



November 19, 2007
DC Update

Congress will recess over the next two weeks for the Thanksgiving holiday. When they return, the week of December 3rd, finishing FY 2008 appropriations will be a priority on their agenda. NACBHDD will keep members updated as the year ends. If you have any question, please feel free to contact Ellen Witman, ewitman@nacbhd.org or Maeghan Gilmore, mgilmore@nacbhd.org.

FY 2008 Appropriations

On Tuesday, November 13, 2008 President Bush vetoed the FY 2008 Labor, Health and Human Services and Education (L-HHS-Ed) appropriations bill. Initially, the Democratic leadership attempted to combine L-HHS-Ed bill with the Military Construction and Veterans Affairs appropriations bill, however it not survive a procedural move in the Senate which separated the two bills. The L-HHS-Ed bill was sent to the President as a standalone spending measure. The veto override only garnered 66% support, not the required two-thirds. Funding for programs covered by the L-HHS-Ed bill was extended in the latest CR that expires on December 14.

Additionally, the FY 2008 Department of Defense appropriations bill was signed and included an extension for the FY 2008 continuing resolution (CR) until December 14, 2008. This would fund government programs until the remainder of appropriations bills can be completed. It remains a bit unclear whether Congress will extend another CR until into mid-January or early February or if they will work on an omnibus spending package.

Further, recent news articles have indicated that the majority intends to “split the difference” between the President’s target spending number and the target spending number included in the Conference Report. And in the wake of the L-HHS-Ed bill veto, House and Senate Appropriations leaders announced that they will work with the President’s target request. While there is no certainty of the exact path appropriations will take, more cuts are likely to take in the L-HHS-Ed bill. NACBHDD, along with other organizations, is working with Congress to recommend that funding levels in the Conference Report remain. We will keep you posted as the process moves forward.

MIOTCRA

The House Judiciary Committee marked up and reported out the Mentally Ill Offender Treatment and Crime Reduction Reauthorization Act (MIOTCRA) last week. The bill authorizes \$75 million for jail diversion and re-entry programs. The Senate is expected to introduce their bill soon. Though the two bills will authorize the same amount of money, some language specific to programs funded within the bill differ. The bill's reauthorization was not scheduled until late next year; yet the bi-partisan, bi-cameral support has moved this legislation quickly and is expected to pass without obstacles.

SCHIP

At this time, there has been no open movement on the SCHIP bill. NACBHDD staff understands that Senate and House negotiators continue to work on issues within the bill. Democrats continue to hold firm on the number of covered children, 10 million, and the cost of the bill, \$35 billion over 5 years. Republicans are concerned that the program covers adults and they would like to see stronger restrictions for illegal immigrants. In addition, Republicans are encouraging a provision that would ensure most children below 200% of the federal poverty level are covered before states could cover children above that percentage.

While a deal has not been made, both Democratic and Republican staffers remain encouraged that neither side has walked away from the table. Extension of the SCHIP program was included in the continuing resolution that was extended until December 14. NACBHDD anticipates movement when members return after the Thanksgiving holiday.

Second Chance Act of 2007

On Tuesday, November 13 the U.S. House of Representatives passed the Second Chance Act (HR 1593) by a vote of 347-62. It is unclear when the Senate will take up the measure, S. 1060.

The legislation provides demonstration grants to assist reintegration into the community of individuals who have been incarcerated. Additionally, there are provisions that address substance abuse treatment and family drug treatment. The annual amount of authorization is \$165 million.

The following link provides the full text of the bill:

<http://www.thomas.gov/cgi-bin/bdquery/z?d110:HR01593:@@P>

Senate Health, Education, Labor and Pensions (HELP) Committee held a hearing on ADA Restoration Act of 2007

Thursday, November 15, the Senate HELP Committee held a hearing titled: *Restoring Congressional Intent and Protections under the Americans with Disabilities Act*. The Senate bill, S. 1881 has three cosponsors and an uncertain future regarding immediate attention. The House companion, HR 3195, has 235 co-sponsors. A hearing was held in that chamber in early October by the Judiciary Committee's Health, Employment, Labor, and Pensions Subcommittee. No further action has taken place in either chamber.

To view the hearing and read written testimonies please visit the link below.

http://help.senate.gov/Hearings/2007_11_15_b/2007_11_15_b.html