



TO: Marissa Montenegro, County of Sonoma
FROM: Steve Palmer, Carol McDaid, David Haines and Holly Strain
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Van Scoyoc Associates, Inc. (VSA), and our affiliated firm Capitol Decisions, Inc. (CDI), perform advocacy work for the County of Sonoma on three issues: health care, transportation, and tribal issues. The following is a summary outlining 2021 accomplishments and 2022 opportunities within those three legislative priorities.

HEALTH CARE

COVID-19 Response/Recovery

In March President Biden signed into law the American Rescue Plan Act; the \$1.9 trillion package was the 5th major COVID relief package passed by Congress since the start of the pandemic in 2020. Some of the key provisions addressing health and homelessness relevant to the County in the legislation included:

- **Health Care Funding**
 - \$47.8 billion for testing and tracing activities
 - \$8.5 billion for rural hospitals and health providers
 - \$8.5 billion for vaccine activities at the Centers for Disease Control and Prevention
 - \$7.66 billion to expand the public health workforce, including grants to state, local, and territorial health departments
 - \$7.6 billion for community health centers
 - \$6.09 billion for tribal health programs
 - \$6.05 billion to support manufacturing and purchasing vaccines
 - \$3.88 billion for programs to address mental health and substance use
- **Medicaid**
 - Coverage of COVID-19 vaccines and treatments will be covered at no cost until a year after the pandemic ends to beneficiaries under Medicaid and the Children's Health Insurance Program

- The federal medical assistance percentage (FMAP) is increased to 100% for vaccine costs during that period
- Vaccines and treatment are also covered for the uninsured. Outpatient drugs used for Covid-19 treatment would be included in the Medicaid Drug Rebate Program
- **Coverage Expansions**
 - Increases the FMAP for various services, including:
 - Providing an 85% FMAP for the first three years of covering mobile crisis intervention services for mental health or substance use disorders, which would expire after five years. ([Guidance](#) to states was released on December 28)
 - Increasing a state's FMAP by 7.35 percentage points for home and community-based services for one year
- **Disproportionate Share Hospitals**
 - Modifies Medicaid allotments for disproportionate share hospitals, which treat a large number of low-income or uninsured patients, to account for the 6.2 percentage point increase to states' FMAP under Public Law 116-127. The Health and Human Services Department has to ensure that the total DSH payments that a state may make in a fiscal year is equal to the total payments they could have made without the FMAP increase during the pandemic.
- **ACA Tax Credits**
 - Expands the Affordable Care Act's premium tax credits for health insurance purchased through an exchange
 - Provides refundable credits for households with income that's 100% to 400% of the federal poverty level (FPL). The law caps premium costs based on a percentage of income, and the credit covers any amount above that cap up to the cost of a "benchmark" plan
 - Eliminates premiums in 2021 and 2022 for individuals at 150% of the FPL or less, and reduce premiums for all other households. It also would make households above 400% of the FPL eligible, with a premium cap of 8.5% of income
 - Allows taxpayers who receive unemployment compensation in 2021 to be eligible for the credit without any premiums, by disregarding any income above 133% of the FPL
- **COBRA Coverage**
 - Provides federal subsidy of 85% of premiums for individuals eligible for COBRA continuation coverage if they lose their job (through September). Employers pay the remaining 15%
- **Homelessness**
 - \$5 billion to help communities provide supportive services and safe, socially distant housing solutions, including purchase of properties like motels for use as non-congregate shelter, to protect the health of these families and individuals and help control transmission of COVID-19
 - \$100 million to support households residing in USDA-subsidized rural properties and who are struggling to pay rent during the COVID-19 pandemic
 - \$100 million for housing counseling, which will be distributed to housing counseling organizations through NeighborWorks

Housing/Homelessness

In 2021, the County endorsed two bills that address homelessness.

Specifically, the *Affordable Housing Redevelopment Act* (S. 580/HR 1501) reauthorizes the Neighborhood Stabilization Program and authorizes \$1.5 billion to help create new affordable housing through the rehabilitation or redevelopment of old, vacant or foreclosed properties. The Senate bill was introduced by Senators Feinstein and Padilla. The House bill was introduced by Rep. Huffman is cosponsored by Reps. Thompson and DeSaulnier.

Additionally, the *Fighting Homelessness Through Services and Housing Act* (S 2357/HR 4464) authorizes \$1 billion in grants annually for the first 5 years for local governments to combat homelessness. The Senate bill was introduced by Senators Feinstein and Padilla and is sponsored by an additional 6 senators. The House bill was introduced by Rep. Lieu and is cosponsored by Reps. Young (R-AK) and Costa (D-CA).

While these authorizing bills were not considered this year, as referenced above, Congress appropriated billions to address homelessness in the American Rescue Plan Act.

Health Access/Behavioral Health

With the primary focus on COVID-19 and infrastructure, mental health and substance use legislation was largely put on the back burner in 2021. However, while Congress did not consider significant authorizing legislation this year, as noted above, the American Rescue Plan Act included \$3.88 billion for programs addressing mental health and substance use and that funding was in addition to billions of dollars previously appropriated in COVID-19 relief packages enacted in 2020.

We anticipate that Congress may return its attention to mental health and addiction in 2022 leading up to November elections as they will likely want to be seen as “doing something” to address the twin epidemics of suicide and opioid overdoses which have been exacerbated by the COVID-19 pandemic.

Additionally, on the funding front, a request submitted by Rep. Thompson for \$1.6 million for the County’s ACCESS project is included in the House-passed Labor-HHS bill. In terms of outlook for the funding, the federal government is currently operating under a Continuing Resolution (CR) through February 18, 2022. We are hopeful that a final Labor-HHS spending bill will be enacted and will include funding for the ACCESS project by or shortly after the February 18 deadline.

Looking forward, while the FY22 bills are not yet completed, the process for the FY23 bills will still be getting underway in short order. We anticipate a similar process and requirements for community funded projects (earmarks), which provides an opportunity for the County to secure funds for its top projects similar to the request for the ACCESS project in the FY22 bill.

TRANSPORTATION

Surface Transportation

Infrastructure Investment and Jobs Act

On November 15, President Biden signed the Infrastructure Investment and Jobs Act (IIJA) into law. IIJA provides \$1.2 trillion in infrastructure spending over five years, including \$550 billion in “new money”. Within that funding there is \$284 billion for U.S. Department of Transportation programs, including significant funding in areas like \$110 billion for roads and bridges and \$7.5 billion for electric vehicle charging. The bill also raises the off-system bridge set-aside to \$1 billion annually and \$40 billion for a new Bridge Investment Program. In 2022, federal agencies are starting to formulate spending plans for each program.

As mentioned above, the IIJA directs \$284 billion (52 percent) of the \$550 billion in new investments toward modernizing and making improvements across all modes of transportation, with the majority of funding reserved for highways, roads, and bridges:

- **Roads & Bridges:** \$110 billion
- **Transit:** \$39 billion
- **Rail:** \$66 billion
- **Safety:** \$11 billion
- **Airports:** \$25 billion
- **Electric vehicle chargers:** \$7.5 billion
- **Electric buses:** \$7.5 billion
- **Reconnecting Communities:** \$1 billion
- **Ports & Waterways:** \$17 billion

IIJA included a new five-year \$477 billion surface transportation reauthorization that replaces the previous surface transportation law, the Fixing America’s Surface Transportation Act (FAST Act), that governed highway, transit and rail programs through an initial five-year authorization from FY 2016 through FY 2020, in addition to three short-term extensions through the enactment of the IIJA in FY 2022. Surface transportation funding in the IIJA represents a 56.4 percent increase over the FAST Act (\$305 billion).

On November 15, President Biden also signed an Executive Order establishing an Infrastructure Investment Task Force and named former Mitch Landrieu to oversee the implementation of the infrastructure bill. Landrieu was Mayor in New Orleans from 2010 to 2018, during which time he oversaw the recovery of Hurricane Katrina and the BP Gulf of Mexico oil spill.

Infrastructure Implementation Task Force

President Biden also announced the creation of an Infrastructure Implementation Task Force, led by National Economic Council director Brian Deese and the new White House infrastructure coordinator, Mitch Landrieu, to guide enactment of the implementation of the new bill. The Task Force is to “coordinate effective implementation across the government and advance the Administration’s priorities,” including making sure projects comply with the Administration’s

“Justice40” initiative, which calls for at least 40 percent of federal investments to flow to “disadvantaged communities.”

Infrastructure Priorities

The Executive Order outlined the Administration’s priorities for implementing the IJA:

- Invest public dollars efficiently, avoid waste, and focus on measurable outcomes for the American people;
- Buy American and increase the competitiveness of the U.S. economy, including through implementing the Act’s Made-in-America requirements and bolstering domestic manufacturing and manufacturing supply chains;
- Create good-paying job opportunities for millions of Americans by focusing on high labor standards for these jobs, including prevailing wages and the free and fair chance to join a union;
- Invest public dollars equitably, including through the Justice40 Initiative, which is a government-wide effort toward a goal that 40 percent of the overall benefits from Federal investments in climate and clean energy flow to disadvantaged communities;
- Build resilient infrastructure that can withstand the impacts of climate change and that helps combat the climate crisis; and
- Effectively coordinate with State, local, Tribal, and territorial governments in implementing these critical investments.

Build Back Better Act

On November 19, 2022, the House passed the Build Back Better Act (BBBA) on a 220-213 party-line vote. BBBA is the President’s \$1.9 trillion legislative proposal of health care, childcare, climate, tax initiatives, and also some transportation provisions. For example, BBBA would provide \$9.75 billion to expand accessibility to affordable housing through competitive grants to local public transit agencies and other entities eligible for assistance through transit formula grants: 5307, Urbanized Areas Formula Grants; 5311, Formula Grants for Rural Areas; and 5339(c), Low or No Emissions Grants (LoNo). BBBA would also make \$2.37 billion in competitive grants available to carry out projects that improve walkability, safety and affordable transportation options; mitigate or remediate negative communal efforts resulting from a transportation obstacle; and for planning and capacity building within disadvantaged or underserved communities.

Since passage of the Build Back Better Act in the House, challenges have arisen in the Senate to pass the bill over several disagreements on policy issues and the overall price of the bill. Senators Joe Manchin (D-WV) and Kyrsten Sinema (D-AZ) have been the most vocal Democrats with their concerns and opposition. The bill could be considered by the Senate in 2022.

Aviation

Funding for airports is currently authorized through the FAA Reauthorization Act of 2018. Within the FAA authorization, Congress authorized funding for the Airport Improvement Program (AIP), which funds airport development, including the Sonoma County Airport. In

December, the airport received \$2.18 million in AIP funding provided through the Infrastructure Investment and Jobs Act as part of the \$25 billion included in the bill for airports. In 2022, Congress is expected to hold hearings in anticipation of the FAA's reauthorization in 2023.

TRIBAL

Fee-to-Trust Reform

H.R. 4352, legislation to amend the Act of June 18, 1934 and reaffirm the authority of the Secretary of the Interior to take land into trust for Indian Tribes, was introduced by Rep. Betty McCollum (D-MN) and passed in the House on a final vote of 302 – 127. The bill passed on December 2, 2021. The legislation would authorize the Interior Department to take land into trust for the benefit of any federally recognized American Indian Tribe, regardless of when the Tribe was recognized. Rep. Tom Cole (R-OK) has introduced a version of this bill every Congress since 2009 and cosponsored this legislation. Since House passage, the bill is still awaiting further consideration in the Senate Committee on Indian Affairs. The legislation or other fee-to-trust reform could be considered by the full Senate in 2022.

Infrastructure Investment and Jobs Act

On November 15, President Biden signed the Infrastructure Investment and Jobs Act (IIJA), enacting the legislation into law. The \$1 trillion bipartisan infrastructure deal includes at least \$11 billion in estimated funding for Native communities. Tribes and Native-serving organizations will receive additional funding to support transportation enhancement, energy development, water and sanitation construction, broadband deployment, climate resiliency, natural resource management, and environmental remediation, among other infrastructure priorities for Native communities.

Build Back Better Act

The Build Back Better Act passed the House on November 19, 2021 and challenges have arisen in the Senate to pass the bill over several disagreements on policy issues and the overall price of the bill. Senators Joe Manchin (D-WV) and Kyrsten Sinema (D-AZ) have been the most vocal Democrats with their concerns and opposition. For Tribal communities, the bill would invest billions of dollars into Native programs and services, including in child care, preschool, Tribal Colleges and Universities, housing, nutrition, and rural community partnerships. The bill could be considered by the Senate in 2022.