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MAJOR EVENTS LAST WEEK

Economic Stimulus

After failing by one vote to adopt its version of an economic stimulus package, the U.S. Senate dropped plans to expand unemployment insurance coverage and increase low income energy assistance in their package. The Senate did add benefits to veterans with disabilities and seniors. Following Senate adoption of the package, the House of Representatives quickly passed the Senate version. The bill passed with strong bipartisanship in both Houses. President Bush is expected to sign the bill into law.

The stimulus package would cost \$152 billion, with almost all of the funds being sent to low to middle income taxpayers or by rebates to businesses. A typical family with two children would receive a check, probably in late spring, in the amount of \$1,800. Seniors and veterans with disabilities would get \$300.

The rebates are expected to be available to people who receive at least \$3,000 in Title II Social Security benefits, including retirement, survivors, and disability insurance benefits. This would include people receiving disabled adult child (DAC) benefits, unless the individual is claimed as a dependent on another's tax return. The rebates will not be paid to beneficiaries who receive only Supplemental Security Income (SSI).

The package also provides that tax rebates will not be considered income for purposes of determining eligibility for federal and federally-assisted state benefit programs, such as SSI. This will protect those SSI and Medicaid beneficiaries who have at least \$3,000 in non-SSI income and who therefore qualify for the rebate.

In addition, the stimulus package included an appropriation of \$31 million for FY 2008 to cover the Social Security Administration's costs of assisting in the payment of the tax rebates. This is critical given the shortfall in administrative funding experienced by SSA over the last several years and resulting in a crisis in backlogs in disability decisions.

Fiscal Year 2009 Appropriations

President Bush announced his intent to reject via a veto, as he did last year, any FY 2009 appropriations bill that would spend more than requested in his budget.

Recognizing that the President is serious about this threat, the Democratic Majority will have

to decide how to handle this threat. They have three basic alternatives: 1) play by the President's rules and stay within his budget proposal; 2) increase the amount they want to spend over the President's limit, entice a veto and then try to override it, a strategy that did not work last year; and 3) adopt a Continuing Resolution until early 2009 when President Bush will no longer be in office and complete the appropriations process under a new president.

Medicaid

Key House leadership introduced legislation on February 7 to provide a temporary increase in the Medicaid federal medical assistance percentage (FMAP), or federal matching rate, to states. Rep. John Dingell (D-MI), Chairman of the Committee on House Energy and Commerce, and Frank Pallone, Jr. (D-NJ), Chairman of the Energy and Commerce Subcommittee on Health, joined by Republicans Peter King (R-NY) and Thomas Reynolds (R-NY), introduced the bill to assist states facing potential declines in tax revenue as a result of the economic slump. This bipartisan legislation would provide:

- a temporary increase of the Medicaid FMAP of 2.95 percent for five quarters - April 1, 2008 through June 30, 2009;
- a similar temporary increase of the Medicaid FMAP of 5.9 percent for the territories;
- protection for States against a decline in their Medicaid FMAP during the same five quarters of the 2008 and 2009 fiscal years;
- a requirement for States to maintain their Medicaid eligibility at current levels in order to receive the 2.95 percent temporary increase in the Medicaid FMAP; and
- a requirement for States to adjust payments by localities and counties to account for additional federal funding.

Employment

DPC Staff attended a briefing hosted by Cornell University to explore how disability employment protection laws affect employer accommodation provisions. One finding from the research presented showed that with the Americans with Disability Act in place, people who experienced disability while working received appropriate workplace accommodations in the form of a more flexible workplace.

Education

The College Opportunity and Affordability Act (H.R. 4137, S. 1642), the comprehensive reauthorization of the Higher Education Act, passed the House on February 7, by a vote of 354-58. The Senate passed its version of the Higher Education Act last July by a vote of 95-0. The bill includes several provisions important to people with disabilities including teacher preparation initiatives and new programs to assist students with intellectual disabilities to access higher education. During consideration of H.R. 4137, the House adopted an amendment sponsored by Representative John Yarmuth (D-KY) which adds several provisions to enhance the post secondary educational opportunities for students with intellectual disabilities. The next step will be a conference committee with the Senate to resolve the differences between the bills.

<http://www.thomas.gov/cgi-bin/bdquery/z?d110:h.r.04137/>

<http://www.thomas.gov/cgi-bin/bdquery/z?d110:s.01642/>

Temporary Assistance for Needy Families (TANF)

On February 5th, the Department of Health and Human Services released final rules implementing the reauthorization of the Temporary Assistance for Needy Families.

The rules make minor changes from the interim final rules published June 29, 2006. The disability provisions are still too restrictive and the advocacy community will continue to seek changes to give states more flexibility to serve families that include individuals with disabilities.

MAJOR EVENTS AHEAD

FY 2009 Budget

On Thursday, the Senate Budget Committee, chaired by Sen. Kent Conrad (D-ND), will hold a hearing on the Administration's FY 2009 budget.

ANNOUNCEMENTS

Disability Policy Seminar

As of today, 449 people have registered for the 2008 Disability Policy Seminar which is now only 3 weeks away. Advocates are still able to register but at a higher rate. Check The Arc and UCP websites for a state by state list of seminar participants. Participants should now be setting up the Hill visits on March 4 with their Congressional delegation. For all Seminar information, including lists of registrants by state, please see:

<http://www.thearc.org/NetCommunity/Page.aspx?&pid=1642&srcid=183> and http://www.ucp.org/ucp_generalsub.cfm/1/8/12477 in addition to the web pages of our Seminar partner organizations – AAIDD, AUCD, & NCADD. Seminar attendees are strongly encouraged to coordinate their Hill visits with the other registered attendees from their state.