

Washington Watch



The 117th Congress and the Biden Administration

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A Brief Review

As reported in the last edition of Washington Watch, a record number of voters nationwide cast their ballots in the November 2020 general election. In North Carolina, over 75% of registered voters turned out, including an unprecedented number who voted absentee by mail or in-person and early. In an election that claims the most votes ever cast in history, each presidential candidate exceeded the previous record for the most popular votes earned in a presidential election, which was for Barack Obama in 2008 with nearly 69.5 million votes.

In some states, it took days, even weeks to declare the winner of the presidential race, and a full month passed before two congressional races (in Iowa and New York) were declared. The final count in House of Representatives is currently 220 Democrats – 211 Republicans. In Georgia, a double run-off in early January 2021 resulted in two Democrats beating Republican incumbents and flipping the U.S. Senate majority to the Democrats for a one-party control of Washington. (Senate has 48 Democrats – 50 Republicans, with 2 Independents caucusing with the Democrats and Vice President Kamala Harris the tie-breaking vote.)

This is important because the extremely close margins in both chambers may require some political maneuvering to get the necessary votes on some of the more controversial measures. Most legislation in

the Senate will require 60 votes for passage. We are already seeing the impact of a closely divided Congress on legislation and votes. It will also impact the 2022 elections with more moderate members being targeted by political opponents.

North Carolinians in Congress

Since the last publication, House and Senate Committee assignments have also been decided. This is important because committees are where Members of Congress can yield the most influence over legislation. On the Senate side, North Carolina's senior Senator Richard Burr is now the Ranking Member on the Health, Environment, Labor and Pensions Committee (HELP). This means he is the highest-ranking Republican, serving on the HELP Committee. Given the ongoing COVID-19 pandemic, priorities of this Administration and Democratic leaders on the Hill, this Committee will have a lot of activity during the 117th Congress.

For the three new House Members from North Carolina, U.S. Representative Deborah Ross (D-District 2) is a member of the House Committee on Judiciary, the House Committee on Rules and the House Committee on

Science, Space and Technology. U.S. Representative Kathy Manning (D-District 6) is a member of the House Committee on Education and Labor and the House Committee on Foreign Affairs. U.S. Representative Madison Cawthorn (R-District 11) is a member of the House Committee on Education and Labor and the House Committee on Veterans' Affairs.

The President, His Cabinet and His Top Priorities

Joe Biden was sworn in as the 46th President of the United States on January 20, 2021. At 78, he is the oldest President in history. Vice President Kamala Harris is the first woman Vice President, the first African-American Vice President and the first Vice President of South Asian descent. While many of the Administration's priorities will continue to develop, some of the top issues already rising to the top are climate action, racial and social equity and COVID-19 recovery.

These issues are evident in choices for Cabinet positions, too. Although the U.S. Senate is still confirming Cabinet choices, Michael Regan, a native of Goldsboro, NC was confirmed March 10, 2021 to lead the U.S. Environmental Protection Agency (EPA). Mr. Regan previously served as the Secretary of the North Carolina Department of Environmental Quality. During his tenure, he launched the state's Environmental Justice and Equity Board to advance environmental justice and promote community engagement, particularly across historically underserved and marginalized communities. He is also known for his efforts to combat climate change, having worked to develop the state's Clean Energy Plan and oversees the North Carolina Climate Change Interagency Council.

In addition, Secretary Regan secured an

agreement with Duke Energy for the largest coal ash contamination cleanup in United States history and worked with North Carolina's [Attorney General to hold Dupont and Chemours accountable](#) for contaminating natural resources in North Carolina with toxic per- and polyfluoroalkyl substances known as PFAS. The PFAS contamination issue is being closely monitored by the NCACC and counties adopted a related federal goal for 2021-2022. Specifically, the goal states: "Support strong regulations and enforcement along with funding assistance or reimbursement to state and local governments when a federal agency, such as the EPA, regulates emerging contaminants and other discharges into drinking water sources.

Visit www.ncacc.org/federalissues for the full list of NCACC's federal priorities.

President Biden also campaigned on his ability to respond to COVID-19 and outlined the plans for the \$1.9 trillion American Rescue Plan on January 14 even before inauguration. Congress passed the American Rescue Plan under a process called budget reconciliation, which allowed Senate passage with a simple majority and thus without needing Republican votes. The American Rescue Plan was signed into law on March 11, 2021. Next on the list of priorities is an infrastructure bill to help stimulate the economy. The legislation is expected to include funding for transportation, water, broadband, energy efficiency, and housing.

American Rescue Plan

At over 620 pages, the American Rescue Plan includes funding for programs spanning many agencies throughout the federal government. As part of the overall package, the Coronavirus State and Local Fiscal Recovery Fund provides \$350 billion in direct federal funding to states, counties, cities, tribes

and territories. It also provides separately \$10 billion for coronavirus capital projects with a focus on broadband, but allows for water and sewer, too, and \$1.5 billion over two years for public lands.

Under the \$350 billion for state and local government, there is \$130.2 billion split equally between counties and cities. Thus, \$65.1 billion in federal aid will go directly from Treasury to all counties nationwide through a population based-formula and will not go through the states. Cities will get their own \$65.1 billion to distribute under a different modified Community Development Block Grant (CDBG) formula, so unlike the CARES Act funding last year, there is no need for counties to suballocate funds to the City level.

The Treasury will issue guidance, but has 60 days after enactment to distribute 50 percent of the funding and the remaining 50 percent no earlier than 12 months from the first payment. Language requiring certification was dropped from the legislative package, but it is expected that Treasury will have some form of minor certification verifying confirmation that recipients are willing to receive the funds under the intended purposes. Recipients will have until December 31, 2024 to spend the funding, and failure to spend funds correctly can require repayment of the funding.


Allowable uses include:

1. Respond to the public health emergency caused by COVID-19 or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
2. Respond to workers performing essential work during the COVID-19 public health emergency by providing

premium pay to eligible workers of the county who are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

3. For the provision of government services to the extent of the reduction in revenue (i.e. online, property or income tax) due to the public health emergency relative to revenues collected in the most recent full fiscal year of the county prior to the emergency (i.e. January 20, 2020); or
4. Make necessary investments in water, sewer or broadband infrastructure.

On March 8, the National Association of Counties (NACo) launched a new [COVID-19 Clearinghouse](#) that includes an excellent analysis of the Coronavirus State and Local Fiscal Recovery Fund, including a chart on best estimates for county-by-county allocations. There is also a place to post questions for NACo staff to research and the organization wants stories shared on the site explaining how counties are using these funds to make their communities better. This information will be used to update Members of Congress, the press and the Administration on ways the funding is working to help counties recover. To read NACo's analysis on the American Rescue Plan, visit www.ncacc.org/ARPanalysis.

Additionally, counties may register to receive regular updates, briefing invitations, statements and other information from the White House Office of Intergovernmental Affairs by submitting the following mailing list form: <https://wh.gov/iga-signup>. 

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