

Washington Update

COUNTY OF SANTA BARBARA

July 10, 2008

FY 2009 APPROPRIATIONS

We continued to work with Congresswoman Capps, Congressman Gallegly, and Senators Boxer and Feinstein on the County's specific priorities through the FY 2009 appropriations process. Shortly before the July 4 Congressional recess, the House Appropriations Committee marked up and approved the *FY 2009 Energy and Water Appropriations* bill. While the committee has not yet released its report to accompany the spending measure, we have been informed that the bill proposes \$8.5 million for work on the Santa Maria Levee by the Army Corps of Engineers, and \$250,000 for work on Lower Mission Creek. The Senate Appropriations Committee is scheduled to take up their version of the Energy and Water spending later today.

FQHCs

As the House Ways and Means Committee began drafting legislation to companion legislation to prevent a mandatory 10.6% decrease in Medicare payments to physicians, we advocated for the inclusion of provisions included in the Senate version of the measure, Senate Finance Committee Chairman Baucus' (D-MT) S. 3101, the *Medicare Improvements for Patients and Providers Act*, addressing Federally Qualified Health Centers (FQHCs) such as the County's. The Senate bill included language to slightly increase the reimbursement for FQHCs, and would also require the Government Accountability Office to study the adequacy of the current FQHC payment system. When Ways and Means Committee Chairman Rangel (D-NY) introduced the House bill as H.R. 6331, it included the FQHC provisions. H.R. 6331 was approved overwhelmingly by the House on June 24 by a vote of 355-59. Since President Bush has threatened to veto the measure because of the funding offsets, there was some concern as to whether there would be the required number of votes in the Senate to close debate on H.R. 6331. A dramatic floor

appearance by Senator Kennedy – his first since his cancer diagnosis – turned the tide, and the bill was approved by a vote of 69-30. While the President's veto threat still stands, there appears to be sufficient votes to override it in both the House and the Senate.

MORATORIA ON MEDICAID RULES

As negotiations heated up between Congressional leaders and the Administration on the supplemental war appropriations measure, we continued to advocate provisions to extend the existing moratoria on a series of administrative actions by the Centers for Medicare and Medicaid Services (CMS). These regulations would cut Medicaid payments to public safety net providers, reduce eligible case management services, and eliminate reimbursements for school-based MAA programs. We contacted House Speaker Pelosi (D-CA), Senate Majority Leader Reid (D-NV), and the chairs and ranking minority members of the respective House and Senate Appropriations Committees to urge them to hold firm on the moratoria during the negotiations on H.R. 2642, the *FY 2008 Supplemental War Appropriations Act*, urging the local Congressional delegation to also continue its support. The final compromise on H.R. 2642 negotiated between Congressional leadership and the White House included the moratoria, and was approved by both the House and Senate in late June. President Bush signed the measure into law on June 30.

DISASTER PREPAREDNESS FUNDING

The annual Department of Homeland Security funding bill is traditionally one of the first appropriations bills drafted, and as the House and Senate Appropriations Committees began work on their respective bills, we continued to advocate in support of adequate funding for local homeland security and disaster-related activities. The House bill would increase funding for State and local programs

by \$1.156 billion, including \$950 million for State Homeland Security and Law Enforcement Terrorism Prevention Grants, the same level as in FY 2008. The measure would provide \$800 million for firefighter grants, an increase of \$50 million. It would increase EMPG by \$15 million to \$315 million. The version of the measure drafted by the Senate Committee on Appropriations would provide \$890 million for Terrorism Prevention Grants, \$750 million for firefighter grants, and \$300 million for EMPG.

PUBLIC SAFETY FUNDING

We reiterated the County's public safety priorities in anticipation of action by the Senate Appropriations Committee on the *FY 2009 Commerce, Justice, Science, Appropriations* bill. The committee provided \$3.121 billion overall for State and local public safety initiatives, including \$585 million for the Edward Byrne Justice Assistance Grants and \$600 million for Community Oriented Policing Services (COPS). The bill also provides \$415 million for violence against women prevention and prosecution programs, a \$15 million increase; \$400 million for juvenile delinquency prevention and accountability programs, a \$17 million increase; \$180 million to eliminate DNA analysis backlogs; \$110 million for law enforcement technologies, \$61 million for meth hot spots; \$40 million for forensic science improvement grants; \$20 million for offender re-entry, a 100% increase; \$12 million for treatment of mentally ill offenders, and \$10 million to reduce gang violence. While the House Appropriations Committee has marked up its version of the bill, proposed funding levels are officially embargoed until the committee releases its report to accompany the legislation.

IMMIGRATION IMPACTS

We also continued to advocate your Board's policies seeking reimbursement for the local impacts of illegal immigration. When the Senate Appropriations Committee approved its version of the FY 2009 CJS spending bill in June, it proposed \$400 million for SCAAP, including \$25 million for the Southwest Border Prosecution Initiative. While the House

committee has not yet released the written report to accompany its markup of the CJS bill, we have been informed that it has recommended \$420 million for SCAAP and \$35 million for SWBPI, both increases over the FY 2008 levels for the respective programs.

TRANSPORTATION FUNDING

We contacted Senators Boxer and Feinstein to urge their support for efforts to replenish the Highway Trust Fund, arguing that unless action is taken, Federal funding for State and local transportation programs will fall by 30% in FY 2009 due to a multi-billion dollar shortfall. Senator Feinstein serves on the Senate Transportation, HUD and Related Agencies Appropriations Subcommittee, and we have been informed that the subcommittee intends to add \$8 billion to the Trust Fund from the General fund in its version of the *FY 2009 Transportation, HUD Appropriations* bill.

CHILD SUPPORT

We contacted the House and Senate committees of jurisdiction to reiterate support for legislation to reinstate the ability of States and counties to use child support incentive awards as a match to draw down additional Federal funds to aid in the collection of child support payments. This mechanism was eliminated by the Deficit Reduction Act of 2005. Legislation to address the issue has been introduced in the House by Chairman McDermott (D-WA) of the Ways and Means Subcommittee on Income Security and Family Support as H.R. 1386, the *Child Support Protection Act*, and Senator Rockefeller (D-WV), Chairman of the Senate Finance Subcommittee on Health Care, has introduced a companion bill in the Senate as S. 803. Although no action has been scheduled so far on either bill, recent reports of a budget reconciliation package planned for later this year provide an opportunity to attach this legislation to a larger "must-pass" bill.

ELDER ABUSE

We continued to advocate with the House Judiciary Committee in support of Congressman Emanuel's (D-IL) H.R. 1783, the *Elder Justice Act*, which would establish grant pro-

grams aimed at reducing physical abuse, financial exploitation and neglect of elderly people by family members or personnel in institutions and residential care facilities. On June 11, the committee marked up and approved H.R. 1783, and it is currently pending issuance of the committee's report to accompany its action. At the same hearing, the committee also approved H.R. 5352, the *Elder Abuse Victims Act*, which includes provisions for grants to support local and state prosecutors and general law enforcement in elder justice matters.

AMERICANS WITH DISABILITIES ACT

In anticipation of House Education and Labor Committee consideration of H.R. 3195, the *American with Disabilities Act (ADA) Restoration Act*, we contacted members of the committee to reiterate concerns about the measure regarding provisions that would unduly burden the County as an employer. We also contacted Congresswoman Capps and Congressman Gallegly, both of whom are cosponsors of the legislation. Congresswoman Capps' staff contacted us to discuss changes included in the manager's amendment during the committee markup that addressed the County's concerns. H.R. 3195 was approved by the full House on June 25 by a vote of 402-17.

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