

Washington Update

COUNTY OF SANTA BARBARA

March 30, 2020

PANDEMIC DISRUPTION

The COVID-19 pandemic radically changed the focus in Washington, DC, in March as Congress and the Administration gradually began to focus exclusively on the health emergency. Two supplemental appropriations measures were initially enacted that provided increased public health funding, testing resources, support for vaccine development, and required that most workers have access to paid family leave and sick leave:

- H.R. 6074, the *Coronavirus Preparedness and Response Supplemental Appropriations Act*.
- H.R. 6201, the *Families First Coronavirus Response Act*.

A third measure, H.R. 748, the *Coronavirus Aid, Relief, and Economic Security (CARES) Act*, was signed into law on March 27 to provide \$2.3 trillion in federal resources to cover a broad scope of response and recovery activities. We have maintained contact with our delegation and organizations such as the National Association of Counties to address local priorities as these bills were under development.

After enactment of H.R. 748, Congress adjourned until at least April 20. There is bipartisan interest in an additional (phase-four) coronavirus response bill when Congress reconvenes. Some of the initial items that are being mentioned for inclusion are more help for hospitals, states and local governments; increased food assistance; more direct payments; and expanded leave requirements.

COUNTY PANDEMIC FUNDING

H.R. 748, the *Coronavirus Aid, Relief, and Economic Security (CARES) Act*, provides supplemental appropriations for several programs that address the County's financial obligations and needs in the community during the

pandemic. These supplemental appropriations are on top of the funding provided for the current fiscal year:

- \$5 billion for CDBG grants
- \$4 billion for Homeless Assistance
- \$1 billion for HUD Project Based Rental Assistance
- \$1.25 billion for HUD vouchers
- \$8.8 billion for Child Nutrition Programs
- \$15.810 billion in SNAP funding
- \$1 billion for Community Services Block Grants
- \$955 million for Area Agencies on Aging
- \$850 million for Byrne JAG grants to state and local law enforcement
- \$150 million for the NEA and NEH

FEMA FUNDING

The President's disaster declaration for the pandemic opened up access to nearly \$50 billion that had been appropriated for FEMA's disaster relief fund in recent years. The recent enactment of H.R. 748 added \$45 billion more to that total, which can be accessed by local governments through programs such as Public Assistance - Category B Emergency Protective Measures.

H.R. 748 also provides \$400 million for several other FEMA grant programs that are available to local governments: \$100 million for firefighter protection; \$100 million for Emergency Management Performance Grants; and \$200 million for the Emergency Food and Shelter Program.

PUBLIC HEALTH FUNDING

We are also working in coordination with the National Association of County and City Health Officials and other local government groups to advocate for public health resources. The

three legislative packages that have been enacted so far to respond to the pandemic include the following health provisions that support the County's responsibilities in this area:

- \$100 billion to reimburse hospitals and healthcare providers for COVID-19 related expenses and lost revenue.
- \$16 billion to procure personal protective equipment, ventilators, and other medical supplies for federal and state response efforts.
- \$1.5 billion for State and Local Preparedness Grants (an additional \$1.5 billion was previously provided through H.R. 6074).
- \$1.3 billion for health clinics.
- Lifting of the Medicare sequester, which reduces payments to providers, from May 1 through December 31, 2020, boosting payments for hospital, physician, nursing home, home health, and other care.
- \$250 million for Certified Community Behavioral Health Clinics.
- \$100 million for SAMHSA Emergency Response Grants to address mental health, substance use disorders, and provide resources and support to youth and the homeless.

ECONOMIC STIMULUS

H.R. 748 has several significant programs that are intended to help stabilize the economy and provide assistance to individuals who are experiencing financial distress. Among the most significant of these provisions are the following:

- Significantly expanded unemployment benefits that will provide an additional

\$600 per week payment to each recipient and provide an additional 13 weeks of unemployment benefits through December 31, 2020.

- Direct cash payments to most individuals. These 2020 recovery rebates of \$1,200 (\$2,400 married), with an additional \$500 per child, will be paid to all US residents with adjusted gross income up to \$75,000 (\$150,000 married), who are not a dependent of another taxpayer and have a work eligible social security number.
- \$454 billion for the U.S. Treasury Credit to provide lending support to businesses. This program might also allow the Treasury to support lending to state and municipalities.
- \$350 billion for Small Business Administration forgivable loans, which are to help businesses meet payroll and pay for rent and utilities, etc.
- A Job Retention Tax Credit that will provide a refundable payroll tax credit for 50 percent of wages paid by employers to employees during the COVID-19 crisis.

In addition, H.R. 6201, the *Families First Coronavirus Response Act*, which was signed into law on March 18, significantly expanded the paid family leave and paid sick leave benefits that are available to workers during the pandemic.

TANF REAUTHORIZATION

H.R. 748, the *Coronavirus Aid, Relief, and Economic Security (CARES) Act*, includes an extension for the Temporary Assistance for Needy Families (TANF) program through November 30, which will provide short-term certainty for this safety net program. We are also continuing to advocate for a multi-year reau-

thorization for TANF that would increase funding for child care, job training and other aspects of the program and also provide California more flexibility in the administration of the program. We are coordinating our advocacy with NACo and CWDA to address the overly rigid Work Participation Rate requirements that were put into place by the Deficit Reduction Act of 2005.

OLDER AMERICANS ACT

In early March, President Trump signed into law H.R. 4334, the *Supporting Older Americans Act of 2020*. This legislation reauthorizes Older Americans Act (OAA) programs that support social and nutrition services for seniors and their caregivers. The legislation includes provisions to authorize a seven percent funding increase for OAA programs in the first year, then annual six percent increases in the following years and establish a National Research, Demonstration, and Evaluation Center for the Aging Network.

VIOLENCE AGAINST WOMEN ACT

We urged the Senate Judiciary Committee to move legislation to reauthorize the Violence Against Women Act (VAWA), citing the importance of these resources to local law enforcement officials for combatting domestic violence and protecting victims. We also contacted Senators Harris and Feinstein to thank them for their support for this effort. Negotiations are reportedly ongoing in the Senate on a multi-year reauthorization for VAWA but the Judiciary Committee has not yet scheduled a markup of this legislation.

CALIFORNIA WILDERNESS

The House passed Representative Carbajal's H.R. 2199, the *Central Coast Heritage Protection Act*, on February 12 as part of H.R. 2546, a six-bill package of wilderness protections. The *Central Coast Heritage Protection Act* would protect 250,000 acres of new and expanded wilderness in the Los Padres National Forest and the Carrizo Plain National Monument, protect wild and scenic rivers, and designate the Condor National Recreation Trail.

Approval of H.R. 2546 by the House refers these proposals to the Senate Committee on Energy and Natural Resources for consideration. We recently contacted the Committee to reiterate the County's support for enactment of the preservation legislation and included the County's support for Senator Harris' version of the legislation as S. 1111, and her inclusion of the legislation in the recently introduced S. 3288, the *Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act*.

PILT

We urged the House Natural Resources and Senate Energy and Natural Resources Committees to expedite legislation to provide a long-term authorization the Payments in Lieu of Taxes Program. In recent years, Congress has provided funding for PILT through annual appropriations bills, but the President's recent proposal to reduce funding for the program in FY 2021 has underscored the danger of exposing PILT to the vagaries of the annual appropriations process. We also thanked our local delegation for their support for PILT and provided them with additional budget justifications for their use in advocating for the program with the Committees.

INMATE HEALTH CARE COSTS

We contacted the Senate Finance Committee and the House Committees on Energy and Commerce and Ways and Means in support of legislation that would remove the so-called "inmate exception" that prevents individuals in the County's jail awaiting trial from being eligible for a variety of Federal benefits, including Medicaid, Medicare, SSI and CHIP. Estimates of the number of non-adjudicated inmates who would otherwise be eligible for these benefits vary, but reinstatement of their eligibility would have a significant impact on the County's costs for inmate health care.

*Don Gilchrest
Thomas Walters & Associates, Inc.*