



INSIDE THIS ISSUE

- Debate Continues on FY 2011 Spending
- HHS Consults with Tribes on FY 2013 Budget and Policy priorities
- Judge Stays ACA Decision, Obama Administration Appeals

HILL UPDATES

Government Shutdown is Averted, But Another Extension is Needed

Last week, Congress passed H. J. Res. 44, a short-term Continuing Resolution (CR) that continues funding the federal government through March 18th. This legislation avoided a government shutdown when the existing CR was set to expire on March 4th. The House and Senate continue to debate longer-term funding for Fiscal Year (FY) 2011. Although the House passed a long term bill, H.R. 1, *the Full Year Continuing Appropriations Act of 2011*, this week the Senate defeated two continuing resolution proposals for FY 2011 – the House version of H.R. 1 that would have cut \$61 billion from current spending levels, and the Senate amended version to H.R. 1, that would have cut current levels by approximately \$10 billion. (For more details on the Senate action, see next story.)

H. J. Res. 44 allows Congress to continue to deliberate over what a spending bill for the remainder of FY 2011 should contain. Although this short term, 2 week CR ensures that the federal government remains in operation, it, too, contains cuts. Over two weeks, it achieves \$4 billion in deficit reduction by terminating 8 federal programs and rescinding \$2.7 billion in earmark allocations from FY 2010. The terminated programs are those previously identified for termination in the President's FY 2012 budget request. H. J. Res 44 ends these programs earlier.

Unfortunately, Congress is no closer to a funding agreement for FY 2011 and the March 18th deadline will likely not be reached. An additional, three-week CR, H.J. Res. 48, was introduced today by the House Appropriations Committees to again fund the government at current rates through April 8th. House Republicans continue their \$2 billion per week spending reduction plan with a total of \$6 billion in cuts in H.J. Res. 48. This bill reduces or terminates another 25 government programs, many of which are terminated in the President's budget request, for a savings of \$3.5 billion. An additional \$2.6 billion in savings comes from more earmark rescissions. This new CR is expected to be voted on next week.

Senate Budget Test Votes Fail

In an effort to spur more flexibility between parties on federal funding, Senate Majority Leader, Harry Reid, forced test votes on dueling budget packages Wednesday, both of



which failed. H.R. 1, *the Continuing Appropriations Act of 2011*, that passed the House on a party line vote nearly 3 weeks earlier, was voted on first. It was defeated, with all 56 Democrats voting against the measure that contains \$61 billion in cuts to discretionary spending and 67 highly controversial amendments.

Even though H.R. 1 failed in the Senate, a Senate Majority-crafted alternative fared no better. Because the bill contained less than \$10 billion in cuts, it lost the support of several moderate Senate Democrats. Minutes after H.R. 1 was rejected, the alternative, S. Amdt. 149, was voted down 42-58.

ADMINISTRATION UPDATES

Tribal Leaders meet with HHS in Annual Budget Consultation

The 13th Annual National HHS Tribal Budget and Policy Consultation brought Tribal leaders from across the nation to Washington, D.C. last week from March 2-4. Over the 3 days, officials from various HHS operating divisions - including Centers for Medicare and Medicaid Services, Centers for Disease Control and Prevention, Substance Abuse and Mental Health Services Administration, and Health Resources and Services Administration - provided comments, and received recommendations from Tribal representatives on issues pertaining to Indian health.

Secretary Sebelius also took the time to address the meeting formally. She expressed the Administration's sincere desire to improve Indian health saying, "We are committed to having the Department [of Health and Human Services] do everything it can to address on-going challenges."

The focal point for the meeting was the National Tribal Budget Workgroup's IHS budget recommendations for Fiscal Year 2013. In a presentation to HHS leadership,

Chairmen Gary Hayes (Ute Mountain Ute Tribe) and Ned Norris Jr. (Tohono O'odham Nation), and Vice President Rex Lee Jim (Navajo Nation) presented the national tribal budget priorities, such as a 10-year plan to fully fund IHS and a \$1.431 billion increase in "must-have" spending for FY 2013. They also presented HHS officials with the top 10 health priorities as ranked by Tribal leaders nationally with behavioral health as identified as the top priority.

In addition to these requests, Tribal leaders also presented Secretary Sebelius with a letter signed by numerous Tribal leaders regarding the proposed eliminations within the FY 2012 IHS budget. At a total savings of less than \$6 million, the FY 2012 IHS Congressional Budget justification recommends the elimination of the following grants:

- Health Promotion/Disease Prevention (HPDP) Grants
- Healthy Youth Lifestyles Grant (National Congress of American Indians)
- Chronic Care Grant (Institute for Healthcare Improvement)
- Elder Health Long Term Care Grants
- Children and Youth Grants
- Women's Health Grants
- Domestic Violence /Sexual Assault Grants to Urban Programs
- National Indian Health Board Cooperative Agreement
- National Native American EMS Association Grant

As the letter states, "As tribal leaders, we were surprised that the FY 2012 Congressional Justification (CJ) proposed these cuts, especially considering that we had just met and developed our FY 2013 budget recommendations with the agency and these proposed eliminations were not discussed." Tribal leaders expressed much concern over the cuts and it is hoped this issue will be settled in a way deemed satisfactory by all those involved.

Additionally, NIHB Chairperson, Cathy Abramson, testified on cross-cutting issues



associated with the implementation of the Patient Protection and Affordable Care Act, such as improved consultation with Tribes and a uniform definition of Indian. The written recommendations are available on the NIHB website:

www.nihb.org/tribal_resources/tribal_resources.php

OTHER NEWS

FL Judge Issues Stay on ACA Ruling, Obama Administration Appeals

U.S. District Court Judge Roger Vinson of Florida has issued a stay on his ruling to declare the Patient Protection and Affordable Care Act (PPACA) unconstitutional. The Obama Administration asked the Judge to “clarify” his ruling when a number of states argued that the decision instructed them to halt implementation of PPACA.

In issuing a stay last Thursday, Judge Vinson delayed the execution of his decision, giving the Justice Department seven days to file an appeal. The Administration filed an appeal with the 11th Circuit Court of Appeals on Tuesday and also requested expedited consideration. This means oral arguments could be heard as soon as June or July, with the case moving to the Supreme Court soon after.

- **SAVE THE DATE** -

NIHB is hosting
**National Tribal Health Reform
 Implementation Summit**
April 19 – 20, 2011

Washington Court Hotel
525 New Jersey Avenue, NW
Washington, DC 20001

CALENDAR OF EVENTS

SENATE INDIAN AFFAIRS COMMITTEE HEARING ON, “THE PRESIDENT’S FISCAL YEAR 2012 BUDGET FOR TRIBAL PROGRAMS”

628 DIRKSEN SENATE OFFICE BUILDING
 WASHINGTON, D.C.
 MARCH 15, 2011 (10:00 AM)

NATIONAL 2011 NATIONAL NATIVE HIV/AIDS AWARENESS DAY MEMORIAL ART EVENT AND POTLUCK

NAIHC OFFICES
 900 2ND STREET NE, SUITE 107
 WASHINGTON, DC
 MARCH 17, 2011 - 4:30 PM - 6:30 PM

HOUSE SUBCOMMITTEE ON INTERIOR APPROPRIATIONS FY 2012 BUDGET HEARING WITH IHS DIRECTOR YVETTE ROUBIDEAUX

B-308 RAYBURN HOUSE OFFICE BUILDING
 WASHINGTON, D.C.
 MARCH 31, 2011 (9:30 AM)

HOUSE SUBCOMMITTEE ON INTERIOR APPROPRIATIONS FY 2012 NATIVE AMERICAN PUBLIC WITNESS HEARING

B-308 RAYBURN HOUSE OFFICE BUILDING
 WASHINGTON, D.C.
 APRIL 12-13, 2011 (9:30 AM)
 REQUESTS TO TESTIFY ARE DUE MARCH 15TH
 BY EMAIL TO: IN.APPROP@MAIL.HOUSE.GOV

For more information, contact:

Jennifer Cooper
 Legislative Director
jcooper@nihb.org

Liz Malerba
 Legislative Assistant
lmalerba@nihb.org

