thirds majority that would be required to override. That vote deficit can be expected to only increase as legislators tend to back away after a veto. However, House leaders are delaying the vote in hopes of putting pressure on Members to support the override. SCHIP provides capped block grants to states in order to cover families whose income levels are too high to qualify for Medicaid. President Bush supports an extension of the program with an increase of \$5 billion over five years. The conference report would expand the program by \$35 billion, and the increased cost would be paid for by raising cigarette taxes. An additional 5.8 million children would be enrolled in SCHIP and Medicaid.

### **Water Resources Development Act of 2007 (WRDA)**

The House and Senate have adopted the conference report for H.R. 1495, the Water Resources Development Act. Both houses passed the bill by a wide enough margin to override a Presidential veto. The White House objects to the estimated \$21 billion in authorized spending and the number of projects included in the bill that it considers outside the Corps of Engineers' mission.

### **Community Oriented Policing Services (COPS) Grant**

The Senate has not taken further action on the "COPS Improvement Act of 2007" (S.368), which passed the Senate Judiciary Committee on May 24. This legislation would raise the authorized funding level of the COPS program to \$1.15 billion in each of the next six fiscal years, starting in 2008. The breakdown of the \$1.15 billion is as follows:

- \$600 million for officers hired to perform intelligence, anti-terror or homeland security duties
- \$350 million for technology grants
- \$200 million for local district attorneys to hire community prosecutors

The House version of the FY 2008 Commerce, Justice, Science Appropriation includes \$100 million for the COPS hiring program, which has not been funded in recent years. The Senate version of the bill does not include COPS hiring, but Senator Biden (D-DE) will introduce an amendment on the Senate floor to provide \$110 million for the program.

### **Anti-Gang Legislation**

Neither the House nor the Senate has advanced anti-gang legislation. The "The Gang Abatement and Prevention Act of 2007" (S. 456), which was introduced by Senator Feinstein and supported by the City, is still awaiting floor action, while the bill introduced in the House by Adam Schiff, (H.R. 1582), has not been discussed before the House Judiciary Committee. This legislation would increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, deter

and punish violent gang crime, protect citizens and communities from violent criminals, revise and enhance criminal penalties for violent crimes and expand and improve gang prevention programs.

### **Los Cerritos Wetlands**

The Senate has not taken further action on the "Coastal and Estuarine Land Protection Act" (S. 1142). Cosponsored by both Senators Boxer and Feinstein and supported by the City, this bill would establish a Coastal and Estuarine Land Protection Program, within the National Oceanic and Atmospheric Administration, which would seek to protect coastal ecosystems from development. Under this program, grants would be made available to assist coastal states that have approved coastal zone management plans to acquire property. Similarly, the House Natural Resources Committee has not yet scheduled a hearing to discuss their version of the bill. We are hopeful that if this legislation passes, it could become a future funding opportunity for the Los Cerritos Wetlands and other wetlands in the City.

During his recent visit to Washington, Federal Legislation Committee Chair DeLong met with officials at the U.S. Army Corps of Engineers to discuss restoration of Los Cerritos Wetlands. The meeting was a follow-up to correspondence sent by Rep. Dana Rohrabacher to U.S. Fish and Wildlife Service (USFWS) Director Dale Hall asking for reconsideration of federal policy to allow the Port of Long Beach to receive mitigation credit for conservation of Los Cerritos wetlands. Current federal policy restricts port mitigation to subtidal and low intertidal wetlands. Because Los Cerritos is considered high intertidal or freshwater wetland, the Port would have no incentive to participate in the restoration effort.

Corps of Engineers officials explained during the meeting that they take the lead on wetland permitting but consult with Fish and Wildlife and other natural resource agencies. The Corps also clarified that it is not governed by a strict mitigation policy and puts an emphasis on watershed benefits rather than like-kind mitigation requirements. They encouraged the engagement of all relevant state and federal agencies in the City's efforts to restore the wetlands and suggested that such collaboration be undertaken with the district office of the Corps taking the lead role.

### **Marine Vessel Emissions Reductions**

Senators Boxer and Feinstein have introduced S. 1499, legislation to authorize U.S. EPA to set standards reducing emissions from ships entering and leaving U.S. ports. These vessels generate 59 percent of diesel particulate matter and 90 percent of sulfur oxide in the South Coast Air Basin. Rep. Hilda Solis has introduced similar legislation in the House. Federal legislation is needed after a court struck down a South Coast plan to regulate emissions. Senator Boxer conducted a hearing in the Los Angeles-Long Beach area in August and during a recent meeting with Mayor Foster and Councilmember DeLong, the Senator suggested that another hearing might be necessary in Washington, at which time the Mayor would again be asked to testify.

### **Breakwater**

The City is investigating with Army Corps of Engineers officials in Los Angeles and Washington the process for locally funding a reconnaissance study of the breakwater.

While the Los Angeles district office is cooperating and providing materials to guide the City's study effort, Corps headquarters and committee staff on Capitol Hill are advising that such local initiative is unprecedented. Washington officials emphasize that a federal appropriation may be required at some point to enable the Corps to receive and review the City's reconnaissance study, but the amount of such an appropriation has not yet been confirmed or determined. Such review is required because the purpose of a reconnaissance study is to determine whether there is a federal interest in a project, a determination that the City would not be able to make on its own. This office is discussing the appropriations issue with both Senate and House Appropriations staff and the Army Corps, and will provide the City with a determination of if an appropriation is needed and at what amount.

### **CDBG**

The House has allocated \$4 billion for CDBG, which is \$228 million above FY07 amount, as well as \$963 million above the President's request. The Senate has allocated a slightly smaller amount, \$3.77 billion. The final number will be determined in a conference committee later this fall and most likely be rolled into an omnibus appropriation bill. We do not expect final approval until November or December.

### **HOPE VI**

A House committee has approved H.R. 3524 to revise and extend the HOPE VI program, which helps repair and rebuild public housing. The bill would require public housing agencies to develop mixed-income housing on the sites of demolished low-income projects, require one-for-one replacement of demolished units, and prohibit housing agencies from imposing strict re-entry requirements on tenants. The bill would authorize \$800 million for each fiscal year through 2015, a significant increase from the \$100 million provided in the House version of the FY 2008 appropriation. The White House has sought to eliminate the program for the past five years.

### **Internet Tax Ban**

The current moratorium on taxes for accessing the Internet expires November 1, and House and Senate committees are scrambling to find a consensus on how long to extend the ban. The White House and a bipartisan group of legislators want to make the moratorium permanent. However, others want to extend the ban, yet stop short of supporting a permanent fix as the industry rapidly changes the type of services available to consumers. A Senate committee was expected to approve a 4-year extension last week but cancelled the markup at the last minute because many Senators decided to favor a 6-year extension. There is little doubt that the ban will be continued, while also providing for current pre-existing exemption. The only question seems to be for how long.

### **Homeless Assistance**

The Senate Banking, Housing, and Urban Affairs Committee recently approved S. 1518 to amend the McKinney-Vento Homeless Assistance Act, which provides grants to local governments and non-profit organizations for homeless people. Further action has not been scheduled in the Senate or House.

### **Fire Sprinkler Bills**

In February, Senator Gordon Smith (R-OR) introduced the "Fire Sprinkler Incentive Act of 2007" (S. 582). This legislation would classify automatic fire sprinkler systems as 5-year property for purposes of depreciation. Currently, S. 582 has been referred to the Senate Finance Committee. There is also a companion bill (H.R. 1742) that has been introduced in the House by Representative James Langevin (D-RI). This bill has been referred to the House Committee on Ways and Means. Neither bill has been considered by the respective committees.