

**2022 NACo Legislative Conference
Travel Report
Jocelyn Doane**

I attended the NACo legislative conference that was held from February 12th - February 16th. We attended multiple meetings, workshops, general sessions, and informal meetings with other NACo members and other county representatives. We also attended meetings with all members of the Hawaii Congressional delegation.

Saturday, February 12, 2022

Saturday, February 12, 2022, Agriculture and Rural Affairs Policy Steering Committee - Subcommittees Meeting

We attended the update from the American Farm Bureau, who represents farmers and ranchers across the country. Ryan Yates, Managing Director, Public Policy, of the American Farm Bureau provided highlights from its 2020 Impact Report and shared the challenges the agricultural community faced during the pandemic and how our farms and ranches contributed to securing the nation's food supply. The agriculture community continuously pivoted and strategized to secure and stabilize the nation's food supply throughout the pandemic and the support provided to farms and ranches were critical to their ability to continue to operate and maintain America's food supply.

The group also discussed how regulations impact farms and ranches operations. They specifically noted that they oppose the Build Back Better law; are worried about increased taxes on farmers, which they note jeopardizes U.S.' food supply; unfunded mandates; and federalization of local issues.

There was also a discussion about how policies incentivizing expansion of solar on agricultural lands affect the agricultural community.

In terms of the value of the discussion at the City -- our takeaway is that there is a critical need to balance environmental and climate change regulations with the need to support food production and food security. Some key ideas to support both we will want to consider -- provide technical and other support to farmers and ranchers, provide subsidies and grants for the agricultural community, and adopt policies that support or incentivize maintenance of rural landscapes.

Saturday, February 12, 2022, Finance, Pensions and Intergovernmental Affairs Policy Steering Committee - Subcommittee Meeting

Tammy Patrick, Senior Advisor, Elections of the Democracy Fund; Aaron Flannery, Government Affairs Liaison, Maricopa County, Arizona; and Forrest Lehman, Election Director in Lycoming County, Pennsylvania led a panel on preparing for the 2022 midterm elections.

The panelists described how civil unrest and persistent misinformation created difficult and unique challenges for counties that administer and fund elections, during the 2020 elections. The key takeaways from this panel was that the presence of election observers of both parties increase the likelihood that the electorate will perceive an election as fair and valid. Suggestions were made that counties may want to consider promoting information on the background and diversity of the observers in advance of the election to mitigate unrest and spreading of misinformation.

Sunday, February 13, 2022

Sunday, February 13, 2022, Large Urban County Caucus Meeting

The Future of Substance Use Disorder Services in Urban Settings

Larry Johnson, NACO President, provided a keynote presentation on the ongoing substance abuse epidemic. Commissioner Johnson discussed the investments of the counties in mental health programs - \$100 billion nationwide, as well as the integral role that the counties played in fighting the opioid epidemic. Partnering with other non-profits/NGOs, the counties were able to start to address the opioid epidemic with the COVID-19 pandemic. Commissioner Johnson also highlighted the role played by the White House Office of National Drug Control Policy (ONDCP) to help coordinate a federal response in assisting the counties to address drug abuse.

Dr. Rahul Gupta, the Director for ONDCP, then presented on the Biden-Harris Administration's Drug Policy Priorities. He provided a background of the ONDCP, that it was operational since 1989, and is tasked with serving as the principal drug policy adviser to the President. In addition, the ONDCP manages the National Drug Control Budget of more than \$40 billion.

Dr. Gupta also outlined some of the issues pertaining to drug poisoning deaths. He mentioned how there has been a 30% increase in drug poisoning deaths since 2019, and a 140% increase since 2010. The drug epidemic has spiraled to a point where one American is dying every five minutes for drug poisoning. He brought up specific instances of cocaine and meth being mixed with fentanyl which is leading to a spike in deaths due to the toxicity and potency of fentanyl.

Dr. Gupta highlighted the top four policy priorities to address the epidemic:

- Making sure that naloxone can be carried by everyone, so that it is available at every overdose incident. This will require amendments of laws across the country.
- Scaling up treatment for capacity
- Timely, actionable data to guide our overdose response strategies.
- Cracking down on illicit finance.

He concluded that one of the biggest barriers to treatment is capacity and stigma. There is a lot of compassion fatigue, however he noted that the administration views the solution through a harm reduction lens, that we cannot incarcerate the problem away,

and notes that the data shows that drug overdoses disproportionately affect people of color and those that live in poverty.

He also highlighted funding priorities for drug abuse and \$4 billion for mental health and substance abuse assistance funding in ARPA. He also pointed out the significant equity component toward trying to address the drug epidemic as a public health challenge similar to cancer.

Dr. Gupta also fielded questions pertaining to decriminalization of drugs, as well as living wages for EMS/frontline medical professional. He highlighted a \$669 million increase to help support first responders in terms of funding.

COVID-19 & Health Equity

Secretary Xavier Becerra provided remarks about the COVID-19 pandemic and health equity. The Secretary acknowledged the critical role that the counties played in addressing COVID-19, including through the distribution of vaccines, tests, and masks, as well as through standing up vaccination sites, testing sites, and educational campaigns.

He also highlighted how the Build Back Better Law would provide funding to further support tele-health and behavioral health (mental health and substance abuse).

Scott Stoermer, the Managing Director of Response Operations from Witt O'Brien's shared the experience in St. Louis County, Missouri, in trying to facilitate equity in vaccine education, outreach and distribution while also implementing to and optimizing the emergency management and response practices related to COVID-19.

The county provided support through education and outreach around equitable vaccine opportunities for systemically underrepresented communities in the North and South for St. Louis. When the outreach program started the county's fully vaccinated rate was 27%, but the average of the North and South was 10%. They reached out and partnered with a local communications firm with community ties to conduct the outreach. They coordinated with key leaders to assist with vaccine outreach, including beauty and barbershops, schools and faith based entities and leaders. The vaccination rates of the North and South eventually doubled.

It was great to hear about other communities' success in using key stakeholders to reach disproportionately impacted populations. In Hawaii and Honolulu specifically,

both the State and the Counties coordinated with key Pacific Island community groups and we saw increased vaccination rates amongst those populations.

The Future of Urban Mobility

Sasha Mackler, the Executive Director of the Energy Project for the Bipartisan Policy Center; Stephanie Pollack, the Acting Administration for the Federal Highway Administration from the U.S. Department of Transportation; and Aimee Wittman, the Deputy Secretary for Intergovernmental Affairs for the U.S. Department of Energy all spoke on a panel regarding the future of urban mobility.

Key Takeaways:

- Climate politics is becoming more mainstream and more bi-partisan as can be seen through support of the Infrastructure bill, which ties climate policies with new infrastructure, and economic and social benefits. Can see benefits for climate change through the billions of dollars of appropriations for clean energy deployment, workforce development, transportation options, domestic supply chain expansion for batteries
- Electrification will lead to a reduction in carbon footprint, but it is not enough to achieve our climate goals. She encouraged biking, walking, public transportation and other multi-modal forms of transportation.
- Infrastructure bill makes funding available for EV charging, trails, bike paths, bridges, etc.
- For Counties having a hard time coordinating with their State departments of transportation on ensuring priority projects are being funded or getting sufficient attention, it was suggested that the county representatives establish relationships with the Federal Highway Administrator. The Federal Highways division has offices in all 50 states and the territories.
- Infrastructure funds will be available through competitive grant programs and formula programs
Department of Energy offering 60 new programs and more info can be found here: www.energy.gov/bipartisan-infrastructure-law-programs
- Counties need to voice needs and challenges, technical capacity to access federal programs, etc. to help plan for aggressive electrification plans

Sunday, February 13, 2022, ARPA Office Hours with KPMG

A number of clarifying points was brought up regarding ARPA expenditures during the KPMG office hours, including in particular qualifying expenditures under the U.S. Treasury Department's final rule. The first and most interesting provision was a new \$10 million revenue loss allowance. In essence, the counties may allocate up to \$10 million of their total Recovery fund allocation to spend on government services in lieu of using the revenue loss formula. The final rule also simplifies the reporting requirements for counties using the standard \$10 million allowance. This will be very helpful for smaller Counties, but not for Honolulu.

The final treasury rule also provides improvements to the revenue loss formula, which Honolulu is using, by increasing the revenue loss growth rate from 4.1% to 5.2% as the new standard default allowance for the formula. Counties can also choose to determine whether to calculate revenue loss on a fiscal year or calendar year. Finally, counties must adjust actual revenue totals for the effect of tax cuts/increases adopted after January 6, 2022.

In terms of eligibility of lost revenue functions, counties can include any service traditionally provided by a government, unless Treasury has stated otherwise. This includes common examples such as road building and maintenance, health services, general government administration, environmental remediation and police, first responders, and other public safety services.

There are a number of activities however, that do not fall under an eligible use of a county's revenue loss allowance. This includes extraordinary contribution to a pension fund, debt service payment, including tax anticipation notes, rainy day or reserve funds, settlement agreements, judgment, consent decrees or judicially confirmed debt, activity that conflicts with the purpose of the American Rescue Plan Act statute (e.g. uses of funds that conflict with COVID-19 mitigation practices in line with CDC guidance and recommendations.)

Public Health & Negative Economic Impacts and ARPA Expenditures

The office hours also provided clarity on the utilization of ARPA funds for expenditures pertaining to public health and negative economic impacts brought about by COVID-19. Some of the enumerated eligible uses include capital expenditures and applicable standards, affordable housing, child care, early learning services and services to address learning loss during the pandemic, certain community development and rehabilitation of storefronts and business incubators.

Other uses that other municipalities have applied to the public health bucket include vaccination and testing programs, monitoring, contact tracing, public health data systems, support for isolation and quarantine facilities, emergency operation centers and emergency response equipment, paid family and medical leave for public employees, emergency medical response expenses and treatment of long-term symptoms or effects of COVID-19.

Some of the funds can also be utilized to address negative economic impacts on households and communities. It includes, but is not limited to, the following: food assistance and food banks, emergency housing assistance, health insurance coverage expansion, benefits for surviving family members who have died from COVID-19, burials, home repair and home weatherization, assistance in accessing and applying for public benefits or services, child care and early learning services, assistance to address the impact of early learning loss for K-12 students.

The final rule also helped to clarify the difference between an impacted household and a disproportionately impacted household under ARPA guidelines. An impacted household has income at or below 300 percent of the Federal Poverty Guidelines or 65 percent AMI for its county. A disproportionately impacted household has income at or below 185 percent of the Federal Poverty Guidelines or below 40 percent of the AMI for its county.

Monday, February 14, 2022

February 14, 2022, General Session

Speaker Nancy Pelosi provided a message to NACo at the general session, along with Secretary Tom Vilsack from the Department of Agriculture. Both speakers discussed the American Rescue Plan Act and the distribution of monies, Build Back Better, and the future need to fight for issues pertaining to climate change and election protections.

February 14, 2022, Primer for County Leaders: Implementation of Treasury's Final Rule for the ARPA Fiscal Recovery Fund Workshop

On January 6, 2022, the U.S. Treasury released the final rule on the ARPA Coronavirus State and Local Fiscal Recovery Fund (ARPA FRF). During this workshop, NACo staffer and ARPA FRF expert, Eryn Hurley did an overview of the Final Rule, including eligible uses, additional flexibilities and requirements, and answered questions from various County representatives.

The ARPA FRF allocated over \$65 billion to counties, with the City & County of Honolulu receiving over \$393 million.

Key Takeaways from discussion on the Final Rule

- Final rule is effective on April 1st, but new flexibilities and provisions can be taken advantage of by the Counties immediately.
- The revenue loss formula was updated, including an increased growth rate. Lost revenue can be used for general government services, including construction of schools, infrastructure, health services, etc. It cannot, however be used for rainy day fund or debt service.
- Expands and clarifies eligible uses - e.g. affordable housing, child care, early learning to address loss during pandemic are eligible in all impacted communities; broadens the types of support that is eligible for disproportionately impacted small businesses; broadens/clarifies activities eligible for disproportionately impacted communities; allows county to rehire staff above pre-pandemic baseline and provide staff incentives for retention; allows use of FRF funds to households and medical providers due to the pandemic; and allows broad range of behavioral health care.
- Reduces administrative burden by presuming that certain populations, low or moderate income households/communities, households that experienced unemployment and/or food security, any student that lost access to in person

education, were in fact “impacted” by the pandemic. The rule outlines eligible uses for this population.

- Reduces administrative burden by presuming that certain populations--low-income households/communities; households residing in qualified census tracts; households that qualify for certain federal benefits like SSI, WIC, TANF, and SNAP--were in fact disproportionately impacted” by the pandemic. The rule outlines eligible uses for this population as well.
- Broadens eligible use of funds for water and sewer projects.

This workshop was one of the most valuable that we attended at the conference. As we approach the Budget season, during which the Council is expected to have final say on appropriation of over \$193 million in ARPA FRF, the oral and written summary of the final rule will be an invaluable resource that we can use over and over again. Moreover, the workshop displayed the significant role that NACo plays to the benefit of all Counties. Not only does NACo employ experts on complex and ever evolving programs that can serve as resources for NACo members, but NACo has a good working relationship with various Federal agencies, including the U.S. Treasury, which in the case of ARPA FRF, has already led to modifications and clarifications in applicable regulations. For example, Eryn pointed out that there are in fact inconsistencies with the Final Rule and Treasury’s reporting requirements and has been making recommendations and seeking clarity from Treasury, which will benefit all of the Counties across the country, including the City and County of Honolulu.

February 14, 2022, Implementing Local Infrastructure Investments through the Intergovernmental Partnership Workshop

The focus of the workshop was on the Infrastructure Investment and Jobs Act, which was signed into law on November 15th, 2021. We learned about how the Act can be significant for counties, including the City and County of Honolulu, as we own and maintain a significant amount of the roads and bridges, and other infrastructure in the City. Moreover, given that we manage the City’s drinking water supply and storm water infrastructure, there appears to be a lot of opportunity for the City to use federal funds to support this critical infrastructure.

Speakers included Jeremiah Baumann, the Executive Director for the Office of Policy, U.S. Department of Energy; Brian Ferebee, the Chief Executive of Intergovernmental Relations, U.S. Forest Service; Liz Hausmann the Chairman of NACo Transportation Policy Steering Committee; Amanda Martin the Telecommunications Policy Analyst of the U.S. Department of Commerce, and Charles Small the Deputy Assistant Secretary, Intergovernmental Affairs, U.S. Department of Transportation.

Key takeaways:

- The Bipartisan Infrastructure Bill includes over \$50 billion for EPA related programs to improve drinking water, wastewater, and storm water infrastructure, including in particular funding for lead service line replacement and to address forever chemical issues.
- Much of this funding will be distributed to States and not counties, however EPA is prioritizing working with counties and other partners to inform distribution and prioritization.
- Key components of the law include reduced matching requirements for the Drinking Water State Revolving Fund for the first two years. In order to make it easier for lead pipes to be replaced, matching requirements will be completely eliminated.
- While the City may not be provided this funding directly, it is incumbent upon City leaders to determine how to best coordinate with the State on our drinking water, storm water, and wastewater priorities to ensure the City and its constituents are able to benefit from this opportunity.
- The Bill also includes over \$48 billion for broadband through a plethora of programs, including a new competitive grant program for broadband. Counties and private agencies will be able to apply for awards and counties are also eligible to serve as an administering entity for a state seeking funding. One of the key components of the broadband funding is to ensure unserved and underserved will have access. Since the pandemic, the need for access to high speed internet for our most vulnerable populations in the City has become more evident than ever.

Tuesday, February 15, 2022

Tuesday, February 15, 2022, General Session

EPA Administrator, Michael Regan provided a compelling overview of the infrastructure bill and framed how it is crafted in a way to prioritize underserved communities and confront long-standing inequities.

One of the key components of the measure is to respond to the U.S.' water infrastructure crisis--aging infrastructure, lead pipes, and impacts from climate change. Not only is the transformation of crumbling water infrastructure a cornerstone of the Build Back Better Act, the infrastructure bill is apparently the single largest federal investment in water infrastructure ever. It appropriates \$50 billion to replace lead pipes, \$7.2 billion to the state revolving funds in 2022, half as grants/forgivable loans, reducing barriers for underserved communities; etc. By focusing on aging infrastructure, like lead pipes, the measure prioritizes underserved, low income, and communities with high population people of color.

Mitch Landrieu, Sr Advisor to the President of the U.S. Speaker (61st Mayor of New Orleans)

The general session included a panel with Hon. Polly Trottenberg, Deputy Secretary of the U.S. Department of Transportation, Hon. Dav Graves, Deputy Secretary of the U.S. Department of Commerce, and Hon. Janet McCabe EPA Deputy Administrator.

Main takeaways on benefits of implementation of infrastructure bill

- Increasing the number of good paying industry jobs
- Encouraging states to prioritize investments into locally owned bridges (versus state bridges) with the zero match requirements
- Electrifying/greenifying American transportation - both through conversion of public transportation buses to electric and investment into EV chargers to facilitate shift to electric vehicles. The investment into EV charging infrastructure has already and will continue to encourage private investment into more charging stations and manufacturing of EV
- Promoting equity and level playing field in unserved and underserved communities by providing high speed broadband access (which increases access to medical services, education, and information) and by reducing exposure to contaminants (E.g. replacement of lead pipelines and cleaning up of contaminated sites, which have high concentration in high population colored communities and lower income communities)

Based on the dialogue, it became clear that improved coordination across federal agencies and between state and local governments - can maximize benefits both through coordinating on projects (e.g. fixing roads while laying broadband lines while replacing lead pipes) and by identifying priorities (counties should be making recommendations to states and states should be getting input from counties generally and for required state plans for water infrastructure funding), and that coordination is a necessary component for successful implementation and opportunities for counties.

Tuesday, February 15, 2022/Wednesday, February 16, 2022/Friday February 18, 2022 Hawaii Congressional Delegation Meetings Summaries

The representatives from the Hawai'i State Association of Counties, Councilmember Radiant Cordero, and Jocelyn Doane met with Members of the Hawai'i Congressional Delegation, including Senator Brian Schatz, Senator Mazie Hirono and staffers from Congressman Kai Kahele.

Each county provided an update about priorities and requests for federal appropriations.

The City specifically addressed the desire to work closely with the delegation on how and whether the City can access the funds that will be made available through the Infrastructure bill, Red Hill, and other local needs. At Councilmember Kia'aina's request I raised the issue of parity for Honolulu residents that are citizens of the Federated States of Micronesia as it relates to certain federal benefits – SSI, TANF, and SNAP – and requested the delegation's support to achieve this parity.

City Council
City and County of Honolulu

CLAIM FOR TRAVEL REIMBURSEMENT

Date: 03/11/2022

Traveler: Jocelyn Macadangdang-Doane

Event: 2022 NACo Legislative Conference

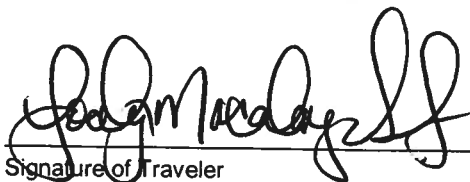
Location: Washington D.C.

Dates: From 2/11/2022

To 2/17/2022

Description	Amount	Notes:
1. Registration Fee		
2. Airfare		
3. Hotel	1844.94	Check # 011785839
4. Meals	279.70	Check # 011784952
5. Ground Transportation	231.93	Check # 011784952
6. Tips		
7. Other	220.00	Check # 011784952
Other		
Other		
8. Adjustment		
TOTAL REIMBURSEMENT	2576.57	Check # 011784952

This is to certify that the above data, based upon receipts submitted to Council Administrative Support Services via a CCLTRVL02 form, is accurate. Further, I am claiming reimbursement for expenses associated with a trip in which City business was conducted and personal funds were used to advance payment:


Signature of Traveler

3/11/22
Date