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# REPORT

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TO: Santa Barbara County Board of Supervisors      DATE: November 6, 2008

FROM: Thomas P. Walters

## 2008 INTERIM ANNUAL REPORT

Congressional action in the second half of the 110<sup>th</sup> Congress was sluggish due to election year partisanship and the reluctance of Congressional leaders to attempt to negotiate with a lame-duck President. The prolonged Presidential races also seemed to detract focus and sap the energy from many major initiatives. Even the few notable legislative initiatives that were completed – including the 2008 Farm Bill, the Supplemental Appropriations funding for the Iraq and Afghanistan wars, the first successful Congressional Budget Resolution in several years, and the financial rescue package – came only after considerable angst and procedural maneuvering. As has happened too often in recent years, the annual appropriations process for funding the various Federal agencies bogged down, and Congress completed work on only three appropriations measures – Defense, Homeland Security, and Veterans Affairs - before adjourning to campaign for the November elections. Most Federal agencies are currently funded at FY 2008 levels under a Continuing Resolution through March 3, 2009, and while there is a slight possibility that Congress will address the remaining appropriations measures in a post-election Lame Duck Session, it is likely the process will once again spill over into the new Congress, under a new President.

Throughout the year, we worked aggressively to advocate the County's priorities on a wide range of projects, policies, and issues impacting the County's fiscal stability and delivery of services, as addressed in this report. We have lobbied these issues on behalf of the County with Congressional members, staff and Administration representatives. We have worked closely with the National Association of Counties (NACo) and other relevant stakeholders, and during their respective trips to Washington, D.C., arranged meetings for Supervisors Carbajal and County staff to advocate on critical County issues with members of the Santa Barbara County Congressional delegation, appropriate Congressional offices, and officials with the Administration.

2009 will be a year of substantial challenge in Washington D.C. In addition to the overriding specter of the economic crisis, there will be a new Administration that will be attempting to hit the ground running while dealing with the chaos of transition and settling into a governing mode, and a Congress that must determine the

nature of its relationship with that new Administration, and a realistic agenda in light of the economy. In addition to the annual appropriations process, areas of probable Congressional activity of potential significance to the County will include: economic stimulus; health care reform; energy and environmental concerns; transportation; and immigration reform.

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## Santa Barbara County Appropriations Requests

### FY 2009 Appropriations Requests

We worked throughout 2008 with our local Congressional delegation and Senators Feinstein and Boxer regarding support for the County's specific funding proposals in the FY 2009 appropriations process. Early in the year we met with their respective offices on behalf of the County to discuss support for those proposals, which include the Santa Maria Levee, the Mission Creek Project, Lake Cachuma, Goleta Beach, renovation of the Lompoc Veterans Memorial Building, the Cuyama Recreation Center, and road projects in the County. We also arranged and participated in meetings for Supervisor Carbajal to emphasize the importance of the requests with the local Congressional delegation offices and appropriations committee staff during his advocacy trip to Washington, D.C.

Ongoing concerns with the integrity of the earmark or "members' request" process have resulted in a higher level of scrutiny and much more strenuous justification process. We worked closely with County staff to generate and provide all needed information to meet the deadlines of both individual Congressional offices and the House and Senate Appropriations Subcommittees of jurisdiction. This year, House leadership required that members obtain an additional "certification" regarding use of funds, including a more detailed financial plan and justification for use of Federal taxpayer dollars. We coordinated closely with County staff to complete the certifications and ensure that they were submitted timely.

Because of the previous year's experience in attempting to negotiate with the Bush Administration on funding levels, Congressional leadership was reticent to move many of the FY 2009 appropriations measures forward, particularly in the House. But throughout the process we continued to work closely with Congresswoman Capps, Congressman Gallegly and Senators Boxer and Feinstein on the County's funding priorities, and they were very responsive. The House version of the *FY 2009 Energy and Water Appropriations* bill drafted late in June proposed \$8.5 million for the Santa Maria Levee, and \$250,000 for Lower Mission Creek. The Senate version of the bill included \$6 million for the Santa Maria Levee, \$400,000 for Lake Cachuma, \$400,000 for Lower Mission Creek, and \$150,000 for Goleta Beach. We specifically asked Senator Boxer to lend her support to the Lompoc project, and when the Senate Appropriations Committee drafted the *FY 2009 Transportation-HUD Appropriations* bill, it included \$850,000 under HUD's Economic Development Initiative for the Lompoc Veterans Building Renovation.

As the October 1 start of the new Federal Fiscal Year approached, it became apparent that Congress would not complete work on most of the FY 2009 Appropriations bills. The House and Senate approved a Continuing Resolution funding most Federal agencies at FY 2008 levels through March 3, 2009. The measure, known as the *FY 2009 Consolidated Security, Disaster Assistance, and Continuing Appropriations Act*, did include the completed FY 2009 Homeland Security, Defense, and Military Construction and Veterans Affairs appropriations measures, as well as a disaster relief package. However, further action on the FY 2009 spending bills, including the County's projects and programmatic-related priorities, will be completed by the 111<sup>th</sup> Congress after the first of the year.

### Santa Maria Levee

Throughout the year, we continued to work closely with the City of Santa Maria's Washington representative to ensure seamless coordination in the lobbying efforts on the Santa Maria Levee project. We represented the County in meetings the City held with the Army Corps of Engineers, staff for Senators Boxer and Feinstein, and the Senate Appropriations Committee, and this fall worked with them to urge rapid approval of the draft deficiency report developed by the local Army Corps staff.

In April, we were alerted by the County's House delegation of plans by the House Transportation and Infrastructure Committee to begin development of a new Water Resources Development Act (WRDA). The proposed bill was to be an attempt to re-establish the traditional two-year cycle for WRDA, which had been disrupted by a gap of seven years between the previous authorization in 2000 and the WRDA 2007 measure enacted last year. The committee also wanted to address projects or issues left unresolved by WRDA 2007.

We briefed County staff on the Committee's plans, and determined that it presented an opportunity to amend the existing authorization for the Santa Maria Levee project to allow future reimbursement of local resources spent on the Levee in advance of actual Federal appropriations. Again working in concert with the City of Santa Maria's Washington representative, we advocated with Congresswoman Capps and Congressman Gallegly for inclusion of the language in the proposed WRDA measure. In September, we also provided the language to Senators Boxer and Feinstein, as Senator Boxer, in her role as Chair of the Senate Environment and Public Works Committee, was beginning work on her own version of a new WRDA bill. While time ran out this year before either WRDA measure could move forward, our work laid the foundation for further efforts in the 111<sup>th</sup> Congress.

### **Legislative Priorities**

#### Emergency Preparedness and Response

After Supervisor Carbajal and other County officials met with Federal officials in response to the Gap Fire, we worked in support of the County's efforts with the U.S. Forest Service (USFS) and FEMA for close cooperation in the Burned Area Emergency Response (BAER) Team process. We discussed the BAER team process with Congresswoman Capps' staff, and the Congresswoman included this topic in her meetings with the Los Padres National Forest Supervisor, urging the agency to include local agencies and officials in full participation in the post-fire mitigation, stabilization and prevention efforts. Congressman Gallegly's staff also contacted the USFS Congressional Affairs Office on behalf of the County, and Senator Boxer sent a letter urging that all Counties in California affected by the fires be given a seat at the table in the BAER process.

We kept in close contact with Senator Feinstein's office regarding her efforts to provide additional funding for wildfire-related activities. When Congress approved the *FY 2009 Consolidated Security, Disaster Assistance, and Continuing Appropriations*

Act late in September, it included her proposal for \$910 million to address western wildfires. Of that amount, \$775 million is designated for the United State Forest Service for wildfire suppression, hazardous fuels reduction and hazard mitigation activities, and rehabilitation and restoration of Federal lands.

We also closely monitored action on Senator Boxer's S. 3256, the *Federal Land Assistance Management and Enhancement (FLAME) Act*. Senator Boxer introduced the measure as a companion bill to H.R. 5541, which was approved by the House in July. The measure would create a new funding account specifically for catastrophic emergency wildland fire suppression activities on Federal lands, as well as requiring the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire strategy. We urged Senator Boxer to work with Senate leadership to bring either her bill or the House-passed version to the Senate floor during the lame duck session in November.

As Congress began hearings on the FY 2009 appropriations process, we advocated the County's homeland security and emergency response priorities with members of the House and Senate Appropriations Committees, and also asked the members of our local Congressional delegation and Senators Boxer and Feinstein to support those priorities. We urged them to adequately fund local homeland security and disaster preparedness and response 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 program – including the SAFER Act grants – and emphasized the critical importance of Emergency Management Performance Grants (EMPG) funding to the County's emergency preparedness responsibilities. The final version of the *FY 2009 Department of Homeland Security Appropriations Act* included in the *FY 2009 Consolidated Security, Disaster Assistance, and Continuing Appropriations Act* provides \$950 million for State Homeland Security and Law Enforcement Terrorism Prevention Grants, the same level as in FY 2008. The measure provides \$750 million for firefighter grants, and increases Emergency Management Performance Grants (EMPG) by \$15 million to \$315 million.

We also advocated for adequate funding for local bioterrorism programs with the House and Senate Appropriations Committees, reiterating the critical role that the County's public health infrastructure plays in responding to biological, chemical, and conventional threats. We specifically asked them to fully fund CDC's State and Local Capacity program and HRSA's National Bioterrorism Hospital Preparedness Program. When the Senate committee drafted its *FY 2009 Labor, HHS, Education, and Related Agencies Appropriations* bill, it proposed \$746.0 million for upgrading State and local bioterrorism preparedness capacity, and \$361.6 million for bioterrorism hospital grants. The House Appropriations Committee postponed a scheduled markup of the spending measure, and it was never rescheduled.

### Homelessness

We advocated in support of reauthorization of the McKinney-Vento Homeless Assistance Act with the Senate and House committees of jurisdiction and the County's Congressional delegation, citing the nearly 6,300 homeless adults and children in the County, and the valuable resources to address homelessness that the Act pro-

vides. In the Senate, the Committee on Banking, Housing and Urban Affairs approved S. 1518, the *Community Partnership to End Homelessness Act*, and placed it on the Legislative Calendar pending consideration by the full Senate. Senators Boxer and Feinstein both signed on as co-sponsors of the bill. Just before the August recess, the House Financial Services Committee marked up and approved McKinney Act reauthorization legislation as H.R. 840, the *Homeless Emergency Assistance and Rapid Transition to Housing Act*. However, action was not completed on either bill, and as the House and Senate raced to complete business in October, the House approved a compromise version as H.R. 7221 the *Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2008*. Amongst other changes, the bill would consolidate McKinney programs, codify the continuum of care planning process, and expand the definition of homelessness regarding youth and families. The Senate may attempt to consider H.R. 7221 during the lame duck session in November.

#### Medicare Reimbursement Rates for FQHCs

As the House Ways and Means Committee began drafting legislation to prevent a mandatory 10.6% decrease in Medicare payments to physicians, we advocated for the inclusion of provisions to increase the reimbursement for Federally Qualified Health Centers (FQHCs). The Senate version of the measure, Senate Finance Committee Chairman Baucus' (D-MT) S. 3101, the *Medicare Improvements for Patients and Providers Act*, included language to slightly increase the reimbursement for FQHCs, and to 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 threatened to veto the measure, 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 veto-proof vote of 69-30.

#### SCAAP

Early in the year we contacted the Bureau of Justice Assistance (BJA) regarding FY 2008 reimbursements under the State Criminal Aliens Assistance Program (SCAAP), and provided County staff with information on BJA's application process, which was once again on-line. In October, we were informed that the County of Santa Barbara will receive \$579,474 as its share of the reimbursements to offset the costs of incarcerating criminal illegal aliens, a slight increase over FY 2007.

As hearings began on the FY 2009 appropriations process, we contacted members of the House and Senate Appropriations Committees to reiterate support for SCAAP, and encouraged them to increase its funding in the *FY 2009 Commerce, Justice and Science (CJS) Appropriations* bill. When the Senate Appropriations Committee approved its version of the spending bill in June, it proposed \$400 million for SCAAP. While the House committee did not release the written report to accompany its markup of the CJS bill, we learned that it recommended \$420 million for the program. However, Congress did not complete work on the CJS bill before recessing, and Justice Department programs are currently operating at FY 2008

funding levels under the Continuing Resolution that expires March 3, 2009.

We aggressively advocated in support of Congresswoman Linda Sanchez' (D-CA) H.R. 1512, to broaden SCAAP to allow for reimbursements for incarcerating illegal aliens *charged* with a crime. The measure would reverse a policy interpretation by the current Administration that caused the County's SCAAP payments to plunge from \$5.26 million in FY 2002 to \$716,730 in FY 2003. We also asked them to support Congresswoman Sanchez' H.R. 3836, which would require that DOJ distribute SCAAP funding no later than 120 days after the close of the application period. H.R. 1512 was approved by the full House in May. In the Senate, we urged the Judiciary Committee to expedite action on Senator Feinstein's companion bills, S. 2587, the *SCAAP Reimbursement Protection Act*, and S. 2588, the *Ensure Timely SCAAP Reimbursement Act*. We also provided Senator Feinstein's Judiciary Committee staff with information in support of the two bills. Senator Feinstein's attempts to have them brought directly to the Senate floor were unsuccessful.

#### Children's Health - SCHIP

As Congress reconvened for the second session of the 110<sup>th</sup> Congress, we urged members of our local Congressional delegation to vote to override President Bush's veto of legislation to reauthorize and expand the State Children's Health Insurance Program (SCHIP). The vote to override the veto of H.R. 3963, the *Children's Health Insurance Program Reauthorization Act*, was 260-152, short of the necessary two-thirds majority. However, the FY 2008 Consolidated Appropriations Act included provisions extending existing SCHIP authorization through March 2009, and it is anticipated that SCHIP will be re-visited next year.

#### Social Services

When House Ways and Means Subcommittee on Income Security and Family Support Chairman McDermott (D-WA) introduced H.R. 6307, the *Fostering Connections to Success Act*, on June 19, we immediately provided the measure to the County for review and analysis. The bill was introduced as a pared-down version of foster care overhaul legislation previously introduced by Chairman McDermott, restricted to the least controversial elements that would be most likely to be approved in the limited time left in the 110<sup>th</sup> Congress. H.R. 6307 was discharged by the Ways and Means Committee without a hearing and approved unanimously by the full House on June 24. Early in September, we participated in a briefing by staff from the House Ways and Means and Senate Finance Committees regarding a compromise bill, introduced as H.R. 6893, the *Fostering Connections to Success and Increasing Adoptions Act*. The measure includes provisions to increase funding for adoptions, provide incentives for the placement of foster children with competent relatives, and permit older foster children to be eligible for benefits until age 21. The House approved the compromise bill on September 17, and the Senate passed it the next week, clearing it for the President's signature on October 7.

### **Advocacy and Support – Fiscal Stability and Local Control**

#### Unfunded Federal Mandates

We lobbied the Senate Finance and the House Ways and Means Committees to take action on legislation to repeal the requirement mandated by the Deficit Reduction



Act (DRA) of 2005 that State and local governments withhold 3% of payments to vendors and contractors for Federal income tax purposes, arguing that it will unfairly increase the costs of doing business with the County. Last year, the House approved H.R. 3056, the *Tax Collection Responsibility Act*, which included provisions to delay the implementation of the requirements until 2012. In April, those provisions were incorporated into H.R. 5719, the *Taxpayer Assistance and Simplification Act*, which was approved by the full House on April 15 (Tax Day). While the omnibus tax measure was never taken up in the Senate, Senator Coleman (R-MN) did include provisions to repeal the mandate in his bill S. 2394, the *Good Government Contractor Act*, which was referred to the Senate Finance Committee but never acted upon. Repeal of the mandate remains a priority for NACo and other local government advocates going into the new Congress.

#### Transportation Funding

After Transportation Secretary Mary Peters announced that the Highway Trust Fund would reach a zero balance in September, we contacted Senate Finance Committee Chairman Baucus (D-MT) and Ranking Minority Member Grassley (R-IA) to urge them to expedite Senate action on H.R. 6532, the *Highway Trust Fund Restoration Act*, which would restore \$8 billion to the fund. We also asked Senators Boxer and Feinstein to advocate for action on the measure, citing the impact on transportation projects in the County if the fund were not quickly replenished. The House had approved H.R. 6532 earlier in the summer. After it was cleared by the Senate on September 10, the President signed it into law.

#### Payments in Lieu of Taxes (PILT)

We urged the House and Senate Appropriations Committees to fund the Payments in Lieu of Taxes (PILT) program at the fully authorized level in the *FY 2009 Interior, Environment and Related Agencies Appropriations* bill. The President proposed \$195 million for PILT in his FY 2009 budget request, a decrease of \$34 million from FY 2008. When the House Appropriations Subcommittee drafted its version of the Interior spending measure in June, it recommended \$229 million, the same level as the previous year. Further action on the FY 2009 bill has not taken place.

We joined NACo and other stakeholders in lobbying for action on provisions in H.R. 3058, the *Public Land Communities Transition Assistance Act*, to guarantee funding for the Payment In Lieu of Taxes program at \$350 million, which would increase the County's PILT allocation by 65% to about \$1.67 million. The bill also reauthorizes the Secure Rural Schools program, under which the County has received about \$40,000 annually as its share of local Federal national forest revenues. When the Senate redrafted the financial rescue bill late in September H.R. 1424, the *Emergency Economic Stabilization Act*, it included provisions fully funding PILT and reauthorizing the Secure Rural Schools program. President Bush signed it into law on October 3.

#### Public Service Incentives

We closely monitored activity on legislation to provide incentives for service in the public sector. When House and Senate conferees reached agreement on H.R. 4137, the *Higher Education Opportunity Act*, they included the provisions from Con-

gressman Scott's (D-GA) H.R. 916, the *John R. Justice Prosecutors and Defenders Incentive Act*, establishing a Loan Repayment for Prosecutors and Public Defenders program for full-time State and local prosecutors and public defenders who agree to a service agreement of at least three years. The legislation also provides for a similar loan repayment program for individuals employed in "areas of national need," which includes public sector employees in the fields of public safety, emergency management, public health, and public interest legal services. President Bush signed the measure into law on August 14.

#### Employer-Provided Cellular Telephones

In recent years, several local governments have been penalized following IRS audits because they did not adequately track and report any "private" use of cell phones and PDAs issued to their employees as income to the employee. After Congressman Johnson (R-TX) introduced legislation to address the issue as H.R. 5450, the *Modernize Our Bookkeeping In the Law for Employee's (MOBILE) Cell Phone Act*, we contacted the House Ways and Means Committee to advocate for the measure, citing the fact that it costs the County \$1.86 to collect 12 cents for each non-business phone call an employee makes on one of these devices. A companion bill was introduced in the Senate by Senator Kerry (D-MA) as S. 2668, and the provisions of H.R. 5450 were incorporated into H.R. 5719, the *Taxpayer Assistance and Simplification Act*, which was approved by the full House and referred to the Senate. That bill was never taken up in the Senate, and it is anticipated that the *MOBILE Cell Phone Act* will be reintroduced early in the 111<sup>th</sup> Congress.

#### Clean Air

We asked the House and Senate Interior Appropriations Subcommittees to reject the Administration's proposed cut of \$31.2 million to EPA's Section 103 and Section 105 grants to State and local agencies. Senator Feinstein chairs the Senate subcommittee, and we specifically urged her to fund the programs at the highest possible level, including the fine particulate monitoring network. The House subcommittee began work on its version of the *FY 2009 Interior, Environment and Related Agencies Appropriations* bill in June, but progress on the legislation bogged down over controversial amendments to loosen restrictions on offshore drilling as a result of the spike in gasoline prices, and the EPA programs were included in the Continuing Resolution funding Federal agencies through March 3.

#### Agriculture – Pest Detection

We continued to advocate for pest detection funding in general and for the provisions of H.R. 667, the *Early Pest Detection and Surveillance Improvement Act* in particular. As House and Senate conferees worked to negotiate a final version of the 2008 Farm Bill, we continued to lobby in support of language that would increase and enhance the ability of the County to undertake agricultural pest detection, surveillance and control programs. The final agreement on H.R. 2419, the *Food, Conservation, and Energy Act of 2008*, included the provisions we advocated from H.R. 667. The measure became law on May 22 after President Bush's veto was overridden by both the House and the Senate.

We participated in meetings with members of the California Agricultural Commissioners Association with the State's Congressional delegation to advocate in support

of funding for County pest detection efforts in the state, including dog teams to enhance inspections. We urged the House and Senate Agriculture Appropriations Subcommittees to include funding for the California County Pest Detection Augmentation Program in the *FY 2009 Agriculture Appropriations* bill, citing the County's \$1 billion-plus agricultural industry, and the importance of additional resources for California counties to be able to adequately inspect for agricultural pests. As the Senate subcommittee began work on its version of the bill, we reiterated support for County pest control efforts to Senator Feinstein, who serves on the committee. The committee included \$738,000 for California County Agricultural Import Inspection and \$619,000 for California County Pest Detection in its bill. As with many of the FY 2009 appropriations measures, the House did not take action on its version of the Agriculture spending bill, and final funding levels will either be worked out during the Lamé Duck session or by the new Congress next year.

#### Child Support Administration

The Deficit Reduction Act (DRA) of 2005 included provisions that eliminated 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. Since the provisions will reduce California's Title IV-D Child Support Program by approximately \$90 million annually, resulting in a significant loss of funding for the County's child support enforcement efforts, we are aggressively advocating in support of legislation to reverse the DRA provisions. Last year, Chairman McDermott (D-WA) of the House Ways and Means Subcommittee on Income Security and Family Support introduced H.R. 1386, the *Child Support Protection Act*, and Senator Rockefeller (D-WV), Chairman of the Senate Finance Subcommittee on Health Care, introduced a companion bill in the Senate as S. 803. We urged both committees to take action on the proposal, and asked members of our delegation and Senators Boxer and Feinstein to support enactment of the legislation. However, neither bill was scheduled for committee action.

#### Americans with Disabilities Act

We contacted the Senate HELP and House Education and Labor Committees to discuss concerns expressed by the County regarding provisions in the *Americans with Disabilities Act (ADA) Restoration Act* that would unduly burden the County as an employer. The legislation was introduced in the Senate by Senator Harkin (D-IA) as S. 1881, and in the House by Congressman Hoyer (D-MD) as H.R. 3195. In July, we contacted members of the House committee to reiterate concerns about H.R. 3195 in anticipation of the scheduled markup of the legislation. We also contacted Congresswoman Capps and Congressman Gallegly, both of whom are cosponsors of the legislation. Congresswoman Capps' staff subsequently contacted us to discuss changes included in the manager's amendment during the markup of the bill that addressed the County's concerns. H.R. 3195 was approved by the full House in June and placed directly on the Senate Legislative Calendar, but was not taken up by the full Senate.

## Advocacy and Support – Health and Human Services

### Health Care Funding

In anticipation of impending action on the FY 2009 appropriations measures, we contacted members of the House and Senate Labor, HHS, Education and Related Agencies Appropriations Subcommittees to advocate in support of public health funding that impacts the County, and reiterated those priorities as the full Senate Appropriations Committee marked up its *FY 2009 Labor, HHS, Education, and Related Agencies Appropriations* bill. The measure approved by the committee in June would provide \$2.21 billion for community health centers, \$1.77 billion for substance abuse block grants, \$800.4 million for the AIDS Drug Assistance Program (ADAP), \$465.9 million for immunizations, \$420 million for mental health block grants, \$300 million for family planning, and \$97 million for preventative health services block grants. While the House subcommittee also drafted its version of the legislation in June, the full committee markup did not take place.

We urged Senate Majority Leader Reid (D-NV) to schedule floor action on S. 1551, the *Comprehensive Tuberculosis Elimination Act*, which included provisions to provide additional resources for local governments to address control and elimination of TB. We also asked Senators Boxer and Feinstein to advocate for action on the bill, which was reported out by the Senate Health, Education, Labor and Pensions Committee in April. In the House, we contacted the Energy and Commerce Committee to request action on its companion bill, H.R. 1532. Following committee approval of H.R. 1532, we urged the local Congressional delegation to support the measure when it came to a floor vote by the full House. The House approved the measure on September 24, and the Senate followed suit on September 27. President Bush signed it into law on October 13 as Public Law 110-392. We also advocated in support of funding for TB control and prevention in the *FY 2009 Labor, HHS, Education and Related Agencies Appropriations* bill. The version of the measure approved by the Senate Appropriations Committee would provide \$140.3 million for these efforts.

At the County's request, we contacted members of the House and Senate Labor/HHS Appropriations Subcommittees to advocate in support of the highest possible funding for the Ryan White Part C program in the *FY 2009 Consolidated Security, Disaster Assistance, and Continuing Appropriations Act*, citing the importance of the funding for services to the nearly 450 HIV/AIDS patients in the County. We also urged our local Congressional delegation and Senators Boxer and Feinstein to support Part C funding. However, the CR did not address funding for individual programs.

We urged House Energy and Commerce Committee Chairman Dingell (D-MI) to schedule full committee consideration of Congresswoman Capps' H.R. 1014, the *Heart Disease Education, Analysis, Research, and Treatment (HEART) for Women Act*. The Subcommittee on Health approved the measure last year but no further action has been taken. The bill was approved by Chairman Dingell's committee on September 23 and the full House approved it two days later. H.R. 1014 was then referred to the Senate for action, possibly during the lame duck session.

### Social Services Funding

We lobbied the House and Senate Appropriations Committees 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, Community Care Licensing, and the Deaf Access program. The Administration's FY 2009 Budget request once again included a \$500 million reduction in SSBG, and we urged them to hold firm against the proposal when they drafted the *FY 2009 Labor, HHS, Education, and Related Agencies Appropriations* bill. We also encouraged them to adequately fund Older Americans programs, including the Agency on Aging, supportive services and senior centers, and grants to States for protection of vulnerable older Americans. When the Senate Appropriations Committee approved its version of the measure, it included \$1.7 billion for SSBG, the same as in FY 2008. The House committee did not take action on its bill.

We also contacted the House and Senate Appropriations Committee, our local Congressional delegation, and Senators Boxer and Feinstein to advocate support for funding for the Community Services Block Grant (CSBG). President Bush's FY 2009 budget request once again proposed the elimination of all CSBG funding, and we urged committee members to fund the program at least at the FY 2008 level of \$653.8 million, citing the importance of these resources to low income and homeless individuals in the County. The version of the Labor/HHS Spending measure approved by the Senate Appropriations Committee would fund CSBG at the FY 2008 level. We also urged the respective chairmen of the Senate Health, Education, Labor, and Pensions Committee and House Education Labor Committee to take action on legislation to reauthorize CSBG. Even though CSBG authorization expired in 2003, CSBG legislation has not been introduced in the 110<sup>th</sup> Congress.

### Housing and Community Development

We closely monitored Congressional efforts to address the crisis in the housing market, including participating in meetings on the issue with other counties and cities. Following passage of H.R. 3221, the *Foreclosure Prevention Act*, just before the August recess, we began participation in a working group with local government stakeholders regarding the implementation of provisions to distribute \$4 billion to urban cities and counties to purchase and redevelop foreclosed homes under the Neighborhood Stabilization Program (NSP). We joined other members of the working group in meeting with HUD officials regarding implementation issues, and worked with the group to draft a follow-up letter to the agency emphasizing common areas of agreement on how the program would best work. In late September, HUD issued its regulations providing guidance on the program, as well as funding allocations to both urban areas and States. Allocations were based on a complicated formula devised by the agency using a variety of foreclosure indicators, and HUD determined that it would make the direct allocations only to local governments eligible for \$2 million or more. Since the County of Santa Barbara only qualified for \$1,270,324 under the formula, it must compete for NSP funding out of the \$145 million awarded to the State of California.

As Congress began its FY 2009 appropriations process, we contacted members of the House and Senate Appropriations Committees, our local Congressional delegation, and Senators Boxer and Feinstein to urge them to oppose the Administration's

proposed cuts and provide adequate funding for the Community Development Block Grant (CDBG), HOME Investment Partnerships, homeless programs, Housing for People with AIDS (HOPWA), and elderly housing in the *FY 2009 Transportation, HUD Appropriations* bill. When the Senate Appropriations Committee completed work on its version of the spending measure in July, it rejected the Administration's proposal to eliminate HOPE VI, proposing \$100 million for the program. The bill would increase CDBG by \$23 million over the FY 2008 level to \$3.88 billion, and would provide \$1.966 billion for HOME Investment Partnerships, \$1.667 billion for homeless assistance grants, \$765 million in elderly housing, and \$315.1 million for HOPWA. The House Appropriations Committee did not complete its markup of the Transportation/HUD spending bill.

#### Older Americans and the Elderly

We contacted the House and Senate Judiciary Committees to reiterate support for the *Elder Justice Act*, which would establish grant programs aimed at reducing physical abuse, financial exploitation and neglect of elderly people by family members or personnel in institutions and residential care facilities. The proposal was introduced in the House by Congressman Emanuel (D-IL) as H.R. 1783 and in the Senate by Senator Hatch (R-UT) as S. 1070, and we also asked the local delegation and Senators Boxer and Feinstein to consider signing on as cosponsors. The House committee marked up and approved H.R. 1783 in June, and Committee members approved an amendment to authorize up to \$5 million annually in grants to State and local governments and nonprofit agencies for Missing Alzheimer's Patient Alert programs. The Senate committee approved Senator Hatch's measure in mid-September, and it is pending on the Senate Calendar. Also in September, the House 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. The bill was referred to the Senate for possible consideration in the Lamé Duck session.

We also asked the House and Senate Appropriations Committees to adequately fund OAA programs in the *FY 2009 Labor, HHS, Education, and Related Agencies Appropriations* bill. When the Senate committee drafted its version of the measure, it increased funding for the Agency on Aging to \$1.36 billion, including \$361 million for supportive services and senior centers, and \$22 million for grants to States for protection of vulnerable older Americans.

#### Food Stamp Act Reauthorization

We reiterated the County's recommendations for improvements to the Food Stamps program to the respective House and Senate Agriculture Committees in anticipation of the joint conference to negotiate the final version of the Farm Bill, or more formally, H.R. 2419, the *Food, Conservation, and Energy Act of 2008*. Negotiations were held both between the House and Senate and with the Administration throughout the winter and early spring to try to overcome considerable disagreement on the overall spending level of the Farm Bill, and on new tax revenues or funding reductions to offset new spending. We continued to advocate as conferees came closer to overall agreement on the legislation. In early May, the conference committee announced that a compromise had been reached, and H.R. 2419 was subsequently approved overwhelmingly by both the House and Senate. The final bill

reauthorized the Food Stamp Act, including provisions to rename it the Supplemental Nutrition Assistance Program (SNAP); index allowable deductions; increase penalties for fraud violations; and establish a competitive grant program to develop and test solutions to combat obesity. While President Bush followed through on his threat to veto the Farm Bill because of its cost, the veto was easily overridden in both the House and the Senate, and it became law on May 22.

#### Funding for 2-1-1 Systems

We continued to advocate for action on the House and Senate versions of the *Calling for 2-1-1 Act* with the respective committees of jurisdiction, citing the usefulness of the County's 2-1-1 system as one of the best, most effective ways to provide information and referrals to address health and human services needs. The proposal is sponsored in the House by Congresswoman Eshoo (D-CA) as H.R. 211, and in the Senate by Senators Clinton (D-NY) and Dole (R-NC) as S. 211. Even though the legislation has bipartisan support, with 129 cosponsors in the House and 42 in the Senate, hearings were not held on either bill.

### **Advocacy and Support – Public Safety**

#### Public Safety Funding

We worked with our local delegation and Senator Feinstein on funding for the County's public safety needs, and urged members of the House and Senate Appropriations Subcommittees to provide the highest level of funding possible for local law enforcement activities, youth delinquency prevention, local law enforcement technology needs, domestic abuse programs, and drug treatment in the *FY 2009 Commerce, Justice and Science (CJS) Appropriations* bill. When the Senate committee drafted its version of the CJS spending bill, it rejected the proposals contained in President Bush's FY 2009 Budget request to substantially reduce funding for local public safety activities. 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 marked up its version of the CJS measure in June, to date it still has not released its report to accompany the legislation, and proposed funding levels for most programs are officially embargoed.

#### Juvenile Justice - Gangs

We continued to advocate in support of Senator Feinstein's S. 456, the *Gang Abatement and Prevention Act*, citing the County's efforts to address gang violence. Senator Feinstein's measure was approved by the full Senate last autumn, and we urged the House Judiciary Committee to take action on companion legislation introduced by Congressman Schiff (D-CA) as H.R. 3547, the *Gang Prevention, Intervention, and Suppression Act*. However, the introduction of a rival measure by Congressman

Scott (D-VA) as H.R. 3846, the *Youth PROMISE Act*, bogged down committee action on the legislation, with youth sentencing being one of the most contentious issues.

#### Offender Reentry

We closely monitored action on H.R. 1593, the *Second Chance Act*, and provided updates to the County's Probation Department. The measure authorizes grants for reentry of offenders into the community, and includes provisions to improve reentry planning and implementation. H.R. 1593 was approved by the full House last year, and in March it was taken up by the Senate and approved by unanimous consent. President Bush signed the bill into law on April 9. Funding for the bill's provisions must still be provided through the annual appropriations process, and when the Senate Judiciary Committee drafted its *FY 2009 Commerce, Justice, Science (CJS) Appropriations* bill, it proposed \$20 million for the offender reentry programs authorized by the *Second Chance Act*.

#### Anti-Methamphetamines Strategies

We continued to advocate in support of additional Federal resources for local interdiction, prevention, and treatment strategies targeting the methamphetamine problem, as well as for stricter penalties and controls on meth precursors. In February, the Judiciary Committee discharged Senator Feinstein's S. 2071, the *Combat Methamphetamine Enhancement Act*, and it was subsequently approved by the full Senate. It was referred to the House and remains pending before the Judiciary Committee, along with companion legislation introduced by Congressman Boucher (D-VA) as H.R. 5619. The Senate Judiciary Committee also approved Senator Feinstein's S. 1210, the *Drug Endangered Children Act*, to extend the DEC grant program, and a version of the bill was subsequently approved by both the House and Senate as H.R. 1199. It was signed into law by President Bush on October 7. Late in September, the Senate and House both approved S. 1276, the *Methamphetamine Production Prevention Act*, to authorize grants to State and local governments to plan, develop, implement, or enhance methamphetamine precursor electronic log-book systems. President Bush signed S. 1276 into law on October 14.

#### Mentally Ill Offenders

We continued to advocate in support of H.R. 3992, the *Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act*, which would provide grants for improved mental health treatment services for mentally ill offenders. The measure was approved by the House Judiciary Committee late last year, and when it was scheduled for a floor vote late in January, we urged our local Congressional delegation to support the measure. It was approved by voice vote on January 23 and referred to the Senate, where Senator Domenici (R-NM) had introduced companion legislation as S. 2304. We contacted the Senate Judiciary Committee to reiterate support for legislation, emphasizing the importance of additional Federal resources for treatment services for mentally ill offenders. The committee approved S. 2304 in March, but after the measure languished on the Senate calendar for several months, we contacted Senate Majority Leader Reid (D-NV) to urge him to schedule full Senate consideration of the proposal. The Senate approved S. 2304 by unanimous consent on September 26 and the House then concurred with the Senate version, clearing it for the White House. President Bush signed it into law on October 14 as Public Law 110-416.