

# Washington Update

COUNTY OF SANTA BARBARA

September 3, 2021

## CLIMATE CHANGE MITIGATION

In late July, we contacted our local delegation to urge them to prioritize measures to mitigate climate change in the drafting of President Biden's Build Back Better Plan. Governor Newsom also recently led a joint letter to Congress that was co-signed by nine other state Governors calling for bold climate investments in the legislation currently being drafted. We provided this letter to our local Delegation and requested their support as the *FY 2022 Budget Reconciliation* legislation is developed. We also contacted key committees in the House and Senate to request their support for these efforts.

## BUDGET RECONCILIATION

The House voted on August 24 to adopt a procedural rule to move forward with S. Con. Res. 14, the *FY 2022 Budget Resolution*. This was a key vote to begin the budget reconciliation process to enact key aspects of President Biden's Build Back Better agenda and comes after extensive negotiations by House leaders to resolve differences within the Democratic Caucus over how to proceed. Ten moderate Democratic House members were threatening to vote in opposition as a protest of the Speaker's decision to delay enactment of the Senate infrastructure legislation. House leaders eventually agreed to guarantee a vote on the Senate infrastructure legislation by September 27, which paved the way for passage of the rule.

Under the rule, the budget resolution is "deemed" to have passed the House, which allows them to draft a \$3.5 trillion budget reconciliation package to implement major aspects of President Biden's domestic policy agenda, which may include immigration reform, Medicare expansion, paid family and medical leave, a SALT cap adjustment, measures to combat

the effects of climate change, and other efforts to help families and lower-income workers.

Now that the House and the Senate have both passed the identical budget resolution, the various congressional committees will draft the budget reconciliation provisions under their jurisdiction throughout the month of September.

## SENATE INFRASTRUCTURE BILL

The Senate voted on August 10 to pass H.R. 3684, the *Infrastructure Investment and Jobs Act*, by a vote of 69-30. This legislation would reauthorize surface transportation and water programs and provide about \$550 billion of new funding for roads, bridges, water systems, broadband, passenger rail, transit, and other infrastructure. We lobbied for Senate approval of the legislation in coordination with NACo and other local government advocates.

The next step for the bipartisan infrastructure package is for the House to pass it so it can be sent to the President for his signature. However, House Democrats have been divided on the timing of bringing it up for a vote in the House. Although they support the bipartisan infrastructure legislation, progressives are insisting that President Biden's other domestic policy agenda must be enacted first through a \$3.5 trillion budget reconciliation bill. They want the Senate infrastructure bill to be delayed so that they can use it as leverage. Moderates were insisting on passing the infrastructure package immediately and were threatening to not support the budget resolution that is needed to begin the budget reconciliation process. In order to obtain moderate votes for the *FY 2022 Budget Resolution*, an agreement was reached to guarantee a House vote on the infrastructure bill no later than September 27.

**MEMBER-DESIGNATED PROJECTS**

Representative Carbajal recently announced progress on funding two County of Santa Barbara projects in the FY 2022 Community Project funding process. The full House approved a nine-bill appropriations package on July 29, which included \$900,000 to expand and upgrade the County’s Lompoc Health Clinic and \$1.3 million for seismic, health, and safety improvements at the Santa Barbara Veterans Memorial Building.

House approval of this funding is a key step in the process, which began earlier in the year when the House Committee on Appropriations announced the committee would accept Community Project Funding requests from Members of Congress. Each Member was limited to submitting no more than 10 Community Project Funding requests for Fiscal Year 2022 and there was no guarantee that all requested projects would be funded.

Now that the House has passed the appropriations legislation, the next step in the funding process is consideration by the Senate. The Senate Appropriations Committee has not yet drafted its versions of the funding bills, but both Senator Padilla and Senator Feinstein have asked the Committee to include funding for the Lompoc Clinic and Senator Padilla has also requested funding for the Veterans Building upgrades. Once the Senate passes its version of the funding bills, the two approaches will be reconciled into a final version through appropriations negotiations that will likely extend into October.

**FOSTER CARE/MEDICAID FUNDING**

We recently contacted Senators Feinstein and Padilla to express the County’s support for S. 2689, the *Ensuring Medicaid Continuity for Children in Foster Care Act of 2021*. This legislation was introduced by Senator Burr (R-NC) and Senator Feinstein to exempt foster care Qualified Residential Treatment Programs (QRTPs) from the Institution for Mental Diseases (IMD) exclusionary rule. Under the

IMD exclusion, children in foster care with behavioral and mental health needs are at risk of losing their federal Medicaid coverage if placed in a QRTP larger than 16 beds. We also contacted the Senate Finance Committee to request their support for the legislation and are working in concert with Los Angeles County, the County Welfare Directors Association of California, and other impacted child welfare and health advocacy organizations.

The IMD exclusion also contributes to the larger problem of treating mental health needs in the general population other than in foster care, so we are also advocating in coordination with the California Association of Counties in support of H.R. 2611, the *Increasing Behavioral Health Treatment Act*. H.R. 2611 would repeal the IMD rule, while requiring continued accountability to ensure access to outpatient and community-based behavioral health care. Representative Carbajal is a cosponsor of the legislation, and we are working with the primary sponsor, Representative Napolitano (D-CA), to support enactment of the bill.

**TANF REAUTHORIZATION**

We are continuing to advocate for reauthorization of the Temporary Assistance for Needy Families (TANF) program. The program will expire on September 30, and we are requesting enactment of a multi-year reauthorization 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.

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