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# REPORT

Thomas Walters & Associates, Inc.



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TO: Santa Barbara County Board of Supervisors

DATE: December 3, 2018

FROM: Don Gilchrest

Congress returned to Washington, DC, after the November elections for a *Lame Duck Session* to finish up the FY 2019 funding legislation and several other major bills.

Congressional leaders were able to come together to enact numerous initiatives this year, including a February budget agreement that raised the defense and non-defense discretionary spending caps and ended a budget impasse that threatened an extensive government shutdown. Enactment of an omnibus appropriations measure for FY 2018 followed in March and regular order was also partially restored to the FY 2019 appropriations process with enactment of five funding bills that cover about 75 percent of the Federal discretionary budget.

However, the year also featured bitter division that resulted in two short Federal government shutdowns and that prevented enactment of legislation such as the President's proposed infrastructure initiative. Seven out of twelve of the FY 2019 appropriations bills - including several with funding streams of importance to the County - remain to be enacted in the *Lame Duck Session* of Congress. Interim funding was enacted in a Continuing Appropriations Resolution that expires on December 7.

Within this context, we worked throughout the year to aggressively advocate your Board's priorities on a wide range of policies and issues impacting the County's fiscal stability and delivery of services, as addressed in this report. We lobbied these issues with Congressional members, staff and Administration Officials. We also worked closely with other relevant stakeholders on these issues and assisted County staff with advocacy meetings in Washington, DC. Despite the election-year constraints, there have been a number of legislative accomplishments of significance to your Board and the County's mandated responsibilities in 2018. These include:

- Reauthorization of the Children's Health Insurance Program through 2027;
- A two-year extension of funding for Federally Qualified Health Centers;
- Enactment of FY 2018 Supplemental Appropriations for disaster recovery;
- Enactment of H.R. 302, the *Disaster Recovery Reform Act*, to reauthorize and increase funding for disaster preparedness and hazard mitigation;

- Enactment of H.R. 6, the *Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act* to address the opioids crisis;
- House passage and Senate Committee approval of H.R. 1491, the *Santa Ynez Band of Chumash Indians Land Affirmation Act*, to implement the County's agreement regarding Camp 4 (currently pending).

Targeted funding for specific projects in general and County proposals and projects in particular was once again constrained by continuation of the moratorium on earmarks. In addition, the Administration has continued to be slow in processing allocations under a number of funding streams typically available to the County, including allocations under the State Criminal Alien Assistance Program. Nevertheless, Santa Barbara County has been successful in securing several Federal grants and reimbursements this year, including:

- Payments in Lieu of Taxes funding to the County of \$1.86 million;
- HUD funding to the County of \$1.19 million from the Community Development Block Grant program;
- \$1 million from the HOME Investment Program;
- \$662,839 from HUD's Capital Fund;
- \$364,164 for HUD-VASH vouchers to enable homeless veterans to obtain affordable housing in the private market;
- \$1.7 million in Continuum of Care awards for ongoing projects in the County serving the homeless;
- Byrne Justice Assistance Grant award of \$95,471;
- HHS award of \$285,000 to the County to improve access to substance abuse disorder and mental health services.

Looking ahead to 2019, the incoming Democratic House leadership and Senate Majority Leader McConnell have been expressing a willingness to work together on Federal legislation. The potential for continued division next year will be significant but there are several areas where cooperation is possible, including a renewed push for the infrastructure initiative and budget legislation to address spending caps when the current deal expires next October. The new House majority is also eager to address climate change, various government and ethics reforms, health care and tax policy.

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## Agricultural Issues

We contacted the House and Senate Agriculture Committees to advocate the County's priorities in anticipation of action on a new Farm Bill, emphasizing the importance of provisions related to pest prevention programs and specialty crops grown in the County. The House passed Chairman Conaway's (R-TX) multi-year Farm Bill, H.R. 2, the *Agriculture and Nutrition Act of 2018*, on June 21 and the Senate passed its version on June 28. As the House and Senate moved to convene a conference committee to negotiate a final version of the farm bill, we contacted conferees to advocate for provisions to continue strong support for agriculture and conservation programs and requested our local Delegation to work with the conference committee to include the County's priorities. Final action on the Farm Bill was delayed into the Lame Duck Session as negotiations stumbled over the nutrition title, forestry issues and some agriculture programs. Conferees recently announced agreement on the legislation but the legislative language has not yet been released.

As the House and Senate began the annual appropriations process, we advocated for the highest possible levels of funding for Department of Agriculture programs of importance to the County's agriculture-related responsibilities, including the areas of pest detection and food safety. In May, the House and Senate Appropriations Committees both marked up and approved their versions of the *FY 2019 Agriculture Appropriations* bill.

The House bill would provide level funding for Pest Detection & Prevention Programs at \$27.4 million, increase Specialty Crop Pests funding by \$10.8 million to \$189 million, level funding for Agricultural Quarantine Inspection to \$31.3 million, and provide a \$7.5 million decrease for food safety and inspection, to \$1.049 billion. The bill approved by the Senate committee also provides level funding of \$27.4 million for Pest Detection & Prevention Programs, level funding of \$178.1 million for Specialty Crop Pests, a \$1 million increase for Agricultural Quarantine Inspection to \$32.33 million, and a \$7.5 million decrease for food safety and inspection, to \$1.049 billion.

The Senate passed the agriculture appropriations measure as part of a four-bill "minibus" package on August 1. House leaders opted not to bring their version of the bill before the full House but proceeded directly to conference committee with the Senate. Negotiation of the final agriculture appropriations bill is continuing in the Lame Duck Session.

## Disaster Preparedness and Response

### Recovery Funding

We have continued to work with our local delegation to address recovery issues related to the Thomas Fire. Just prior to adjourning at the end of 2017, the House passed H.R. 4667 to provide \$81 billion in emergency supplemental appropriations

for disaster assistance. However, in many programs the funding was targeted to disasters declared in 2017, which would have precluded the Thomas Fire because it was not declared a major disaster until January 2. We urged the Senate to address this deficiency in its version of the legislation as the Appropriations Committee continued to negotiate its provisions. Although the Senate did not take up the disaster supplemental funding measure as a stand-alone bill, it was eventually added to the Bipartisan Budget Agreement that was enacted in February. The legislation provides \$89 billion in emergency supplemental appropriations for disaster assistance for Hurricanes Harvey, Irma, and Maria and the California wildfires, to be distributed through FEMA, the SBA, HUD, the Army Corps of Engineers and numerous other agencies. Through the efforts of Senator Feinstein - in her role as a senior member of the Senate Appropriations Committee - and Senator Harris, the bill was amended to ensure that the Thomas fire declaration and the January flood event are included everywhere that references the 2017 wildfires.

Federal agencies are continuing the process of releasing the disaster assistance funding that was approved in February. HUD announced on April 10 the award of \$212,374,000 in Community Development Block Grant Disaster Recovery (CDBG-DR) funds to the State of California to address unmet recovery needs resulting from disasters that occurred in 2017 and to increase the state's preparedness for future disasters. CDBG-DR funds can be used for a broad array of recovery efforts, including restoration of infrastructure, housing, economic revitalization, and mitigation and preparedness. The State will develop an action plan for distribution of the funds.

The FY 2018 Supplemental Appropriations Act also provided funding for FEMA's Hazard Mitigation Grant Programs and the Natural Resources Conservation Service, through which County staff are pursuing funding for recovery improvements. As part of these efforts, we assisted Deputy Public Works Director Tom Fayram with meeting with NRCS officials in Washington, DC, to brief them on proposed improvements for the Santa Monica basin and to request their support for funding the project. He also met with the Council for Environmental Quality to discuss federal regulations that impact maintenance or modifications to existing facilities or that hinder beach nourishment.

Representative Carbajal also worked throughout the year in support of the County's recovery efforts, including writing to the U.S. Army Corps of Engineers to support debris basin improvements and the Lower Mission Creek Flood Control Project. He also called Director of Civil Works James Dalton to urge support for the ongoing efforts by the County to mitigate future floods.

#### Homeland Security Funding

We contacted the House and Senate Homeland Security Subcommittees to advocate for the County's priorities, urging them to adequately fund local emergency response and disaster preparedness activities, including funding to address the needs of public safety, public health, emergency management personnel, and communications

infrastructure. We also asked them to fund the Assistance to Firefighters Grant (AFG) program at the highest possible level, and emphasized the critical importance of Emergency Management Performance Grants to the County's emergency preparedness responsibilities. The Senate Appropriations Committee approved its draft of the *FY 2019 Homeland Security Appropriations* bill on June 21 and the House Appropriations Committee approved its version on July 25.

Although the Department of Homeland Security is traditionally one of the first appropriations bills taken up, action on the measure this year has been delayed due to policy disputes including immigration. Final action of the legislation is pending in the Lam Duck Session, but current funding proposals for programs of interest to the County are as follows:

	<b>Trump FY19</b>	<b>House FY19</b>	<b>Senate FY19</b>
<b>Urban Area Security Initiative</b>	\$448.8 million	\$661 million	\$605 million
<b>State and Local Homeland Security Grants</b>	\$349.3 million	\$538 million	\$512 million
<b>Firefighter Assistance Grants/SAFER</b>	\$688.7 million	\$700 million	\$700 million
<b>Emergency Management Performance Grants</b>	\$279.3 million	\$350 million	\$350 million
<b>National Pre-Disaster Mitigation Fund</b>	\$39 million	\$249 million	\$250 million

#### Disaster Planning and Reform

We provided several bills related to disaster or emergency planning to County staff for their review because of the potential impact on local preparedness and response efforts. House Subcommittee on Emergency Management Chair Barletta (R-PA) sponsored the *Disaster Recovery Reform Act (DRRA)*, which included provisions to improve pre-disaster planning and mitigation for disasters. Senate Homeland Security Committee Chair Johnson (R-WI) introduced the Senate version of the legislation as S. 3041. The House passed the DRRA several times as part of other bills that were moving through Congress in attempts to get the Senate to consider the legislation. After House and Senate negotiators agreed on compromise language, it was finally enacted as part of H.R. 302. A key emphasis of the DRRA reforms is to increase funding for pre-disaster hazard mitigation. The legislation also reauthorizes several disaster preparedness grant programs.

The House also passed H.R. 6378, the *Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018*, on September 25 to reauthorize programs to respond to infectious disease outbreaks and other medical emergencies. The legislation would extend funding authorizations, with increases, for these programs through 2023 including programs through the CDC to help states prepare for health emergencies, preparedness grants for hospitals, and programs to help develop treatments and vaccines for health emergencies. The Senate version, Senator Burr's (R-NC) S. 2852, was approved by the Senate Health, Education, Labor and Pensions Committee in June but the full Senate has not taken up the legislation.

#### Firefighter Grants

We continued to advocate for legislation to reauthorize the Assistance to Firefighters Grants program and the Staffing for Adequate Fire and Emergency Response Grant Program. In January, President Trump signed into law Representative Comstock's (R-VA) H.R. 4661, which provides an annual authorization of \$750 million for six years.

## Environment and Land Use

#### Land Into Trust – Camp 4

Throughout the year we supported enactment of H.R. 1491, the *Santa Ynez Band of Chumash Indians Land Affirmation Act*, in accordance with your Board's approval of the Memorandum of Agreement with the Tribe. H.R. 1491, which passed the House last November, would ratify the Secretary of the Interior's action to place Camp 4 into trust. We attended the Senate Indian Affairs Committee legislative hearing on the bill on April 25 and provided the County's letters of support for the Committee record and to the individual Senators who serve on the Committee. We also discussed the County's support with Senator Feinstein's Legislative Counsel and Senator Harris's staff, as well as other Senate offices that had questions or concerns. The Committee approved H.R. 1491 in June and we have continued to work in coordination with the Tribe's lobbyists to support enactment of the legislation before the end of the year.

#### Clean Air/Marine Vessel Emissions

We contacted the House Transportation Coast Guard and Maritime Transportation Subcommittee to advocate in support of Congressman Lowenthal's (D-CA) H.R. 3682, the *Blue Whales and Blue Skies Act*. Congressman Carbajal is an original co-sponsor of the proposal, which would create a program to reduce air pollution and harmful underwater acoustic impacts and the risk of fatal vessel whale strikes by recognizing voluntary reductions in the speed of vessels transiting the Greater Santa Barbara Channel Region. It would be modeled after the pilot Vessel Speed Reduction Program, of which the Santa Barbara County Air Pollution Control District is a member. The Subcommittee did not schedule hearings on H.R. 3682 in 2018.

We also urged the House and Senate Appropriations Committees to provide the highest possible level of funding for EPA's State and Local Air Quality programs, citing the critical importance of the Section 103 & 105 programs in providing resources to the County to perform basic air pollution control activities. President Trump's Budget Request proposed a \$76 million cut in funding for these programs. However, when the House and Senate Appropriations Committees approved their version of the *FY 2019 Interior and Related Agencies Appropriations* bills, they both included \$228.219 million for these grants, the same level as was provided in FY 2018. Final funding levels will be determined in the ongoing Lame Duck Session negotiations.

#### Payments in Lieu of Taxes

Following passage of the FY 2018 Consolidated Appropriations Act, Interior Secretary Zinke announced payments under the Payment In Lieu of Taxes (PILT) Program in June. We were informed that Santa Barbara County would receive \$1.9 million under the program, a slight increase over last year.

We worked in coordination with NACo to ask the leadership of the House and Senate Appropriations Committees to support full funding for PILT through the FY 2019 appropriations process. We also requested the support of our local delegation and Representative Carbajal co-signed a bipartisan letter to the Committee in support of full funding. We also submitted formal programmatic requests regarding PILT to Senator Feinstein in her role as a member of the Senate Appropriations Committee and to Senator Harris. Both the pending House and Senate *FY 2019 Interior Appropriations* bills would fund PILT at \$500 million next year.

#### Clean Water Regulations

We monitored EPA and Army Corps of Engineers regulations related to definition of "waters of the U.S." under the Clean Water Act, which have expanded the range of waters that fall under federal jurisdiction. In response to President Trump's 2017 Executive Order, the USACE and the EPA are undertaking a two-step process to repeal the "Waters of the United States" rule that expanded Federal jurisdiction over pollution in streams and wetlands under the Clean Water Act. NACo has expressed multiple concerns regarding this rule's impact on county-owned and maintained roadside ditches, bridges, flood control channels, drainage conveyances and wastewater and stormwater systems. However, the rulemakings have been challenged in court, with the result that enforcement has been stayed and the original rule is in effect pending further legal review.

#### Outer Continental Shelf

We continued to carefully monitor Administration actions related to oil and gas lease sales on the Pacific Outer Continental Shelf. The Interior Department is conducting a review of OCS drilling as the result of an Executive Order signed by President Trump. Following your Board's 2017 action opposing any new lease sales, we

provided the local delegation and Senators Feinstein and Harris with the County's letter to Interior Secretary Zinke. We also provided your January resolution opposing the draft proposed five-year OCS leasing program to President Trump, Interior officials, the local delegation and key Congressional Committees. As part of these efforts, we contacted the House Natural Resources Committee to advocate in support of Representative Carbajal's H.R. 731, the *California Clean Coast Act*, which would permanently prohibit oil and gas leasing off the coast of the State of California. It currently has 36 cosponsors, made up largely of the California Democratic House Delegation. Hearings were not been scheduled on the bill in 2018.

#### Channel Islands Marine Sanctuary

We continued to work with Representative Carbajal and Senators Feinstein and Harris to oppose any action to reduce the boundaries of the Channel Islands Marine Sanctuary. When President Trump ordered that sanctuary boundaries be reviewed last year, we contacted the Secretary of Commerce and National Oceanic and Atmospheric Administration (NOAA) officials on behalf of the County to oppose any action to reduce the boundaries of the Channel Islands National Marine Sanctuary. Representative Carbajal led an effort that included nineteen of his colleagues to also contact Secretary Ross. The comment period on the agency's review ended last August and its findings have not been publicly finalized.

#### Los Padres Wilderness

We contacted the Senate Committee on Energy and Natural Resources to urge them to act on Senator Harris' S. 1959, the *Central Coast Heritage Protection Act*, in the Lame Duck Session. The legislation would expand wilderness and wild and scenic river designations in the Los Padres National Forest, the Carrizo Plain National Monument, and designate the Condor National Recreation Trail. The Committee held a hearing on the legislation in August, which is normally one of the necessary prerequisites for passage in the Senate. Representative Carbajal also introduced the House version of the legislation as H.R. 4072.

#### Land and Water Conservation

A bipartisan Senate coalition led by Senator Cantwell (D-WA), Senator Gardner (R-CO), and Senator Burr (R-NC) have continued to push for legislation to permanently reauthorize the Land and Water Conservation Fund (LWCF). The LWCF is funded through oil and gas leasing revenues on the Outer Continental Shelf and is used to support habitat preservation, outdoor recreation and federal land acquisition. The program authorization expired October 1 and an extension is needed before the end of the year to provide continuity to the program.

## **Homelessness, Housing and Community Development**

#### Homelessness

In May, HUD announced the FY 2017 Continuum of Care (CoC) Program funding awards, which are used to promote a community-wide commitment to the goal of

ending homelessness, including efforts by nonprofit providers, States, and local governments to quickly re-house homeless. The agency awarded \$1.733 million for projects in Santa Barbara County serving the homeless.

We worked with the National Alliance to End Homelessness to advocate for increased funding for homeless assistance in anticipation of the FY 2019 appropriations process, urging House and Senate appropriators to include the highest level possible in the Transportation/HUD spending measure. The House version of the bill would increase funding for McKinney-Vento Homeless Assistance Grants by \$58 million to \$2.571 billion, while the Senate bill proposes to increase the program to \$2.612 billion. Final funding levels are pending action in the Lamé Duck Session.

#### Housing and Community Development Resources

In May, HUD announced awards under the FY 2018 Capital Fund Program, and we were notified that Santa Barbara County would receive a grant of \$662,839. Capital Fund grants can be used for the construction, repair, renovation, or modernization of public housing units. In October, HUD announced that the County would be awarded \$364,164 for HUD-Veterans Affairs Supportive Housing Program (HUD-VASH) vouchers to enable homeless veterans to obtain affordable housing in the private market. After enactment of the FY 2018 Consolidated Appropriations Act in March, the Department of Housing and Urban Affairs announced formula allocations for housing and community development programs. Santa Barbara County was allocated \$1.19 million in Community Development Block Grant (CDBG) funding, and \$1.038 million under the HOME Program. Both allocations represent increases over the FY 2017 level.

As work began on FY 2019 appropriations, we contacted the House and Senate Appropriations Committees, our local Congressional delegation, and Senators Harris and Feinstein to advocate for housing and community development programs of significance to the County in the *FY 2019 Transportation, Housing and Urban Development (HUD), and Related Agencies Appropriations* bill. We joined with other stakeholders in urging Congress to reject the funding reductions proposed by President Trump's FY 2019 Budget Request that included proposals to eliminate CDBG and HOME funding. As part of these efforts, members of the local delegation agreed to sign on to "Dear Colleague" letters to the appropriators in support of the programs. We also provided funding justifications to Senator Feinstein for her use as a member of the Appropriations Committee.

The Senate passed the Transportation, Housing and Urban Development Appropriations bill on August 1 as part H.R. 6147, a four-bill "minibus" funding measure. The House Appropriations Committee approved H.R. 6072, the *FY 2019 Transportation and Housing and Urban Development Appropriations (THUD) Act* on May 23. House leaders agreed to go directly to conference with the Senate and the bill is pending in the Lamé Duck Session. We are working in coordination with other

stakeholders such as NACo and the National Association of Housing Redevelopment Officials to advocate for the highest possible funding in the final bill.

The funding levels for key programs in the pending bills are as follows:

	Trump FY19	House FY19	Senate FY19
CDBG	zero	\$3.3 billion	\$3.3 billion
HOME Investment Partnership	zero	\$1.2 billion	\$1.362 billion
Homeless Assistance	\$2.383 billion	\$2.571 billion	\$2.612 billion
Housing Opportunities for People with AIDS	\$330 million	\$393 million	\$375 million
HUD-Veterans Affairs Supportive Housing	No new vouchers	\$40 million	\$40 million
Housing for the Elderly	\$601 million	\$632 million	\$678 million

### Immigration Reform

Throughout the ongoing debate over immigration policies, we have urged the House and Senate leadership, the committees of jurisdiction, and the local delegation to support bipartisan, comprehensive immigration reform that includes an earned path to citizenship and continuation of protections provided under the Deferred Action for Childhood Arrivals (DACA) program. Following your Board's actions in August, we also wrote to President Trump to provide the adopted resolutions that proclaim: 1) opposition to the separation of families and solidarity with communities affected by current national immigration policy, and 2) support for immigrants and refugees who seek opportunity or asylum in the United States according to established legal processes and those sworn to uphold such legal processes. We also provided copies to DHS Secretary Nielsen and our local delegation.

The need for a DACA fix has been a recurring element in the immigration debate throughout the year. Several bills have been introduced to address the issue,

including Congressman Coffman's (R-CO) 496, the *Bar Removal of Individuals who Dream and Grow our Economy Act* or *BRIDGE Act*, and the companion legislation introduced in the Senate by Senator Graham (R-SC) as S. 128. Representative Carbajal cosponsored H.R. 496, and both Senator Feinstein and Senator Harris cosponsored S. 128.

However, Republican leaders resisted scheduling a vote on immigration legislation that does not have the support for President Trump. House Judiciary Committee Chairman Goodlatte (R-VA) introduced H.R. 4760, the *Securing America's Future Act*, which would tie DACA to a package of enhanced immigration enforcement proposals. Also, President Trump announced a proposed framework for immigration reform that includes tighter restrictions on legal immigration and \$25 billion for a border wall. Neither proposal has attracted the bipartisan support needed to pass the House and the Senate.

After DACA became a bargaining chip in the January government shutdown, Senate Majority Leader McConnell (R-KY) agreed to schedule an immigration floor debate in February. That process failed, however, when none of the proposals that were brought up had enough votes to proceed under the Senate's cloture rules. In the House, Republican supporters of a DACA fix were able to force Speaker Ryan (R-WI) to schedule a floor vote in June. However, the House defeated the bill brought forward by the Speaker (H.R. 4760) by a 193-231, vote continuing the pattern of enforcement-oriented immigration bills being opposed by Democrats and failing to attract the unified Republican support needed to pass the House.

The immigration debate continues in the Lame Duck Session of Congress because President Trump has indicated that he will be pressing for border wall funding as a condition to supporting other legislation. This has raised the possibility of a budget impasse on the seven funding bills that remain to be completed and the possibility of a partial government shut-down.

## Public Health

### Affordable Care Act

Throughout this year, we have worked with NACo and other public health stakeholders to closely monitor any legislative activity that could impact the Affordable Care Act (ACA). Following the failure last year of multiple attempts by Republican leaders to repeal the ACA, we have continued to monitor and oppose any efforts to undermine the Medicaid expansion, as well as any efforts to convert the program to block grants to States with a per-capita cap on services.

Last November, the Senate Finance Committee reignited the attack on ACA by including language in their version of the tax reform bill to effectively repeal the individual mandate. The provisions were retained in the final tax overhaul packaged

signed into law by the President in December. In response, Senators Murray (D-WA) and Alexander (R-TN) have developed bipartisan legislation to provide cost-sharing subsidies to stabilize the ACA insurance markets, and Senator Collins (R-ME) has proposed legislation to provide reinsurance funds to States for the establishment of high-risk pools to help offset the impacts of eliminating the individual mandate. No action was scheduled in the Senate on these bills.

#### Opioid Crisis

Both the House and Senate devoted considerable efforts this year to strengthening Federal programs to address the epidemic of opioid abuse. The House passed H.R. 6, the *Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (SUPPORT for Patients and Communities Act)* on June 22. The Senate passed its version of H.R. 6 on September 17. Although some differences existed between the two versions, both bills included dozens of provisions to strengthen prevention and public health efforts and address coverage and payment issues in Medicare and Medicaid. The final version of H.R. 6 was negotiated in a House-Senate Conference Committee and cleared for the President's signature in late October. It includes language to enable development of non-addictive painkillers, authorize grants for evidence-based substance abuse prevention and treatment services, and reauthorize several prevention programs and the Office of National Drug Control Policy.

#### Funding for County Health Care Programs

In August, the Health Resources and Services Administration announced Health Center Quality Improvement FY 2018 Grant Awards. We were informed that Santa Barbara County would receive \$72,818 under the program. The funding is intended to help health centers build upon their 2017 achievements to continue to improve quality, efficiency, and the value of health care delivery in the communities they serve. In September, the Health Resources and Services Administration awarded the County \$285,000 to improve access to substance abuse disorder and mental health.

We continued to advocate in coordination with NACo and other stakeholders for extension of the authorization for Federally Qualified Health Centers (FQHCs), highlighting the importance to the County's health care-related responsibilities, as well as broader impacts on health care in the region. When the bipartisan budget agreement was reached in February, provisions were included provide a two-year extension of funding for FQHCs.

When the FY 2019 appropriations process began late this spring, we contacted the House and Senate Appropriations Committees to advocate in support of public health programs in the *FY 2019 Labor, Health and Human Services, Education and Related Agencies Appropriations* bill. We also urged them to provide adequate funding for State and local bioterrorism preparedness and bioterrorism grants. We provided this information to our local delegation and urged them to work with the Committees to fund the County's priorities. The Senate passed its version of the legislation in

August as part of H.R. 6157 and the House Appropriations Committee approved its version of the legislation as H.R. 6470 in July. Although the Labor/HHS spending measure is often one of the most controversial funding bills, House and Senate leaders were able to expedite consideration of the legislation by combining it with the Department of Defense Appropriations bill, and a final version was signed into law in September.

Funding levels for key programs in the legislation are as follows:

	<b>Trump FY19</b>	<b>House FY19</b>	<b>Senate FY19</b>	<b>Final FY 19</b>
<b>Community Health Centers</b>	Mandatory and discretionary mixed	\$1.41 billion	\$1.51 billion	\$1.5 billion
<b>Substance Abuse Block Grants</b>	\$1.86 billion	\$2.36 billion	\$1.78 billion	\$1.86 billion
<b>Section 317 Immunization Program</b>	\$520.8 million	\$620.8 million	\$610.8 million	\$610.8 million
<b>Mental Health Block Grant</b>	\$562.6 million	\$722.6 million	\$747.6 million	\$722.6 million
<b>Preventative Health Services</b>	Zero	\$160 million	\$160 million	\$160 million
<b>AIDS Drug Assistance Program</b>	\$900 million	\$900 million	\$900 million	\$900 million
<b>Maternal and Child Health</b>	\$627.7 million	\$655 million	\$677.7 million	\$677.7 million
<b>Public Health Preparedness Cooperative Agreements</b>	\$660 million	\$690 million	\$680 million	\$675 million

#### 340B Drug Pricing Program

Working in conjunction with NACo, we contacted the House Energy and Commerce Health Subcommittee to advocate the County's support for the 340B Drug Pricing Program. We also contacted the members of the local delegation to reiterate the importance of the program to County health centers, reminding them that it saves taxpayer dollars while at the same time enhancing and expanding patient care.

Both the House Energy and Commerce Subcommittee on Health and the Senate Health, Education, Labor and Pensions Committee held oversight hearings on the program. The Government Accounting Office released a report in July that found that HRSA's oversight was not ensuring compliance with 340B Program requirements and criticized compliance with the prohibition on duplicate discounts for drugs prescribed to Medicaid beneficiaries.

The House Subcommittee on Health held an additional hearing on 340B in July that included 15 related bills, many of which are hostile to the program and seek to add regulations or reduce its scope. Following the hearing, we contacted committee members and the local delegation to urge the continuation of an effective 340B Drug Pricing Program and opposition to proposals that would limit access to needed pharmaceuticals for low-income or uninsured patients. We also requested support for Representative McKinley's H.R. 4392, which would place a permanent moratorium on the Centers for Medicare & Medicaid Services policy in the 2018 Outpatient Prospective Payment System rule that cuts by 27 percent Medicare Part B payments for drugs purchased through the 340B Drug Pricing Program, and Representative Matsui's H.R. 6071, the *Stretching Entity Resources for Vulnerable (SERV) Communities Act*, which would prevent HHS from implementing a narrower definition of 340B-eligible patients than what is under the 1996 guidance from HRSA. Neither the House nor the Senate committees scheduled further action on 340B legislation.

#### Childhood and Women's Health Programs

We contacted the House and Senate committees of jurisdiction to reiterate the importance of reauthorization of the Children's Health Insurance Program (CHIP). CHIP currently provides 11,000 children in Santa Barbara County with comprehensive Medi-Cal coverage for a modest monthly premium and co-pays and the program authorization was one of several health care-related left unresolved by Congress last year. We also urged our House and Senate Congressional delegation to push for expedited resolution of these issues with their respective leaderships. When Congress passed a Continuing Resolution in January to provide short-term Federal funding during the budget standoff, Congressional leaders agreed to include a provision that extended CHIP funding for six years. Then, when the bipartisan budget agreement was reached in February, provisions were included that further extended CHIP through FY 2027.

As the appropriations process began, we lobbied the House and Senate Appropriations Committees for WIC funding in the *FY 2019 Agriculture Appropriations* bill. When the House committee drafted its version of the spending bill, it proposed \$6 billion for WIC and the Senate version includes \$6.15 billion, which is full funding for the estimated program participation. The final funding level is pending in the Lame Duck Session. We also urged the House and Senate Committees to support funding for the Title V Maternal and Child Health Block Grant in the *FY 2019 Labor, HHS,*

*Education and Related Agencies Appropriations* bill. The House Committee proposed \$655 million for the Title V program and the Senate Committee included \$677 million when it drafted its version of bill. When conferees negotiated the final version of the Labor/HHS bill, they included the higher Senate number, which increased funding by \$26 million compared to last year.

## Social Services

### Supplemental Nutrition Assistance Program

We contacted the House and Senate Agriculture Committees in anticipation of action on a new Farm Bill to request their support for safety net nutrition programs such as the Supplemental Nutrition Assistance Program (SNAP). We also urged our local delegation to work in support of the highest possible funding level for SNAP in the reauthorization debate.

The President's FY 2019 Budget proposed a 22 percent cut to SNAP and an overhaul of the program to include distributing food boxes to recipients. When House Agriculture Committee Chairman Conaway's (R-TX) multi-year Farm Bill, H.R. 2, the *Agriculture and Nutrition Act of 2018*, was approved by the House on June 21, it received uniform opposition from House Democrats because of proposed limits on eligibility and greater emphasis on work requirements for able-bodied adults receiving food aid through SNAP. The Senate version of the legislation received bipartisan support, in part because it left the core eligibility requirements for SNAP unchanged.

Differences between the House and Senate versions of H.R. 2 delayed final action on the bill beyond the October 1 expiration of some farm programs. As the House and Senate moved to convene a conference committee to negotiate a final bill, we urged conferees to adopt the Senate provisions on SNAP to protect eligibility to recipients and provide maximum flexibility to the County for program administration. The Conference Committee has reportedly reached an agreement that will not include the new SNAP work requirements and a vote is being scheduled to clear it for the President's signature.

### Child Welfare Services

Last June, members of the House Ways and Means Committee introduced several non-controversial provisions as a package of bipartisan bills to strengthen the child welfare system. These included:

- H.R. 2742, the *Modernizing the Interstate Placement of Children in Foster Care Act*;
- H.R. 2847, the *Improving Services for Older Youth in Foster Care Act*;
- H.R. 2857, the *Supporting Families in Substance Abuse Treatment Act*; and,
- H.R. 2866, the *Reducing Barriers for Relative Foster Parents Act*.

All four bills were taken directly to the House floor where they were overwhelmingly approved. Although the Senate did not schedule action on the individual bills, the package was included in H.R. 1892, the *Bipartisan Budget Act of 2018*, which was signed into law in February.

Senate Leaders also used the budget agreement as a legislative vehicle to enact the *Family First Prevention Services Act*, to amend Title IV of the Social Security Act to invest in funding prevention and family services. When this legislation was considered by the Senate in 2016, CWDA, CSAC, and the California Department of Social Services successfully opposed the bill, citing provisions regarding congregate care that would have conflicted with efforts under way in California. The bill was reintroduced in the House as H.R. 253, but not reintroduced in the Senate in the 115<sup>th</sup> Congress. There were no hearings or committee markups for the proposal in either the House or Senate in the current Congress, which ordinarily would preclude it from being included in the budget package. CWDA, CSAC and CA DSS opposed the legislation on both procedural and policy grounds.

#### Social Services Funding

We contacted the House and Senate Appropriations Committee, Representative Carabajal, and Senators Feinstein and Harris to advocate in support of funding for the Title XX Social Services Block Grant through the annual appropriations process, emphasizing its importance to a variety of programs in the County, including IHSS and Child Welfare Services. The *FY 2019 Labor, HHS, Education, and Related Agencies Appropriations Act* was enacted in September as part of H.R. 6157 and provides \$1.7 billion for the Title XX program, the same level as in FY 2018. The legislation also provided a \$50 million increase to \$3.69 billion for the Low-Income Heating and Energy Assistance Program formula grants, which President Trump proposed eliminating.

#### TANF Reauthorization

On November 19, Senate Finance Committee Chair Hatch (R-UT) and Ranking Minority Member Wyden (D-OR) released a discussion draft of legislation to extend the Temporary Assistance for Needy Families (TANF) program for three years with only minor, bipartisan changes to the program. A five-year TANF bill was approved by the House Ways and Means Committee in May as H.R. 5861, the *Jobs and Opportunity with Benefits and Services for Success Act* but was not scheduled for floor action. We have continued to advocate for a bipartisan bill that will increase funding for TANF and provide the County with increased program flexibility. Further action is possible in the Lame Duck Session.

## Public Safety

### Public Safety Funding

We contacted the House and Senate Appropriations Committees regarding the County's public safety funding priorities and urged them to provide the highest level of funding possible for local law enforcement activities, including youth delinquency prevention, local law enforcement technology needs, domestic abuse programs, and drug treatment. The House committee marked up its version of the *FY 2019 Commerce, Justice, Science (CJS) Appropriations* bill on May 17 and the Senate committee drafted its version on June 14. However, further action on the legislation was delayed until after the election and is pending in the *Lame Duck Session*.

The funding levels for key programs in the pending bills are as follows:

	<b>Trump FY19</b>	<b>House FY19</b>	<b>Senate FY19</b>
<b>Byrne Justice Assistance Grant</b>	\$402 million	\$441.5 million	\$445 million
<b>Violence Against Women</b>	\$485.5 million	\$493 million	\$497.5 million
<b>Community Oriented Policing</b>	zero	\$225 million	\$310 million
<b>State Criminal Alien Assistance Program</b>	zero	\$255 million	\$100 million
<b>DNA/forensic-related programs</b>	\$105 million	\$130 million	\$132 million
<b>Second Chance Act</b>	\$58 million	\$85 million	\$90 million
<b>Drug Courts</b>	\$43 million	\$75 million	\$80 million
<b>Veterans Treatment Courts</b>	\$6 million	\$20 million	\$22.5 million
<b>Mentally Ill Offender Programs</b>	\$10 million	\$30 million	\$32.5 million
<b>Juvenile Justice</b>	\$229.5 million	\$212 million	\$297 million

### Immigration Impacts on Public Safety

We contacted the Senate Judiciary Committee to advocate in support of Senator Flake's (R-AZ) S. 745, which would reauthorize and update the State Criminal Alien Assistance Program (SCAAP). We also urged Senator Feinstein, who is the Ranking Minority Member of the committee, and Senator Harris to consider cosponsoring the bill. S. 745 would amend SCAAP to clarify that undocumented immigrants charged with a crime should be counted – which would benefit local governments such as the County - and expand it to include reimbursements for medical expenses associated with the incarceration of criminal undocumented immigrants. The Department of Justice previously allowed reimbursements for non-adjudicated undocumented immigrants in local jails, and when it discontinued doing so, the County's SCAAP payments fell by over 58 percent. Subsequently, Representative McSally (R-AZ) introduced a House companion bill as H.R. 3212, and we urged the House Judiciary Committee to act on the proposal. We also asked our local House members to consider cosponsoring H.R. 3212.

We urged the House and Senate Appropriations Committees and our local delegation to support FY 2018 funding for SCAAP. In addition, we submitted specific programmatic appropriations requests for the program to Senator Feinstein in her role as a member of the Senate Appropriations Committee and to Senator Harris. Santa Barbara County received \$318,388 under SCAAP for FY 2016. FY 2017 allocations still have not been processed by the Administration.

The President's FY 2019 Budget Request proposed elimination of SCAAP, leaving it to Congress to reinstate funding to State and local governments to defray some of the costs of incarcerating undocumented immigrants. When the House approved the *FY 2019 Commerce, Justice, and Science Appropriations* bill, it included a \$45 million increase for SCAAP to \$255 million. The Senate Appropriations Committee included \$100 million in its version of the legislation. Final action on the CJS Appropriations bill is pending in the Lame Duck Session.

After House Judiciary Committee Chairman Goodlatte (R-VA) introduced H.R. 3003, the *No Sanctuary for Criminals Act*, we provided the legislation to County staff and closely tracked its progress. Intended to counteract State and local laws that provide sanctuary for undocumented immigrants, the measure includes provisions that would prevent local law enforcement agencies from receiving funding through certain Federal programs if they do not comply with specified requirements regarding enforcement of immigration statute. While H.R. 3003 was ostensibly referred to the Judiciary Committee, it was taken to the House floor without committee hearings and approved last June on a party-line vote. No action has been scheduled in the Senate, but we have urged opposition if immigration legislation is taken up in the Lame Duck Session.

### Inmate Health Care

We joined NACo and other county stakeholders in urging the House Committees on Energy and Commerce and Ways and Means to act on Representative Hastings (D-FL) H.R. 165, the *Restoring the Partnership for County Health Care Costs Act*. H.R. 165 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. Hearings were not scheduled this year by either committee.

### Juvenile Justice

We have continued to advocate for legislation to ensure Federal resources needed to assist local government agencies in addressing juvenile justice and delinquency prevention needs in the community. Last May, the House passed Representative Lewis’ (R-MN) H.R. 1809, the *Juvenile Justice Reform Act*, to reauthorize and update the Juvenile Justice and Delinquency Prevention Act, including providing more flexibility to states and local communities to best meet the needs of delinquent youth and improve public safety. The Senate passed Judiciary Committee Chairman Grassley’s (R-IA) S. 860, the *Juvenile Justice and Delinquency Prevention Reauthorization Act*, in August 2017, which would reauthorize the Act through 2021. Final action on the legislation is still pending.

### Second Chance Act Reauthorization

We urged the House and Senate Appropriations Committees to fund programs under the Second Chance Act to combat recidivism and issues related to inmates returning to communities. The authorization for the Second Chance Act expired in 2010, but Congress has continued to fund the Act’s programs through the annual appropriations process. The House Appropriations Committee included \$85 million for the program in H.R. 5952, the *FY 2019 Commerce-Justice-Science Appropriations Act* and the Senate Appropriations Committee included \$95 million in its version of the legislation. Final action on the CJS Appropriations bill is pending in the Lame Duck Session.

We also continued to monitor any action by the House or Senate Judiciary Committees related to the program. Representative Sensenbrenner (R-WI) introduced bipartisan legislation to reauthorize the Act last July as H.R. 2899, the *Second Chance Reauthorization Act of 2017*, and we reiterated the County’s support for the Second Chance Act to the Judiciary Committee. However, The Committee has not scheduled H.R. 2899 for a vote and companion legislation has not yet been introduced in the Senate.

### Violence Against Women Act

After the Senate Judiciary Committee held a hearing on reauthorization of the Violence Against Women Act (VAWA) in March, we provided related information to

County staff and DA Dudley for their review. DA Dudley wrote to Senate Judiciary Committee Chairman Grassley (R-IA) and Ranking Minority Member Feinstein to urge action on legislation to reauthorize VAWA to continue these programs that provide resources to local law enforcement officials for combatting domestic violence and protecting victims. We also contacted the House and Senate Committees and the local Delegation to request that Congress pass a VAWA reauthorization before the end of the year. Most VAWA program authorizations expired on September 30, but a short-term extension through December 7 was enacted to allow time to address the issue in the Lamé Duck Session.

### Gun Violence

We provided County staff with Congressman Carbajal's H.R. 2598, the *Gun Violence Restraining Order Act of 2017*, which is intended to help provide family members of individuals who they fear are dangers to themselves or others with new tools to prevent gun violence. The bill was introduced to coincide with the third anniversary of the shootings in Isla Vista. It was referred to the House Judiciary Committee, and Senator Feinstein introduced companion legislation as S. 1212. Although a hearing was held on S. 1212 in March, no further action was scheduled on either bill in 2018.

## **Transportation and Public Works**

### Infrastructure Initiative

We worked throughout this year in coordination with NACo, CSAC and other stakeholders to advocate the County's priorities regarding President Trump's infrastructure proposal. As part of these efforts, we contacted the White House and congressional committees in support of the advocacy by Supervisor Lavagnino and Public Works Director McGolpin for a funding set-aside for the improvement and maintenance of local road and bridge infrastructure. We have also emphasized the importance of new, direct Federal spending, since the private investment envisioned by the Trump proposal would have limited application for many County projects.

The President released additional details about his proposed Infrastructure Plan in February as part of the FY 2019 budget proposal. The Plan proposes \$200 billion in Federal spending that is intended to leverage up to \$1.5 trillion in total spending, with the bulk coming from state and local governments and the private sector. A wide variety of projects could potentially be funded, including: surface transportation, airports, passenger rail, ports and waterways, flood control, water supply, hydropower, water resources, drinking water facilities, wastewater facilities, stormwater facilities, Brownfield and Superfund sites, and rural broadband.

However, Congress gave the White House Infrastructure Plan a critical review, particularly because the lack of a specific financing mechanism hindered development of legislation. As a result, Speaker Ryan (R-WI) adopted a piecemeal approach to infrastructure in the House that included an additional \$10 billion this

year that was distributed across a broad array of Federal programs such as airports, transit, highways, and rural broadband.

In July, House Transportation and Infrastructure Committee Chairman Shuster (R-PA) released a discussion draft of legislation that would authorize transportation infrastructure programs and temporarily increase the taxes that go into the Highway Trust Fund. The legislation was intended to address the insolvency of the Trust Fund to provide stability to transportation programs. It was widely understood that the proposal by Chairman Shuster was not likely to be enacted this year, but it provided a significant step forward in the debate over how to pay for transportation infrastructure. The lack of any further progress on this aspect of the Plan ensures that this will be an issue that carries over into 2019.

#### Lower Mission Creek

We continued to work with County staff on efforts to obtain further funding opportunities for the Lower Mission Creek Project. We provided Representative Carbajal, Senator Harris and Senator Feinstein with updated background information about the project and discussed it with the Army Corps of Engineers. Representative Carbajal wrote the USACE to request support for the project. Because of the continuing moratorium on earmarks in the annual appropriations process, it is extremely important that projects be included in the annual Corps budget request. The FY 2019 Budget Proposal submitted to Congress by the Administration was very lean and did not include line-item funding for Lower Mission Creek. As a result, neither the House nor the Senate versions of the *FY 2019 Energy and Water Appropriations* bill included specific funding for County projects.

#### Lake Cachuma

We assisted the County throughout the year in advocating with the Bureau of Reclamation on a variety of issues related to Lake Cachuma, including upgrades to the Federal facilities that serve the recreational users. We discussed the need for funding with the Commissioner's staff and with the Appropriations Committee, but resources to address additional facility upgrades continue to be scarce due to the earmark moratorium.

#### Flood Insurance

We closely monitored Congressional efforts to reauthorize the National Flood Insurance Program (NFIP) because of potential impacts on homeowners in the County. The House passed H.R. 2874, the *21st Century Flood Reform Act*, to reauthorize the NFIP for 5 years. However, Congress has struggled with efforts to keep the program on a sound financial footing while ensuring homeowners are protected from rising premium rates. Long-term NFIP legislation remains stalled in the Senate, but the program was extended through November 30 to allow opportunity for consideration in the Lame Duck Session.