

Washington Update

COUNTY OF SANTA BARBARA

August 12, 2009

FY 2010 APPROPRIATIONS PROCESS

We continued to work with the local Congressional delegation on the County's specific priorities through the FY 2010 appropriations process. As Congress prepared to leave for its August recess, the House and the Senate continued efforts to move their respective versions of the FY 2010 funding bills through the floor proceedings, with the goal of completing joint negotiations on the measures when they return after Labor Day, before the new fiscal year begins on October 1. The version of the *FY 2010 Energy and Water Development* Appropriations bill approved on July 17 included \$500,000 for the County's Goleta Beach Park Coastal Access and Recreation Enhancement project, as requested by Congresswoman Capps. The Senate passed its bill on July 29, and included \$250,000 for the Lower Mission Creek Flood Control Project as requested by both Senators Boxer and Feinstein. It also contained report language directing the Army Corps of Engineers to support the Goleta Beach project through the Section 103 Shoreline Protection Program. FY 2010 project funding was limited because of the extensive funding provided through the American Reinvestment and Recovery and Reinvestment Act (ARRA), including \$40 million for the Santa Maria Levee, \$600,000 for Lower Mission Creek, \$3.3 million for Lake Cachuma Water and Sewage Treatment Plants and \$487,000 for retrofitting of Lake Cachuma facilities to meet ADA requirements.

SAFETEA-LU REAUTHORIZATION

Earlier in the year, we worked with our local Congressional delegation to advocate in support of the inclusion of High Priority Projects (HHP) for the County in legislation to reauthorize the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU). As preliminary Congressional action began to move forward on the legislation, we continued to work in support of the County's proposals. We met with Senator Boxer's

Environment and Public Works Committee staff regarding the Senate process for submission of local projects, and subsequently provided both Senator Boxer and Senator Feinstein with the required information on the County's projects. While the House Transportation and Infrastructure Subcommittee on Highways and Transit has begun work on its version of SAFETEA-LU reauthorization, the Senate has taken up legislation to extend the current authorization for SAFETEA-LU by eighteen months beyond its current September 2009 expiration to provide more time for the debate on reauthorization. The draft House bill eliminates or consolidates 75 of 108 existing highway and transit programs, but does not include specific projects at this point. While Chairman Oberstar (D-MN) remains adamant about completing the bill this year, a funding mechanism for the \$450 billion, six-year proposal remains unclear.

MARINE VESSEL EMISSIONS

We contacted the numerous Senate committees of jurisdiction over legislation to address climate change to reiterate the County's support for the inclusion of provisions contained in H.R. 2454, the *American Clean Energy and Security Act of 2009*, that would reduce emissions from ocean-going marine vessels, arguing that they represent a major source of uncontrolled air pollution. H.R. 2454 was approved by the full House in June, and the debate on climate change moved to the Senate. Senator Boxer chairs the Senate Environment and Public Works Committee, and has announced that her committee will work on the issue in the fall.

CLEAN AIR FUNDING

We contacted the House and Senate Interior Appropriations Subcommittees to advocate in support of funding for EPA's Section 103 and Section 105 grants to State and local agencies, citing the importance of this funding to the Air Pollution Control District's mandated efforts, including the fine particulate monitor-

ing network. When the House subcommittee drafted its version of the *FY 2010 Interior and Environment Appropriations* bill, it proposed \$270 million for the grants, an increase of \$46 million over FY 2009. The Senate subcommittee subsequently proposed \$227 million in its version of the Interior spending bill. The final funding level will be determined by a joint House-Senate conference committee.

MEDICARE PHYSICIAN RATES

We contacted the House and Senate committees of jurisdiction to advocate in support of the *GPCI Justice Act of 2009*. Introduced in the Senate by Senator Feinstein as S. 1236 and in the House by Congressman Farr (D-CA) as H.R. 2820, the measure would require the use of metropolitan statistical areas (MSAs) as fee schedule areas for the physician fee schedule in California under the Medicare program. Under the current, archaic system, Santa Barbara is considered a rural County, resulting in local physician rates that are seven percent lower than actual costs. We argued that this makes physicians in the County reticent to take Medicare patients, resulting in a shift to costs to local hospital emergency rooms. While hearings have not yet been scheduled in either the House or the Senate, there is a possibility that the proposal could be considered under the context of health care reform.

INMATE HEALTH CARE

We advocated in support of Congressman Hastings' (D-FL) H.R. 2209, the *Restoring the Partnership for County Health Care Costs Act*, which would remove the so-called "inmate exception" that prevents individuals from being eligible for Medicare, Medicaid, SSI and SCHIP benefits while they are in the County jail awaiting trial. We learned that Congresswoman Christensen (D-VI), a cosponsor of H.R. 2209 and member of the Committee on Energy and Commerce, was preparing to offer the text of the proposal as an amendment to H.R. 3200, the *America's Affordable Health Choices Act*, during the committee's markup of the health care reform bill. We immediately contacted California members of the committee to urge them to

support the amendment when it was offered. However, Congresswoman Christensen withdrew the amendment and did not offer it during committee debate.

IMMIGRATION IMPACTS

We urged the House Judiciary Committee to expedite action on Congresswoman Linda Sanchez' (D-CA) H.R. 1314, which would broaden SCAAP to allow for reimbursements for incarcerating illegal aliens *charged* with a crime rather than convicted of a crime, reversing an Administration policy interpretation that caused the County's SCAAP payments to plunge from \$1.04 million in FY 2001 to \$358,424 in FY 2003. The measure is a companion bill to Senator Feinstein's S. 168 the *SCAAP Reimbursement Protection Act*, and is identical to legislation by Congresswoman Sanchez that passed the House in the previous Congress. Action has not yet been scheduled on either bill this year.

JUVENILE OFFENDERS IN CUSTODY

We contacted the Senate Health, Education, Labor and Pensions (HELP) Committee and Senators Boxer and Feinstein to express concerns with the House-passed version of H.R. 911, the *Stop Child Abuse in Residential Programs for Teens Act*, and discussed the measure with Committee Chairman Kennedy's (D-MA) senior policy advisor on the bill. While not intended to include programs with a primary purpose of incarceration, it appears that the provisions of the measure may unintentionally impact juvenile camps and ranches operated by the County's Probation Department and 26 other probation departments in California, because of the rehabilitative services they are mandated to provide. In particular, it could place restrictions on the use of restraining devices and the monitoring of phone calls, creating safety issues. The committee may take up the bill in the fall, and we urged them to include language clarifying that it would not apply to facilities such as the County's where the minors are placed by court order after having been found to have committed a crime.

PUBLIC HEALTH FUNDING

As the House and Senate Appropriations Committees began marking up its *FY 2010 Labor, Health and Human Services, Education and Related Agencies Appropriations* bill, we reiterated support for public health programs that impact the County. The House-approved measure would provide \$2.2 billion for community health centers, \$1.78 billion for substance abuse block grants, \$665 million for Maternal and Child Health Block Grants, \$496.8 million for immunizations, \$420.7 million for mental health block grants, \$156.3 million to address pandemic influenza, and \$102 million for preventative health services block grants. In addition, it would provide \$761 million for upgrading State and local bioterrorism preparedness capacity, and \$426 million for bioterrorism hospital grants. The version approved by the Senate Appropriations Committee proposes \$2.19 billion for community health centers, \$1.81 billion for substance abuse block grants, \$662 million for Maternal and Child Health Block Grants, \$469.8 million for immunizations, \$420.7 million for mental health block grants, \$156.3 million to address pandemic influenza, \$102 million for preventative health services block grants, \$761 million for upgrading State and local bioterrorism preparedness capacity, and \$426 million for bioterrorism hospital grants.

RYAN WHITE CARE ACT

We contacted the House and Senate committee of jurisdiction to advocate in support of reauthorization of the Ryan White CARE Act, citing the 978 HIV/AIDS in the County, and emphasizing the importance of Part C, the Early Intervention Services Program, to the County's efforts. We also urged the committees to continue the existing exemption to allow California and other States to complete the transition to the reporting of data by patient name. Because of their work on health care reform, neither the House Energy and Commerce nor the Senate Health, Education, Labor, and Pensions Committee has scheduled hearings on CARE Act reauthorization yet this year, and there is speculation that Congress may pass a simple, short-term extension until next year. We also urged the House and Senate Appropriations Commit-

tees to fund Part C at the highest possible level *FY 2010 Labor, Health and Human Services, Education and Related Agencies Appropriations* bill, and both committees proposed \$206.8 million for the program.

HOUSING/COMMUNITY DEVELOPMENT

We reiterated our advocacy for FY 2010 funding for housing and community development programs of significance to the County. The *FY 2010 Transportation, HUD Appropriations* bill approved by the House Appropriations Committee would increase CDBG by \$700 million over the FY 2009 level to \$4.6 billion, and would provide \$2 billion for HOME Investment Partnerships, \$1.85 billion for homeless assistance grants, \$1 billion in elderly housing, and \$350 million for HOPWA. The Senate bill proposes \$4.45 billion for CDBG, \$1.825 billion for HOME Investment Partnerships, \$1.875 billion for homeless assistance grants, \$785 million in elderly housing, and \$320 million for HOPWA.

SOCIAL SERVICES FUNDING

We contacted the House and Senate Appropriations Committee, our local Congressional delegation, and Senators Boxer and Feinstein to advocate in support of Title XX Social Services Block Grant (SSBG) funding, emphasizing its importance to a variety of programs in the County, including IHSS, Child Welfare Services, and Community Care Licensing. We also encouraged them to adequately fund the Community Services Block Grant (CSBG), citing the provision of services to over 8,100 individuals in 2008 by the County's Community Action Partnership, including case management, employment services, child care, emergency shelter and food distribution, financial education, protection from violence, and youth services. When the House committee marked up its version of the *FY 2010 Labor, HHS, Education and Related Agencies Appropriations* bill, it proposed \$1.7 billion for SSBG and \$700 million for CSBG.

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