

Washington Update

COUNTY OF SANTA BARBARA

June 1, 2016

FY 2017 APPROPRIATIONS PROCESS

As the Memorial Day recess approached, both the House and Senate Appropriations Committees accelerated the drafting and approval of FY 2017 spending measures, including those covering the Departments of Justice, Agriculture, Transportation and Housing and Urban Development. In general, overall spending levels were consistent with FY 2016, in part due to the enactment last year of the *Bipartisan Budget Act of 2016*, which provided sequester relief for not only FY 2016 but also for FY 2017. Despite this flurry of activity, it is still anticipated that the process will bog down in the coming months due to factors such as the limited number of days available for floor debate because of the upcoming conventions and subsequent elections, as well as the inclusion of controversial policy riders on the bills.

PUBLIC SAFETY FUNDING

Of significance to the County's public safety responsibilities, both the House and Senate completed work on their respective versions of *FY 2017 Commerce, Justice, Science (CJS) Appropriations* bills. The House bill would maintain level funding for the Byrne Memorial Justice Assistance Grant (JAG) program at \$476 million, increase Community Oriented Policing Services (COPS) Grants by 41% to \$299 million, and would provide a \$47.5 million increase in funding for Violence Against Women Act (VAWA) programs, to \$527.5 million. Funding for DNA and forensic-related programs would stay level at \$125 million, and re-entry programs authorized under the Second Chance Act would once again receive \$68 million. The bill would provide \$42 million for drug courts, \$12 million for the Mentally Ill Offenders Act; and \$7 million for veterans treatment courts. Of particular significance, the State Criminal Alien Assistance Program (SCAAP) would be increased by \$64 million to \$274 million, 30% more than in FY 2016.

The CJS measure approved by the Senate committee proposes to decrease funding for

the Byrne JAG program by \$92 million to \$382 million, while slightly increasing COPS Grants by \$3 million to \$215 million. It would also slightly increase funding for VAWA programs, to \$481.5 million. Funding for DNA and forensic-related programs would hold steady at \$125 million; and re-entry programs authorized under the Second Chance Act would receive \$75 million, a \$7 million increase. The bill would also provide \$43 million for drug courts; \$7 million for the Mentally Ill Offenders Act; and \$6 million for veterans treatment courts. State formula grants for juvenile justice programs would be decreased \$5 million to \$63 million, \$75 million would once again be provided for competitive grants to mentor at-risk youth, and Title V Delinquency Prevention would receive \$27.5 million. SCAAP would be reduced by \$110 million to \$100 million.

AGRICULTURAL PESTS

The House and Senate Appropriations Committees also approved their respective versions of the *FY 2017 Agriculture Appropriations* bill. The House bill would provide level funding of \$27.5 million for Pest Detection & Prevention Programs, a \$9.5 million increase in funding for Specialty Crop Pests to \$167.5 million, level funding of \$27.9 million for Agricultural Quarantine Inspection, and a \$15.5 million increase for food safety and inspection, to \$1.03 billion. The bill approved by the Senate committee would also provide \$27.5 million for Pest Detection & Prevention Programs, \$158 million for Specialty Crop Pests, a \$2 million increase for Agricultural Quarantine Inspection to \$27.9 million, and \$1.034 billion for food safety and inspection.

TANF REAUTHORIZATION

Last year we provided the County with a package of legislative proposals introduced by members of the House Ways and Means Committee to amend and reauthorize the Temporary Assistance for Needy Families (TANF) program. The proposals were intended to

strengthen TANF and better help recipients move to work, and ranged from ending the separate and higher work requirement for two-parent families, to increasing the share of adults expected to work or prepare for work by preventing states from receiving certain “credits,” to providing up to \$300 million annually to states to test ways to better serve recipients by improved case management, better coordinated benefits, and a choice of service providers. In mid-May, the committee marked up and approved several of the measures included in the package, and they are now awaiting issuance of the committee reports to accompany the actions. Committee Chairman Brady (R-TX) indicated that the markup was the beginning of a larger, ongoing effort related to reforming TANF, and on May 24, the committee subsequently marked up additional TANF-related legislation, including H.R. 2952, the *Improving Employment Outcomes of TANF Recipients Act*, which would replace the current system of incentive payments with grants to States for increasing the employment, job retention, and earnings of former recipients.

CMS MEDICAID GUIDANCE

We provided the County with the Center for Medicare and Medicaid Services’ (CMS) updated guidance regarding the eligibility of individuals prior to and after confinement in a correctional institution. Contained in a letter to State Health Officials, the guidance is intended to facilitate successful re-entry for individuals transitioning from incarceration to their communities. This Guidance *does not* include proposals that NACo has been discussing with CMS regarding the use of Medicaid 1115 waivers for incarcerated inmates otherwise eligible for Federal benefits (the “inmate exclusion”).

DROUGHT RELIEF

We continue to monitor efforts to address ongoing drought impacts in California. Senator Feinstein’s latest effort, which she introduced in February as S. 2533, the *California Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act*, would ease limits on water transfers and authorize \$1.3 billion for desalination, water recycling, and storage. This would include \$210 million for loan-guarantees for local water projects. On May 17, the Senate Energy and Natural Resources Subcommittee on Water and Power held a hearing on S. 2533, as well as several other measures to address the drought throughout the West. They are considering rolling several of the proposals into a single legislative package. In the House, Congressman Garamendi (D-CA) recently introduced a companion to Senator’s Feinstein’s bill as H.R. 5247. However, House Republicans view the bill’s approach as being too focused on environmental impacts. The House passed drought relief legislation last year as H.R. 2898 that would release more water from the Central Valley Project and the State Water Project.

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