

**BOARD OF SUPERVISORS
BUSINESS MEETING
ACTION ITEM**

SUBJECT: Draft 2021 Federal Program

ELECTION DISTRICTS: Countywide

CRITICAL ACTION DATE: At the pleasure of the Board

STAFF CONTACTS: Gwen Kennedy, County Administration
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PURPOSE: To update the federal program and provide the Board of Supervisors (Board) an update on federal grant opportunities and the federal budget.

RECOMMENDATION: Staff recommends the Board adopt the 2021 Federal Legislative Program as found in Attachment 1 of the March 2, 2021 Board Business Meeting Action Item.

BACKGROUND: The federal program outlines specific issues and funding priorities that guide the County's work with Congress and federal agencies. The Board adopted its first federal program on February 18, 2015¹, and subsequent programs on June 23, 2016², March 7, 2017³, May 1, 2018⁴, and December 5, 2018⁵. Staff anticipated bringing the draft 2020 Legislative Program in the spring after the beginning of the new 2020-2024 Board term. However, due to the COVID-19 pandemic that step did not occur. During the 2020 calendar year, there was little movement legislatively in Congress on items that directly affected the County other than the annual appropriations bills and multiple COVID-19 relief bills.

This item brings forward the 2021 Draft Federal Program (Attachment 1) for consideration by the Board and updates the Board on federal grant opportunities and the federal budget. The Draft 2021 Federal Program was developed in conjunction with the County's current federal lobbyist, Greenberg Traurig. Items included in the program reflect interviews with members of the Board of Supervisors and priorities of County Departments in relation to federal issues. Staff anticipates bringing additional changes to the Board of Supervisors on the Draft 2022 Legislative Program in December of 2021 in preparation for the second year of the 117th Congress. The legislative team

¹ [Item 03- State and Federal Legislative Report: February 18, 2015 Board Business Meeting](#)

² [Item 03- Draft 2016 Federal Program: June 23, 2016 Board Business Meeting](#)

³ [Item 03- Draft 2017 Federal Program: March 7, 2017 Board Business Meeting](#)

⁴ [Item 03- Draft 2018 Federal Program: May 1, 2018 Board Business Meeting](#)

⁵ [Item 03- Draft 2019 Federal Legislative Program and 2019 State Legislative Program Additions](#)

will also update the Board at least biannually on the federal program and will bring forward items for Board consideration that are monitored as part of the program throughout the year.

Section 1 includes the Draft 2021 Federal Program and highlights changes from the Board's previously adopted federal program. (Action Requested)

Section 2 provides an overview of federal grants received in 2020. (Information Only).

Section 3 provides an update on the Federal Budget. (Information Only).

SECTION 1: DRAFT 2021 FEDERAL PROGRAM (Action Requested)

The Draft 2021 Federal Program (Attachment 1) highlights legislative and policy issues and funding opportunities in the areas of economic development; transportation and housing; homeland security and public safety; environment, energy and parks; and health and human services. These different sections are organized in the program to highlight areas of federal appropriations. For example, transportation and housing is together since federal money is appropriated through the Transportation-HUD Appropriations Act. Unlike previous years, the Draft 2021 Federal Program includes an overarching statement related to the program and lists a set of County priorities. The purpose of the priorities is to highlight significant issues for the County's federal delegation and focus efforts of the legislative team.

The draft program provided in Attachment 1 shows all additions and deletions through track changes. Descriptions for significant additions or deletions to the program are provided below; the item does not provide descriptions for minor changes. The final program will be reformatted once the Board adopts the program.

Opening Program Statement

The opening program statement highlights that the Board in general supports legislation, policies and regulatory actions that recognize the important role of local government and equips the County with the resources and flexibility needed to serve our community. The opening statement further states that the County opposes legislation, policies and regulatory action that diminish local decision making, preempts local authority, or imposes unfunded mandates. This provides a lens by which to review items moving through federal processes and is similar in nature to statements made in the Board's state legislative program.

Loudoun County Priorities

This section highlights five specific priority areas for communications with the federal delegation.

COVID-19 Long Term and Emergency Funding: In 2020, five COVID-19 aid packages were passed by Congress and signed into law. Another COVID-19 relief package is currently before the House for consideration. The following is an overview of those packages that passed Congress and highlights specific items of the current COVID-19 package under discussion. Funding indicated as part of a package is that provided nation wide unless specifically stated for the County.

Package 1: The Coronavirus Preparedness and Response Supplemental Appropriations Act ([H.R. 6074](#)) became law on March 6, 2020. The legislation included \$8.3 billion in emergency funding for federal agencies to initially respond to the outbreak. This included funding for development of vaccines and preventing further spread of the virus.

Package 2: The Families First Coronavirus Response Act ([H.R. 6201](#)) was signed into law on March 18, 2020. This legislation provided paid leave and paid sick leave provisions for workers until December 31, 2020. This bill also included provisions that provided states funding for emergency grants and interest-free loans to support processing and paying unemployment insurance and provisions that expanded coverage of certain COVID-19 related expenses, among other provisions.

Package 3: The Coronavirus Aid, Relief, and Economic Security Act ([H.R. 748](#)) or CARES Act was signed into law on March 27, 2020. This was a nearly \$2 trillion package and was the single largest relief bill in U.S. history. The CARES Act provided direct assistance to Americans, aid to small business and employees, loans to larger businesses, and additional support for health care professionals, patients and hospitals. The Commonwealth of Virginia received a \$3.1 billion allocation for Coronavirus Relief Funds (CRF) from the CARES Act, with Loudoun receiving approximately \$72 million in CRF. This funding was in addition to CARES Act funding passed through from the federal government to the County to address specific program areas.

Package 4: On April 23, Congress cleared the Paycheck Protection Program and Health Care Enhancement Act ([H.R. 266](#)), which many refer to as “Phase 3.5” in recovery efforts. This package provided appropriations to patch many of the programs included in previous legislation where funds were already depleted. For example, the bill provided an additional \$321 billion in funding for the Paycheck Protection Program (PPP). Federal funding for the PPP is expected to run out again by mid-May.

Package 5: On December 28, the FY 2021 Omnibus and COVID Relief and Response Act was signed into law. The \$900 billion economic recovery and health care package was combined with a giant \$1.4 trillion omnibus spending bill for fiscal 2021. Highlights from the COVID Relief and Response Act include:

- **Funding for Businesses:** One-third of the aid bill provided \$325 billion in small-business relief, including \$284 billion for another round of PPP forgivable loans. The bill also allowed businesses to deduct expenses on their taxes for costs that were paid for by the federal government through the PPP. Other funding included \$20 billion for small-business disaster loans in low-income communities, and \$15 billion in grants to live entertainment venues, independent movie theaters, museums and other “cultural institutions.” Another \$12 billion was set aside in Package 5 for financial institutions that lend mainly in lower-income and minority communities.

- Direct Payments to Citizens: The bill provided stimulus checks, \$600 for individuals making up to \$75,000 per year, \$1,200 for couples making up to \$150,000 per year and an extra \$600 for each dependent child under 17 years old.
- CARES Act Extension: The bill did not include direct aid to state/local governments, but the bill did extend the date by which state and local governments may expend CARES awards, including CRF, from December 30, 2020 to December 31, 2021.
- Transit and Airport Funding: Provided \$15 billion in transit aid and \$2 billion for airports. Money provided to airports included \$1.75 billion for commercial service airports and \$200 million to commercial airports to provide relief from rent and minimum annual guarantees to on-airport car rental and parking, and in-terminal airport concessions.
- Education Funding: Provided \$82 billion for an Education Stabilization Fund to remain available through September 30, 2022, and \$54.3 billion for the Elementary and Secondary School Emergency Relief (ESSER) Fund that can be used to address learning loss, improve school facilities and infrastructure to reduce the risk of transmitting the coronavirus, and purchase education technology. Loudoun County Public Schools received an additional \$4.8 million through ESSER funding.
- Broadband Funding: Included \$300 million for rural broadband, \$65 million to improve broadband mapping, and \$3.3 billion that will provide \$50 per month broadband for low-income families.
- Housing: Extended eviction moratorium until January 31, 2021 and provided additional rental assistance to states. Virginia just announced \$524 million in new funding for the Virginia Rent Relief Program.

Package 6: The House is currently working on a budget reconciliation package known as the American Rescue Plan. The budget reconciliation process requires a simple majority in the Senate to pass. This bill is currently before the House Budget Committee and must still be passed by the full House and then move over to the Senate for discussion and approval. As indicated in the priority statement, the County will support flexible long-term funding and emergency supplemental funding that supports local governments on the frontline of the COVID-19 pandemic, especially to address education needs, COVID-19 testing, vaccination distribution, housing and utility needs, public transportation (including operating and capital subsidies for public transit services), and support for small businesses and others (such as airports) needed to recover from the COVID-19 pandemic. The legislative team will continue to monitor the progress of the package, including specific resources that may be provided to the County. Items to highlight in the plan that meet the current priority statement include:

- State and Local Aid: Includes \$350 billion in state and local aid. Funds received can be used to respond to the COVID-19 emergency and address its economic effects, cover costs incurred due to the emergency, or replace revenue that was lost, delayed or reduced relative to revenue projections as of January 27, 2020. Based on the markup by the Oversight and Reform Committee, Loudoun could receive \$81 million in funding. The National Association of Counties (NACo) is pushing for amendments that require states to not decrease funding to localities based on federal funding received.

- Increase to Minimum Wage: Increases the minimum wage from \$7.25 to \$15 by 2025. Minimum wage would increase to at least \$9.50 in 2021. This is consistent with law passed in Virginia during the 2020 General Assembly Session ([HB 395/SB 7](#)) which states that wages of May 1, 2021 until January 1, 2022 must be “at a rate not less than the greater of (i) \$9.50 per hour or (ii) the federal minimum wage. This does not have direct impact on the County as wage rates for County employees are greater than \$9.50 per hour.
- Unemployment Extensions: The plan would increase from \$300 per week to \$400 per week in extra Federal Pandemic Unemployment Compensation from March 14- August 29, 2021.
- Health Care Funding: The plan provides \$46 billion for testing and tracing activities, \$7.66 billion to expand the public health workforce (includes grants to states, local and territorial health departments), \$7.6 billion for community health centers, \$5.2 billion to support manufacturing and purchasing vaccines, \$3.5 billion for Substance Abuse and Mental Health Services Administration block grants, and \$1.8 billion for testing and mitigation activities in congregate settings which includes long-term care facilities, prisons, and residential treatment facilities.
- TANF Funding: Provides \$1 billion for a Pandemic Emergency Assistance Fund under the Temporary Assistance for Needy Families (TANF) program.
- Funding for Businesses: The plan increases funding and expands eligibility for the Payment Protection Program (PPP), and allows forgiveness for additional expenses. The plan provides \$25 billion for Restaurant Revitalization Fund to be administered by the Small Business Administration to restaurants, bars, food trucks and caterers. Grant amounts would cover the difference between an entity’s revenue in 2020 compared to 2019, with awards reduced by amounts received through the PPP.
- Rental and Homeowner Assistance: The plan provides \$19.1 billion for rental assistance payments. Funds would be allocated to states and localities with at least 200,000 people. The plan provides \$9.96 billion to states to help prevent homeowner mortgage default, foreclosures, and displacements. The plan also provides \$5 billion for emergency Section 8 Housing Choice Vouchers.
- Nutrition Benefits: Provides \$1.15 billion to states for administration of the Supplemental Nutrition Assistance Program (SNAP) and would extend the 15% increase to monthly benefits through September 30, 2021. The plan also provides \$490 million for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) benefits.
- Transit and Airport Assistance: The plan provides \$30 billion in grants to transit agencies to include expenses such as payroll costs and purchasing personal protective equipment. The plan also provides \$8 billion in fiscal 2021 for airports, including airport concessions. Airports would be required to retain at least 90% of personnel employed. The plan provides \$15 billion for the airline industry to extend the Payroll Support Program, which would require participating airlines to not lay off workers until September 30.
- Education Funding: Provides \$128.6 billion for grants to states to support local education agencies in addressing learning loss. States could not reduce their spending levels on education as a proportion of the budgets during fiscal year 2022 or 2023.

- Broadband Funding: The plan creates an “Emergency Connectivity Fund” in the U.S. Treasury and appropriates \$7.6 billion to cover the purchase of broadband service and devices by schools and libraries for use by students, staff and patrons.

Infrastructure Needs: The draft 2021 Federal Program adds a priority statement to support an infrastructure package, which provides increased investments, including increased federal funding and matches for projects, that promote economic development, public safety and mobility. The priority statement highlights two specific areas of need: broadband/cellular infrastructure and transportation infrastructure.

- Broadband and Cellular Infrastructure: This statement incorporates previous policy and funding statements under economic development into the priority statement. The legislative team will monitor regulations and funding opportunities provided as a result of the FY 2021 Omnibus Appropriations and COVID-19 Bill (Attachment 2) and will work with the Grants Coordinator in the Department of Finance and Budget to continue to look for additional grant opportunities provided through the U.S. Department of Agriculture, the Federal Communications Commission (FCC), and the National Telecommunications and Information Administration (NTIA). The legislative team will also continue to advocate for broadband funding as part of the FY 2022 appropriations.

Over the years, the County has had issues applying for federal grants due to the FCC maps which often are used to determine who is unserved, and thus qualifies for grants. FCC maps have historically shown all of Loudoun County to be served by broadband; if one household was served by broadband in a census block, the entire census block was considered served. In March 2020, the Broadband Data Act ([S. 1822](#)) was signed into law. This legislation requires the FCC to collect granular service availability data from wired, fixed wireless, and satellite broadband providers. The FCC is required to use the newly-created maps when making new awards for broadband funding. The FY 2021 Omnibus Appropriations and COVID-19 bill provided necessary funding to implement this legislation. Improving maps will be critical to future funding opportunities.

In addition to funding opportunities, the legislative team will also be monitoring regulatory actions through the FCC. The FCC approved a new rule on 5G wireless network deployment in 2018 that significantly restricted local authority and also adopted an order which subject cable-related, in-kind contributions to the statutory five percent franchise fee cap established under the Communications Act. The legislative team will monitor changes in these current rules, which were strongly opposed by local governments.

- Transportation Infrastructure: This priority statement states that the County supports a major transportation stimulus program to create jobs and solve transportation congestion problems. This will require Congress to reauthorize the Fixing America’s Surface Transportation Act (FAST) at increased levels. The FAST Act of 2015 was provided \$61.1 billion over five fiscal years for programs administered by the Federal Transit Administration (FTA) and was authorized for one additional year in the FY 2021 Omnibus

Appropriations Act. The next surface transportation bill should also support major transit state of good repair investments, transit innovations and technologies, as well as expansion projects (Rosslyn Tunnel Improvement, Long Bridge and roadway upgrades to support Bus Rapid Transit routes). In addition to reauthorization, the County supports additional federal funds to the state for highway construction and improvements, especially to address high dollar road construction projects. The reauthorization bill should be funded by dedicated, sustainable revenues. The County supports Congressional efforts to address the long-term sustainability of the Highway Trust Fund, including the Mass Transit Account. The Highway Trust Fund finances most federal government spending in relation to highways and mass transit. This funding source is mostly reliant on federal taxes on gasoline and diesel fuel which does not provide enough revenue, requiring significant transfers from the general fund. The legislative team expects transportation revenue to be a major part of the transportation infrastructure discussion.

GSA Per Diem Designation: Loudoun County was removed from the Washington, DC per diem non-standard rate area (DC NSA) in 2007 and was placed in its own Loudoun County NSA. The reason provided was that Loudoun County is not within, nor does it touch, the Capital Beltway. The County has made numerous attempts to get reinstated into the DC NSA. Efforts over the years to work with the General Services Administration to address this issue have had limited results. The legislative team, in concert with Visit Loudoun, will work with members of the Federal Delegation to address the issue legislatively.

Federal Dedicated Funding for WMATA: In 2008, Congress authorized a total of \$1.5 billion over ten years to the Washington Metropolitan Area Transit Authority (WMATA) under the Passenger Rail Investment and Improvement Act (PRIAA). The purpose of this statement is to support reauthorization of dedicated federal funding for WMATA, and to advocate for additional federal funding for both capital and operations. The Metro Accountability and Investment Act has been introduced in the House. This legislation provides \$150 million in the first year (FY22) and increases funding by \$5 million per year up to \$200 million per year by FY 31. Similar to PRIAA, Maryland, D.C. and Virginia provide a 50% match. A Senate bill is expected to be filed soon.

Economic Development Legislative/Policy and Funding Section

Broadband and Cellular Access and GSA Per Diem Designation: These items have been deleted from this section of the program and have been incorporated into the Loudoun County priorities section.

Hemp: The Farm Bill that passed in 2018 removed industrial hemp from the list of controlled substances; therefore, this provision was removed from the program. The language added to the program supports efforts that address market and regulatory barriers to hemp production and processing, while balancing public safety concerns. The Fire Marshall has noted that Virginia does not currently have building and fire codes that cover the specific processes for plant oil extraction, such as CBD oils that come from hemp plants. Although the 2018 International Fire Code has a new chapter specific to plant oil and extraction facilities, it is still in the process of being reviewed.

Legislation brought forward on this issue will be reviewed by the appropriate staff to ensure consideration of both economic development and public safety needs.

International Opportunities: This statement includes new language to support efforts that help attract foreign investment to the County, and updates the statement related to NAFTA which has been replaced by the United States-Mexico-Canada agreement. A policy statement monitoring congressional efforts on comprehensive immigration reform is also included. Democrats have announced that an immigration bill will be filed over the next couple of weeks in both the House and Senate. The legislative team will be reviewing the impacts of the legislation to include any employment impacts, especially those related to visas, and impacts to schools or social service programs. The program has a statement to support efforts that protect worker visas (H1-B, H2-A, H-2B and J-1) that are necessary to maintain and operate Loudoun County businesses. The H-1B visa program allows U.S. employers to temporarily employ foreign workers in specialty occupations and is important for maintaining a competitive workforce in technology-related businesses. The H-2A and H-2B visa programs allow U.S. employers to bring foreign nationals to the United States to fill temporary agricultural and nonagricultural jobs, respectively. A John-1 (J1) visa is a non-immigrant visa issued by the United States to research scholars, professors and exchange visitors participating in programs that promote cultural exchange, especially to obtain medical or business training within the U.S.

Opportunity Zones: The *Tax Cuts and Jobs Act* passed in 2017 included provisions for Opportunity Zones. The goal of the program is to create businesses and jobs in low-income areas that can assist in lifting residents out of poverty. According to the IRS, “an Opportunity Zone is an economically-distressed community where new investments, under certain conditions, may be eligible for preferential tax treatment. Localities qualify as Opportunity Zones if they have been nominated for that designation by the state and that nomination has been certified by the Secretary of the U.S. Treasury via his delegation of authority to the Internal Revenue Service.” Two census tracts ([51107611501](#) and [51107611700](#)) in Sterling have been identified and certified as opportunity zones. The changes to the statement clarify that the County supports revisions to the program that promote participation by more companies and investors by clarifying rules and simplifying the process.

Workforce Development: This statement was expanded to note that the County supports efforts that address the disconnect between job training and needs of companies. The goal is to ensure that policy and funding for workforce development is flexible enough to train individuals for the jobs that exist within a community, which will be different across not only states but regions of states. The statement also notes that the County supports the reauthorization of the Workforce Innovation and Opportunity Act (WIOA). WIOA was signed into law on July 22, 2014 and was authorized for six years. WIOA was designed to help individuals access employment, education, training and support services to help them succeed in the labor market while matching employers with skilled workers. WIOA is a partnership between federal, state and local governments, with localities playing a direct role through Workforce Development Boards. A reauthorization bill entitled “Relaunching America’s Workforce Act” has been introduced in both the House and

Senate ([H.R. 602](#) and [S. 200](#)). These bills have been referred to Committee but have yet to be marked up.

Broadband Funding Statement: The broadband funding statement has been expanded to support and seek changes in grant eligibility requirements for grants that would benefit Loudoun. The legislative team expects that broadband expansion will be a major topic of the infrastructure bill that will be tackled by the Biden Administration and Congress this year. Given this will likely include funding opportunities to expand broadband, the legislative team will work with the Federal Delegation to ensure that the County qualifies for federal funding to expand broadband.

Cybersecurity Funding Statement: The funding statement was expanded to note that the County will monitor grant opportunities for cybersecurity services and technologies to enhance system and data protection and operation resiliency against current and emerging threats such as ransomware and nation-state attacks. This is especially important for not only County operations, but economic sectors such as data centers.

Transportation and Housing Legislative/Policy and Funding Section

PRIAA and FAST Act Reauthorization/WMATA Funding Statement: These items have been deleted from this section of the program and have been incorporated into the Loudoun County priorities section.

Housing Legislative/Policy Statement: The Board strategic initiative for equitable communities includes addressing affordable housing. The draft 2021 Federal Program adds a policy statement on housing to support Congressional efforts to address the Nation's Housing crisis, including increasing the funding for existing programs and establishing new programs that address providing housing types across all income levels, both rental and home ownership. The statement also notes that the County supports action that would increase neighborhood reinvestment programs in Opportunity Zones, address affordable housing near transit, and allows those who work in the County to live in the County. MWCOG also supports efforts to increase the supply of housing and promote housing affordability, and NACo notes the importance of housing affordability in relation to employment opportunities. Policies that address and promote housing opportunities also should balance the authority of the locality to maintain local land use authority and autonomy in decision making. The legislative team will work to promote additional tools and funding at the federal level and will support outcomes of the Unmet Housing Needs Strategic Plan.

Next Generation Systems: This policy statement was added to monitor legislation and efforts that prepare transportation infrastructure to support new technologies, including electric vehicles and autonomous vehicles. This statement is consistent with Metropolitan Washington Council of Government's (MWCOG) legislative priority to support funding for next generation transportation systems. As noted in the MWCOG 2021 Legislative Priorities, "the need for a more efficient and safer means of transportation is imperative to help achieve the nation's safety, energy-efficiency, and environmental goals. Electric vehicles and semi and fully autonomous vehicles are critical elements of delivering safe, efficient, and environmentally sustainable mobility. The private sector

has made significant investments to advance the use of vehicles using alternative modes of energy, and technology assisted vehicle operations. Public sector investments are needed to prepare transportation infrastructure to be able to utilize and support the new technology to build the next generation of transportation systems where travel is more efficient and safe.”

Road Construction Regulations: This statement was added in the 2019 Legislative Program to support efforts that help reduce regulatory impediments to road construction projects. An addition is added to note that the County supports changes in regulation that decrease timelines for completion. This statement would include promoting changes that decrease timelines for permits and other processes in an effort to construct projects in the most fiscally prudent and efficient manner, including those projects subject to the National Environmental Policy Act (NEPA). The legislative team expects that recent changes to the NEPA rule that streamlined the process will likely be reviewed.

Housing Priority Programs and Grants Funding Statement: The draft 2021 Federal Program adds a new funding statement related to housing priorities, programs and grants that incorporates priority programs identified in the previous federal program. Specifically, the County requests that Congress maintain funding for current housing programs in the federal budget, and that the County maintain or expand the Low-Income Housing Tax Credit program in the tax code and other programs by the Department of Housing and Urban Development (HUD) such as the HOME Investment Partnerships Program, the Housing Choice Voucher Program, and the Community Development Block Grant Program. In previous years, the Federal Delegation was focused on maintaining funds for housing programs through HUD as the President’s budget usually included decreases for these programs. There may be opportunity in the 2022 federal budget to increase funding for these programs.

Transportation and Transit Grants Funding Statement: The funding statement adds three additional grants opportunities that staff will monitor and advocate support for in the federal budget. All of the grant opportunities listed below are administered through the Virginia Department of Transportation (VDOT).

- The Surface Transportation Block Grants provide flexible funding that may be used by States and localities for projects to preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals. This VDOT administered grant includes activities that were previously eligible under the Transportation Alternatives Program. This grant focuses specifically on non-motorized transportation opportunities and enhancements to the transportation experience.
- The Safe Routes to School Program promotes walking and bicycling to school through infrastructure improvements, enforcement, tools, safety education and incentives to encourage walking and bicycling to school. LCPS is usually the applicant for this grant.
- The Highway Safety and Improvement Program (HISP) is a core federal-aid program with the purpose to achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-State-owned roads.

Bicycle/Pedestrian Projects Funding Statement: Language has been added to include advocating for program funding and grant opportunities to include projects that increase trail access for multi-modal use. This statement is consistent with the Board's Strategic Work Plan which seeks to connect Loudoun through a trail network.

Potomac River Crossing Funding Statement: The 2021 Draft Federal Program adds language to monitor opportunities that would provide feasibility studies and funding for regional connectivity in the greater Washington DC area, including but not limited to, a future bridge crossing and reliable ferry operation.

Homeland Security and Public Safety Legislative/Policy and Funding Section

Domestic Terrorism Legislative/Policy Statement: This policy statement has been added to monitor legislative actions and policies related to domestic terrorism. Domestic terrorism has become increasingly more visible around the country. Recent guidance from the Secretary of Homeland Security has directed the Federal Emergency Management Agency to assist state and local authorities with combating domestic extremism to include increased funding. Legislation, called the Domestic Terrorism Prevention Act of 2021, has been introduced in the House of Representatives which works to "strengthen the federal government's efforts to prevent, report on, respond to, and investigate acts of domestic terrorism by authorizing offices dedicated to combating this threat; requiring these offices to regularly assess this threat; and providing training and resources to assist state, local, and tribal law enforcement in addressing it." The legislative team will monitor agency activity and legislation and report back to the Board.

Criminal Justice Reform Legislative/Policy Statement: The goal of this policy statement is to monitor and report on criminal justice reform legislation including, but not limited to, legislative and policy efforts that implement the Second Chance Act (SCA) and address recidivism. In April 2008, Congress passed the SCA, which was the first-of-its-kind legislation that received bipartisan support. It authorized federal investment in strategies to reduce recidivism and increase public safety while reducing corrections costs for state and local governments. The bill was reauthorized again in December of 2018 as part of the First Step Act.

Cybersecurity Legislative/Policy Statement: This policy statement has been included to support programs and initiatives that advance and improve cybersecurity preparedness and response to current and emerging threats by developing resiliency against attacks, including addressing and funding election security. In relation to election security, the County notes that Congress and the Administration should work to combat cybersecurity threats in a way that is inclusive of county election and technology officials to ensure practical solutions.

Firefighter Health and Safety Legislative/Policy Statement: The statement to support efforts to acquire fire cancer registry data was removed from the program. The Firefighter Cancer Registry Act was signed into law on July 7, 2018. This legislation requires the Centers for Disease Control and Prevention (CDC) to develop and maintain a voluntary registry of firefighters to collect history

and occupational information that can be used to determine the incidence of cancer among firefighters. The statement to support reauthorization of the James Zadroga 9/11 Health and Compensation Act and remove the sunset provision was also removed. This is no longer needed as medical benefits were extended to affected individuals until 2090.

Fire Prevention and Safety Legislative/Policy Statement: The policy statement was updated to add support for two different federal tax incentives related to fire prevention and safety. First, the statement adds language to support tax credits for sprinklers in townhomes and single-family homes. Sprinklers help contain and prevent fires from becoming more significant emergencies, and help reduce the physical, emotional and financial damages that fires bring to a community. The second statement supports tax credits for businesses that provide building upgrades to incorporate safety features and minimum life safety standards in portions of agritourism buildings used for assembly. This statement supports efforts at the state level that work to recognize the importance of the rural businesses to the economy and of the County, and the important role of public safety in ensuring protection of public safety in ensuring the protection of patrons. The County supports legislation at the state level that provides for safety features in Virginia Code that promote minimum life safety standards in portions of agritourism buildings or structures used for assembly of 50 or more persons. Minimum safety features supported by the County, and that would assist in getting patrons out of buildings or structures quickly include local non-monitored fire alarm systems, two remote exits each equipped with exit lights and panic hardware on hinged exit doors that swing out, emergency lighting and portable fire extinguishers. These are the types of items that could be covered by a federal tax incentive.

Fire and Rescue Lab Funding Statement: The purpose of this statement is support funding for Alcohol, Tobacco and Firearms (ATF) labs that would help meet demand of fire investigation efforts, and support funding that would assist state and local crime labs to meet demand. Fires that have an impact related to commerce can be sent to the ATF labs for review which often have quick turnaround times. This statement support funding that would allow more use of those labs. In addition, state and local labs operated by the Virginia Department of Forensic Sciences often have backlogs. Supporting additional use of ATF labs would help alleviate some of the pressure on the state and local labs, while trying to support additional federal funding for state and local laboratories to meet current demands.

Clerk of the Circuit Court Funding Statement: The draft program includes monitoring funding opportunities for historic records preservation and archives. Records kept by the Clerk of the Circuit date back to at least 1757 when Loudoun was established. Staff will work to identify available grants to help preserve these records, especially grants or funding opportunities focused on preserving records reflecting Loudoun's Black history collection.

Flood Mitigation Funding Statement: The policy was added to monitor grant opportunities that address recurring flooding of property including funding that supports Board direction related to flooding at the Selma Estates Subdivision.

Environment, Energy, and Parks Legislative/Policy and Funding Section

Farm Bill: Congress passed the Farm Bill in December 2019. Therefore, this item has been removed from the federal program.

Climate & Energy Legislative and Policy Statement: The policy has been added to monitor legislative and regulatory efforts that address climate change and energy and how it corresponds with local and regional programs and goals. The legislative team expects that climate and energy legislation and policy will be a major topic of discussion for the 117th Congress and the Biden Administration, and will likely be discussed in relation to the Infrastructure package and regulations. The legislative team will monitor efforts and report back to the Board, requesting further direction as needed.

Waters of the U.S. Legislative and Policy Statement: The Clean Water Act (CWA) requires the U.S. Environmental Protection Agency (EPA) and the Army Corp of Engineers to protect “navigable waters.” The CWA uses the term “Waters of the United States” (WOTUS) to describe the nation’s navigable waters and the core tributary systems that provide perennial and intermittent flow into them. The definition of WOTUS was enacted in 1979 and changed in 1986, 2015 and 2020. The Navigable Waters Protection Rule (NWPR) which defines WOTUS was implemented in June 2020. President Biden signed an executive order to review the Navigable Waters Protection Rule on his first date in Office. The legislative team will work in conjunction with NACo to ensure that the review of the Navigable Waters Protection Rule exempts local streets, gutters and human-made ditches and encourages consultation and collaboration with state and local governments.

Chesapeake Bay Watershed Funding Statement: Although this item has not been updated in the program, there was interest from members of the Board to ensure that funding for stormwater infrastructure and stream impairments were included in the program. Staff continue to monitor for grant opportunities that help to decrease phosphorus, nitrogen and sediment through stormwater and agricultural best management practices (BMPs). This could include addressing aging infrastructure as well as other types of BMPs that would improve water quality.

Health & Human Services Legislative/Policy and Funding Sections

Autism Support Statement: The Autism Collaboration, Accountability, Research and Support Act (the Autism Cares Act) was signed into law on September 30, 2019. Therefore, this item has been removed from the program.

Elder Justice Statement: This statement was added to monitor and support legislation that addresses perpetrator prosecution and reform, financial exploitation, and fraud against older adults as well as services for victims. The Elder Justice Act was signed into law in 2010 and contained certain public health and social services approaches to the prevention, detection, and treatment of elder abuse, primarily under the Department of Health and Human Services (HHS) authorities and administration. The County aims to monitor legislation that will expand on these protections, including reauthorizing the Elder Justice Act.

Public Charge Statement: The U.S. Department of Homeland Security finalized the Inadmissibility on Public Charge Grounds final rule that would reshape how the federal government defines “public charge” – a term used by federal immigration authorities to determine whether an individual seeking immigration status is likely to become primarily dependent on the federal government for subsistence. The final rule aimed to widen the scope of programs and factors that federal immigration authorities may consider when determining if an individual qualifies as a “public charge.” The public charge rule has undergone a variety of legal challenges. Most recently, in November 2020, a federal judge struck down the public charge rule. However, an appeals court judge stayed the lower court’s decision pending an appeal. . The County aims to monitor changes to the definition of public charge which we expect will be reviewed under the Biden Administration.

SNAP & WIC Benefits: This policy statement has been added to monitor and report on any legislative or executive changes to the Supplemental Nutrition Assistance Program (SNAP) and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). The County will also monitor legislation that expands eligibility of SNAP to students attending institutions of higher education.

Substance Abuse Statement: This policy statement clarifies that the legislative team will monitor and support implementation of provisions in [H.R. 6](#) passed by the 115th Congress that provide greater flexibility in the Medicaid program for incarcerated individuals. The policy statement has been expanded to monitor legislation that provides a process for addressing employment supports and services for individuals in treatment for a behavioral health disorder. Gainful employment can assist individuals in treatment, providing sources of income and stability. The legislative team will monitor legislation that works to provide employment related services to those in treatment.

Behavioral Health Access Statement: A policy statement was added to remove barriers that limit access to behavioral health services for all people. In particular, the statement directs the legislative team to monitor the Mental Health Parity and Addiction Equity Act, support network adequacy for behavioral health services on par with medical services in plans to treat conditions across lifespan in private (commercial) insurance products, Medicaid Managed Care products, and in Medicare Plans. The Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) was passed to make it easier for Americans with mental health and substance use disorders to get the care they need by prohibiting certain discriminatory practices that limit insurance coverage for behavioral health treatment and services. The MHPAEA requires coverage for mental health substance use disorders to be no more restrict than the coverage that generally is available for medical/surgical conditions. In Virginia, the Bureau of Insurance reviews plans to ensure they mental health benefits are in parity with medical benefits.

The purpose of this statement is to monitor legislation that works to improve access for behavioral health through private insurance, limiting out-of-pocket expenses by making sure needed treatment services are provided “in-network.” There is a supply shortage of appropriately credentialed practitioners for the treatment of mental illness and substance use disorders, with the supply issue

further complicated by the administrative and reimbursement issues associated with insurance companies, public MCO as well as commercial plans. As a result, people experiencing illness go out of network or go without treatment. Throughout this past pandemic year, the data and forecasts predict that access to treatment for emotional disturbances, mental illness and/or substance use/dependence disorders is on the rise and will continue to rise. The legislative team will monitor legislative efforts and actions by the Centers for Medicare & Medicaid Services that work to make improvements to mental health parity.

Suicide Prevention Statement: This statement has been added to monitor legislation or policy efforts that work to reduce suicide rates. Multiple bills have been introduced in the 117th Congress to address suicide including but not limited to the Veteran Overmedication and Suicide Act of 2021 ([H.R. 67](#)) and the Suicide Training and Awareness Nationally Delivered for Universal Prevention Act of 2021” or the “STANDUP Act of 2021 ([H.R. 586](#)). The legislative team will monitor these bills and other for impacts to the County.

Violence Against Women’s Act Statement: The Violence Against Women Act of 1994 (VAWA) was a United States federal law (Title IV of the Violent Crime Control and Law Enforcement Act, H.R. 3355) signed by President Bill Clinton on September 13, 1994. The Act provided \$1.6 billion toward investigation and prosecution of violent crimes against women, imposed automatic and mandatory restitution on those convicted, and allowed civil redress in cases prosecutors chose to not to prosecute. The Act also established the Office on Violence Against Women within the Department of Justice. VAWA was reauthorized by bipartisan majorities in Congress in 2000 and again in December 2005. It was temporarily reinstated via a short-term spending bill on January 25, 2019 but expired again on February 15, 2019. The policy statement was added to express support for the reauthorization of this act.

Other Priorities Section

Infrastructure Package: This item has been deleted from this section of the program and has been incorporated into the Loudoun County priorities section.

Education Funding: This policy statement was added to support additional federal funding for education. This would also include additional federal funding for Title I schools which is provided to a local educational agency (Loudoun County Public Schools) through statutory formulas that are based primarily on census poverty estimates and the cost of education in each state. The local education agency receives an allocation which is the sum of the amount that they receive under each formula. The legislative team will advocate for additional appropriations for overall education funding and specific grant types that fund Title 1 schools.

Equal Rights Amendment: The Equal Rights Amendment (ERA) was first introduced in Congress in 1923. On May 22, 1973, two-thirds of the Congress agreed to the proposal and submitted to the states for consideration. Between 1972 and March 22, 1979, 35 states of the 38 required ratified the ERA. In 1978, Congress extended the ratification deadline until June 30, 1982; no additional states had ratified within the three-year extension. On March 22, 2017, Nevada become the 36th

state to ratify the ERA. Illinois became the 37th state to ratify the ERA on May 30, 2018, and Virginia passed a ratification resolution in 2020.

Questions have arisen as to whether ratification by the states is still relevant given the expiration date set for ratification of the Equal Rights Amendment. Based upon a September 2018 Virginia Attorney General Opinion ([Opinion # 18-006](#)), it appears that Congress has the discretion to accept an amendment ratified by three-fourths of the states after the sunset provision, if it is deemed “contemporaneous,” because Congress has the authority to extend the timeline stated in the amendment proposing clause (the sunset clause was not in the text of the amendment). It also appears that ratification by the states prior to the sunset clause, if not rescinded, may be deemed valid.

Legislation ([S.J. Res. 1](#) and [H.J. Res 17](#)) has been introduced to remove the deadline originally added to the preamble for the Equal Rights Amendment. In addition to removing the deadline, Congress could begin the entire process anew, requiring the House and Senate to pass the amendment and send it to the states for ratification by each state legislature. The policy statement included in the program supports Congressional efforts to ratify the Equal Rights Amendment.

Financing and Procurement: The draft program adds a policy statement to monitor and promote changes to Internal Revenue Services (IRS) rules on per diem travel during the day for those actively working. Currently, if an employee is reimbursed for a meal during day travel, they must pay taxes on it. Only those employees who stay over-night for work reasons can receive per diem. The draft program also adds a statement to monitor legislation or regulatory changes that address the Brooks Act (Qualification Based Selection). The Brooks Act establishes the procurement process for how architects and engineers are selected for design contracts with federal design and construction agencies. Road projects that use federal dollars must comply with the Brooks Act.

SECTION 2: FEDERAL GRANT OPPORTUNITIES

This section provides an overview of the competitive federal grants the County applied for in 2020. Table 1 provides an overview of the grant applications and their outcome. Although the federal grants contractor does not write the grants, they work in concert with the County’s Grants Coordinator in the Department of Finance and Budget to review grant applications and provide input to strengthen the grant submission. It is important to note that Table 1 provides an overview of grants where applications were made and does not account for grant opportunities that may have been identified, evaluated by the department, but ultimately were not applied for.

Table 1: Federal Grants Applications for 2020

Grant	Amount	Outcome
Competitive COVID-19 Grants		
VA Department of Criminal Justice Services (DCJS) Coronavirus Emergency Supplemental Funding Grant (CESF)	\$50,000 for the Commonwealth Attorney’s Office	Awarded

Grant	Amount	Outcome
Department of Elections- Center for Tech and Civic Life	\$355,760	Awarded
U.S. Department of Health and Human Services (HHS) -Parks, Recreation and Community Services (PRCS)	\$394,118	Awarded
HHS- Loudoun County Fire and Rescue (LCFR)	\$148,619	Awarded
U.S. Department of Housing and Urban Development (HUD)- Department of Family Services	\$1,028,202	Awarded
Other Grants		
U.S. Department of Justice Innovations Prosecutions Solutions for Commonwealth Attorney's Office	\$339,290	Awarded*
U.S. Department of Agriculture (USDA) Famers' Market Promotion Program – Economic Development	\$250,000	Awarded*
Virginia Department of Emergency Management (VDEM) Flood Mitigation Assistance- B&D	\$6,199,710	Pending*
U.S. Consumer Product Safety Commission Pool Safety Grant Program- PRCS	\$146,202	Pending*
Virginia's Transportation Plan Grown and Accessibility Planning and Technical Assistance Program- Dept of Transportation and Capital Infrastructure (DTCI)	\$100,000	Pending
VA Department of Rail and Public Transportation- DTCI	\$7,778,750 (eight total opportunities)	Pending
FEMA FY 2020 Assistance to Firefighters Grant- LCFR	\$479,190	Pending*

*Federal Grants Contractor assisted in grant applications.

Due to staff resources and a large number of grant opportunities, staff are careful to review grants to determine if they meet Board strategic initiatives, the level of effort for grant management, and the fiscal impact. It is important to note that grants are often programmatic in nature. Upon further review, staff may find the grant does not meet strategic goals, the grant does not programmatically fit the current structure of the departments, or that certain eligibility requirements can't be met. Grants staff will work with the federal grants contractor to evaluate grants for application that fit funding opportunities identified in the program.

SECTION 4: FEDERAL BUDGET UPDATE

The FY 21 Omnibus Appropriations Act and COVID-19 Relief bill was passed by Congress on December 21, 2020 and provided \$2.3 trillion in appropriations. A comprehensive analysis from NACO of the package can be found here:

https://www.naco.org/sites/default/files/documents/NACo%20Analysis_FY%202021%20Year%20End%20Package_Final_1.19.21.pdf.

President Biden is expected to provide his budget proposal for FY 2022 to Congress in early spring. In March, the legislative team works with the members of the federal delegation to make appropriations requests to meet deadlines set by the House and Senate Appropriations Committees. The legislative team highlights the Board's overarching priorities and the priority programs contained in the funding sections of the adopted federal program as part of the appropriation requests. Similar to the state budget process, the House and Senate often pass different versions of the appropriations bills, requiring a committee on conference. The appropriations bills, in which there are twelve, often may be grouped into an Omnibus package for consideration by Congress. If Congress is unable to pass legislation by September 30, 2021, the end of the federal fiscal year, they likely will pass a continuing resolution giving them additional time to negotiate the budget. The legislative team advocates for the Board's priorities throughout the process.

FISCAL IMPACT: Staff will continue to review grant opportunities to acquire additional federal funding and will evaluate the proposed FY 2022 appropriations bills to determine the impact on the County.

ALTERNATIVES: The Board can approve the draft 2021 federal program, amend the draft 2021 federal program, or not approve the draft 2021 federal program.

DRAFT MOTIONS:

1. I move that the Board of Supervisors approve the Draft 2021 Federal Program as found in Attachment 1 of the March 2, 2021 Board of Supervisors Business Meeting Action Item.

OR

2. I move an alternate motion.

ATTACHMENTS:

1. Draft 2021 Federal Program
2. Broadband Provisions: FY 21 Omnibus and COVID-19 Relief Package



LOUDOUN COUNTY, VA 2021 FEDERAL PROGRAM

~~Adopted~~ Adopted

Loudoun County Board of Supervisors
Phyllis J. Randall, Chair At-Large
Koran T. Saines, Vice Chairman, Sterling District
Juli E. Briskman, Algonkian District
Michael R. Turner, Ashburn District
Tony R. Buffington, Blue Ridge District
Sylvia R. Glass, Broad Run District
Caleb A. Kershner, Catoctin District
Matthew F. Letourneau, Dulles District
Kristen C. Umstattd, Leesburg District

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The County of Loudoun's 2021 Federal Legislative Agenda for the 117th Congress reflects the priorities and policy issues of importance to the County that acknowledge our rich history, and our vision to be a prosperous, inclusive, equitable and sustainable locality where residents feel free to live, work, learn and play. Loudoun County supports legislation, policies and regulatory actions that recognize the important role of local government and equips the County with the resources and flexibility needed to serve our community. The County opposes legislation, policies and regulatory actions that diminishes local decision making, preempts local authority, or imposes unfunded mandates.

LOUDOUN COUNTY PRIORITIES

COVID-19 Long Term and Emergency Funding

Loudoun County supports flexible long-term funding and emergency supplemental funding that supports local governments on the frontline of the COVID-19 pandemic, especially to address education needs, COVID-19 testing, vaccination distribution, housing and utility needs, public transportation (including operating and capital subsidies for public transit services), and support for small businesses and others (example- airports) needed to recover from the COVID-19 pandemic.

Infrastructure Needs

Loudoun County supports efforts to improve our nation's infrastructure through increased investments, including increased federal funding and matches for projects, that promote economic development, public safety, and mobility. Infrastructure packages considered by Congress must address broadband infrastructure as well as transportation infrastructure needs.

- *Broadband and Cellular Infrastructure-* The lack of broadband infrastructure in Loudoun County has presented significant challenges to residents and businesses. The COVID-19 pandemic has exacerbated challenges as students are educated through distance learning, companies require employees to telework, and doctors schedule telemedicine and telehealth appointments to stop the spread of the virus. The County supports additional grant opportunities, dedicated funding, and technical assistance to assist unserved and underserved areas in delivery of digital infrastructure. The County supports efforts by the federal government to improve the data collection and mapping system, and requests that adequate funding be provided for these efforts. The County supports preserving its local control of right-of-way and siting decisions. The County will continue to monitor regulatory and policy changes by the Federal Communications Commission for impacts and will comment when appropriate.
- *Transportation Infrastructure-* The County supports a major transportation infrastructure stimulus program to create jobs and solve transportation congestion problems. The County supports reauthorization of the Fixing America's Surface Transportation Act at increased levels. The County supports additional federal funds to the state for highway construction and improvements, especially to address high dollar road construction projects. The next surface transportation bill should also support major transit state of good repair investments, transit innovations and technologies, as well as expansion projects. The reauthorization bill should be funded by dedicated, sustainable revenues. The County supports Congressional efforts to address the long-term sustainability of the Highway Trust Fund, including the Mass Transit Account.

GSA Per Diem Designation

Reinstate Loudoun County into the Washington D.C. Non-Standard Rate Area (DC NSA). Loudoun was arbitrarily removed from the DC NSA in 2007 and placed in its own NSA.

Federal Dedicated Funding for WMATA

Loudoun County supports efforts to reauthorize dedicated federal funding for the Washington Metropolitan Area Transit Authority (WMATA). In 2008, Congress passed the Passenger Rail Investment and Improvement Act, which authorized dedicated funding of \$1.5 billion over 10 years to WMATA for capital and safety improvements. The County supports reauthorizing dedicated federal funding for operating expenses and state of good repair needs for WMATA and supports additional federal capital and operating funding for WMATA to support a safe, reliable, and high-functioning system for the area. The County will monitor WMATA legislation for impacts on the County.

ECONOMIC DEVELOPMENT

LEGISLATIVE / POLICY

The County is supportive of the following legislative and policy action to promote economic development in Loudoun County, and recognizes that other areas of the program such as Transportation and Housing have an impact on economic development within the County and region. This section also outlines items that will be monitored and analyzed and may be brought back to the Board of Supervisors for further direction.

~~BROADBAND AND CELLULAR ACCESS~~

- ~~▪ Ensure adequate broadband and cellular access throughout the County~~
- ~~▪ Monitor FCC regulatory and policy changes and comment when appropriate~~
- ~~▪ Preserve local control of right of way and siting decisions~~
- ~~▪ Support efforts to improve data collection and mapping~~
- ~~▪ Support efforts to change/create grant programs that fund projects with 25 Mbps download and 3 Mbps upload speeds (as opposed to 10/1 Mbps).~~

FAA PERIMETER RULE EXEMPTIONS Ensure status quo for perimeter rule exemptions at Reagan National Airport

~~**GSA PER-DIEM DESIGNATION** Change area to benefit Washington Dulles International Airport and Loudoun County hotels/motels~~

GSA FEDERAL FACILITIES Ensure that Loudoun County is considered for planned GSA facility relocations and expansions in the National Capital Region

~~**INDUSTRIAL HEMP** Support efforts that address market and regulatory barriers to hemp production and processing while balancing public safety concerns., legislation that removes industrial hemp from the list of controlled substances and allow eEnsure states to become the primary regulators of industrial hemp.~~

INTERNATIONAL OPPORTUNITIES

- Support initiatives that create new export markets and financing programs
- Support efforts that help attract foreign investment to the County.
- Monitor NAFTA-United States-Mexico-Canada agreement impacts on dairy producers.
- Monitor congressional efforts on comprehensive immigration reform.
- Support efforts that protect worker visas (H-1B, H-2A, H-2B and J-1) necessary to maintain and operate Loudoun businesses.~~continuation of the H-2A Temporary Agricultural Workers that benefit the County's farms and wineries~~

OPPORTUNITY ZONES Support opportunity zones and revisions to the program so that promote participation by more companies and investors in qualified opportunity zones can participate.~~by clarifying rules and simplifying the process.~~

SMALL BUSINESS AND ENTREPRENEURSHIP

- Support Small Business Administration (SBA) and expand investments in Loudoun by SBA-licensed Small Business Investment Companies.
- Support programming and policies that promote crowdfunding and incentivize private funding.
- Identify and review policy that inhibits small business growth, over-regulation and tax issues that hinder the ability for entrepreneurs to start and grow small businesses.
- Monitor and report on changes to SBA programs and policies.

WORKFORCE DEVELOPMENT

The County supports efforts that address the disconnect between job training and needs of companies. The County supports reauthorization of the Workforce Innovation and Opportunity Act, and the following work development programs:-

- Support beginning farmer and minority farmer programs
- Support programming and policy to support workforce training, retraining and attraction efforts, and Support reauthorization of the Workforce Innovation and Opportunity Act. apprenticeship programs.

FUNDING

The County supports appropriations that provide for the following priority programs and competitive grants, and will monitor the following federal grant opportunities:

AFFORDABLE HOUSING

Monitor funding opportunities for affordable housing.

BROADBAND

- Monitor grant opportunities for local governments to deploy broadband.
- Support dedicated funds and/or technical assistance to unserved and underserved areas to assist in delivery of digital infrastructure.
- Support and seek changes in eligibility requirements for grants that would benefit Loudoun.
- Support inclusion of federal funds for broadband deployment in an infrastructure package, not just streamlining principles.

CYBERSECURITY

Monitor grant opportunities for cybersecurity services and technologies to enhance system and data protection and operational resiliency against current and emerging threats such as ransomware and nation-state attacks.

FARMERS MARKETS/COMMUNITY GARDENS

Pursue grants for area farmers markets and community gardens.

INTERNATIONAL OPPORTUNITIES

Support permanent and increased funding for SelectUSA, which helps attract foreign investment to the County. Support priority programs such as the USDA Agricultural Marketing Service

SPECIALTY CROP MULTI-STATE PROGRAM

Continue grant funding to enhance competitiveness of specialty crops.

WORKFORCE DEVELOPMENT

- Support funding for priority programs such as the Department of Labor's (DOL) Workforce Innovation and Opportunity Act (WIOA) for Adult Employment and Training Activities, WIOA Grants for Youth Activities, and WIOA Grants for Dislocated Worker Employment and Training Activities
- Monitor grant opportunities that support beginning farmer and minority farmer programs and vocational training opportunities
- Support programs that provide funds to local educational agencies for after-school programs dedicated to science, technology, engineering, and math (STEM)

TRANSPORTATION & HOUSING

LEGISLATIVE / POLICY

The County is supportive of the following legislative and policy action to promote transportation and housing in Loudoun County. This section also outlines items that will be monitored and analyzed and may be brought back to the Board of Supervisors for further direction.

PRIIA REAUTHORIZATION

- Support Congressional efforts to renew the Passenger Rail Investment and Improvement Act, which expires on 9/30/2020
- Monitor and report on WMATA bills introduced in Congress

HOUSING

The County supports Congressional efforts to address the Nation's Housing crisis, including increasing the funding for existing programs and establishing new programs that address providing housing types across all income levels, both rental and home ownership. The County supports actions that would increase neighborhood reinvestment programs in Opportunity Zones, address affordable housing near transit, and allows those who work in the County to live in the County. The County supports efforts that address housing while balancing needs for localities to maintain local land use authority.

FAA POLICIES

- Ensure status quo for perimeter rule exemptions at Reagan National Airport
- Support the FAA's NextGen investment and implementation plan and other initiatives to support regional aviation
-

NEXT GENERATION SYSTEMS

Monitor legislation and efforts that prepare transportation infrastructure to support new technologies, including electric vehicle and autonomous vehicles.

FAST ACT REAUTHORIZATION

Support reauthorization of federal transportation programs at increased levels

ROAD CONSTRUCTION REGULATIONS

Support efforts to reduce regulatory impediments to road construction projects, and decrease timelines for completion.

TRAFFIC INCIDENT MANAGEMENT

Support federal policy changes to improve regional traffic incident management by updating regional agreements to increase the consistency of traffic incident management laws.

WOLF ACT

Modify the Wolf Act to mandate that transit labor arbitration awards be consistent with the financial conditions of the negotiating agency.

FUNDING

The County supports appropriations that provide for the following priority programs and competitive grants, and will monitor the following federal grant opportunities:

WMATA FUNDING

- Support increased federal funding for Metro (or WMATA) to support a safe, reliable and high-functioning system for the area
- Support the Northern Virginia Transportation Commission's efforts to renew federal funding under PRIIA and for additional federal support for capital and operating funds

HOUSING PRIORITY PROGRAMS AND GRANTS

The County, at a minimum, requests Congress maintain funding for current housing programs in the federal budget; maintain/or expand the Low Income Housing Tax Credit program in the Tax Code, and maintain and/or expand the following programs by the Department of Housing and Urban Development (HUD):

- HOME Investment Partnerships Program
- Housing Choice Voucher Programs
- Community Development Block Grant

TRANSPORTATION AND TRANSIT GRANTS

- Advocate and support program funding and pursue grant opportunities related to transportation -such as the:
 - Department of Transportation (DOT) WMATA grants,
 - DOT BUILD construction and planning grants which target economic development through transportation projects,
 - Bus and Bus Facilities Grants, and
 - Infrastructure for Rebuilding America (INFRA) Grants,
 - Surface Transportation Block Grants/Transportation Alternative Program,
 - Safe Routes to Schools Program, and
 - Highway Safety Improvement Program (HISP) grants for targeted safety initiatives.

BICYCLE/PEDESTRIAN PROJECTS

Advocate for program funding and pursue grant opportunities, including projects that increase trail access for multi-modal use.

POTOMAC RIVER CROSSING

Monitor opportunities that would provide feasibility studies and funding for an regional connectivity in the greater Washington DC area, including but not limited to, a future bridge crossing and a reliable ferry operation.

Homeland Security and Public Safety

LEGISLATIVE / POLICY

The County is supportive of the following legislative and policy action related to homeland security and public safety. This section also outlines items that will be monitored and analyzed and may be brought back to the Board of Supervisors for further direction.

DISASTER DECLARATIONS AND HAZARD MITIGATION

- Support reauthorization of the National Flood Insurance Program
- Support more consistent interpretation and application by FEMA region in any FEMA disaster assistance reform.
- Support legislation that supports hazard mitigation assistance and ensures adequate federal funding for local disaster mitigation and relief efforts.
- Support the wildfire prevention and mitigation legislation to help communities recover in the aftermath of a fire and help prevent future fires.

DOMESTIC TERRORISM Monitor legislation and initiatives that address public safety concerns related to domestic terrorism.

DRUG-RELATED LEGISLATION AND POLICY

- Monitor and report on legislative and regulatory efforts related to the current opioid crisis and other substance abuse disorders
- Support legislative efforts to improve access to Narcan/Naloxone to help address the opioid crisis

BODY WORN CAMERAS Protect against unfunded mandates; ensure that federal funds can be used for related personnel and storage costs.

CRIMINAL JUSTICE REFORM Monitor and report on criminal justice reform including, but not limited to, legislative and policy efforts that implement the Second Chance Act and address recidivism.

CYBERSECURITY Support programs and initiatives that advance and improve cybersecurity preparedness and response to current and emerging threats by developing resiliency against attacks, including addressing and funding election security.

FIREFIGHTER HEALTH AND SAFETY

- Support legislation that promotes firefighter health and safety and legislation that promotes increased behavioral health for first responders
- ~~Support efforts to acquire fire cancer registry data~~
- ~~Support reauthorization of the James Zadroga 9/11 Health and Compensation Act, and remove the current sunset provision~~
- Support maintenance of OSHA firefighter safety regulations in 2017 rulemaking (29 CFR 1910.156)

FIRE PREVENTION AND SAFETY

- Support legislation that promotes smoke alarms, fire sprinklers in residential buildings not currently protected, and increased fire prevention and fire safety education. Support efforts that allow for tax credits for sprinklers in townhomes and single-family homes.
- Support changes to the federal tax code that would provide tax credits for businesses that provide building upgrades that incorporate safety features and minimum life safety standards in portions of agritourism buildings or structures used for assembly of 50 people or more.
- ~~_____~~

VOLUNTEER OPPORTUNITIES Support legislation and regulations that support volunteer first responders. ~~like the volunteer responder incentive protection act and the pandemic and all-hazards preparedness act~~

FUNDING

FY ~~2019-2021~~ APPROPRIATIONS AND COMPETITIVE GRANTS

The County supports appropriations that provide for the following priority programs and competitive grants, and will monitor the following federal grants opportunities:

LAW ENFORCEMENT/COMMUNITY CORRECTIONS/JUVENILE COURT SERVICES UNIT:

Support funding for priority programs including

- Priority Programs: Department of Justice Body Worn Camera Grants, Byrne Justice Assistance Grants, Justice and Mental Health Collaboration Grants, ~~and~~ COPS Hiring Grants, ~~and~~ Office of Juvenile Justice Programs.
- Advocate for Loudoun County to receive High Intensity Drug Trafficking Areas ~~funding to support the drug court~~
- Advocate for JAG grants to be expanded beyond law enforcement to community corrections, and ensure that grant solicitations for pass through funds are also expanded.
- Monitor grant opportunities for data storage for body worn cameras.
- Monitor grant opportunities to hire additional deputies.
- Identify and pursue private, foundation grant opportunities to expand Loudoun County Search and Rescue's Project Lifesaver program.
- Monitor grant opportunities to further the goals of the Heroin Operations team, including funds to purchase Narcan/Naloxone.
- Monitor grant opportunities to help advance a mental health docket, including DOJ's Justice and Mental Health Collaboration Program (with MHSADS)
- Monitor grant opportunities for housing for prisoner reentry. Although there is transitional housing for men reentering society, there is little to no housing available for women reentering society.
- Monitor grant opportunities to ~~redevelop a Drug Court~~ help advance Drug Court, to improve probation and parole success rates, support GPS/substance use tracking technologies, and to improve reentry programs.
- Monitor grant opportunities to support transitional housing and other support services for victims of domestic violence.

FIRE AND RESCUE

- Support funding for priority programs such as Priority Programs: U.S. Fire Administration, National Institute for Occupational Safety and Health (NIOSH), Emergency Management Institute (EMI), and Federal Emergency Management Agency's (FEMA) Assistance to Firefighter (AFG), Staffing for Adequate Fire & Emergency Response (SAFER) and Fire Prevention and Safety Grants, and the Urban Area Security Initiative.
- Support continued funding for the Public Safety Officers Benefit Program, the James Zadroga 9/11 Health and Compensation Act, and the National Highway Traffic Safety Administration's Traffic Incident Management Program
- Firefighter Health and Safety Funding: Support federal funding for personal protective equipment for firefighters/EMT personnel.
- Response to Drug Overdoses Funding: Support increased funding and grant opportunities for first responders to obtain Narcan/Naloxone, ~~and~~
- Lab Funding: Support increased funding to Alcohol, Tobacco and Firearms (ATF) labs that would help meet demand of fire investigation efforts. Support funding that would assist ~~state and local crime labs to meet demand.~~

EMERGENCY MANAGEMENT

- Priority Programs: Emergency Management Institute, FEMA National Pre-Disaster Mitigation Fund, FEMA State Homeland Security Grant Program, and FEMA Urban Area Security Initiative.
- National Capitol Region Response: Support initiatives and funding for training needed to strengthen and sustain the National Capital Region's emergency response capabilities.
- Hazard Mitigation: Support programs that fund brush removal and other prevention efforts in open space.

Clerk of Circuit Court /Libraries

- In conjunction with Libraries, Monitor grant opportunities for a legal resource center where self-represented litigants and others can receive discounted or free legal assistance based on income.
- Monitor funding opportunities for historic court records preservation/archives, including the expansion of preservation of records reflecting Loudoun's Black history collection.

Flood Mitigation

- Monitor grant opportunities that address recurring flooding of property including funding that supports Board direction related to flooding at the Selma Estates Subdivision.

ENVIRONMENT, ENERGY, AND PARKS

LEGISLATIVE / POLICY

The County is supportive of the following legislative and policy action to address the environment, energy, and parks. This section also outlines items that will be monitored and analyzed and may be brought back to the Board of Supervisors for further direction.

CLIMATE & ENERGY

Monitor legislative and regulatory efforts that address climate change and energy and how it corresponds with local and regional programs and goals.

HIDDEN LANE SUPERFUND SITE

Support the county's work with the Environmental Protection Agency (EPA) to ensure affected residents are protected from exposure to harmful contaminants and the site is mitigated in a timely and appropriate manner.

FARM BILL

Monitor and report on Farm Bill reauthorization, including programs like the Conservation Reserve Enhancement program and Rural Development programs

FEMA "DEVELOPMENT" ACTIVITIES

Work with FEMA on allowable activities in the riparian buffer in the County's floodplain.

FEMA FLOOD MAPPING

Monitor and report on reauthorization of the National Flood Insurance Program

WATERS OF THE U.S.

Participate in the re-write of WOTUS that defines the Clean Water Act's jurisdiction. Work in conjunction with the National Association of Counties to ensure that the review of the Navigable Waters Protection Rule exempts local streets, gutters and human-made ditches and encourages consultation and collaboration with state and local governments.

FUNDING

FY 2021 APPROPRIATIONS AND COMPETITIVE GRANTS

The County supports appropriations that provide for the following priority programs and competitive grants, and will monitor the following federal grant opportunities:

CHESAPEAKE BAY WATERSHED Monitor funding opportunities to assist the County in meeting Chesapeake Bay TMDL goals

INTERIOR/EPA FUNDING Advocate for priority program funding for EPA Superfund Program, EPA Clean Water Revolving Loan Fund, EPA Drinking Water State Revolving Loan Fund, EPA State and Tribal Assistance Grants, and National Fish and Wildlife Grant Programs

WATER/WASTEWATER INFRASTRUCTURE

- Monitor funding opportunities for the areas in the County that do not have adequate water and/or wastewater infrastructure
- Monitor and report on the proposed Assistance to Small and Disadvantaged Communities grant identified in the Interior-Environment Appropriations bill, and found within the EPA's State and Tribal Assistance Grants Program

PARKS & RECREATION INFRASTRUCTURE

- Priority Programs: Department of Interior Historic Preservation Fund
- Monitor grant opportunities to complement disability services provided by Parks and Recreation, such as athletic facilities for disabled children (Miracle League), summer camps and an adaptive playground, and pedestrian and transit accessibility.
- Monitor historic preservation grant opportunities.
- Monitor grant opportunities for land acquisition to provide direct access to water, such as the Land and Water Conservation Fund
- Monitor the Recreational Trails Program (Goose Creek Crossing, [Broad Run Stream Crossings](#), [Horsepen Run Crossing](#)) and Safe Route to Schools solicitations

HEALTH & HUMAN SERVICES

LEGISLATIVE / POLICY

The County is supportive of the following legislative and policy action to promote health and human services in Loudoun County. This section also outlines items that will be monitored and analyzed and may be brought back to the Board of Supervisors for further direction.

ELDER JUSTICE Advocate for an adult offender registry to further protect elderly citizens against abuse. Monitor and support legislation that addresses perpetrator prosecution and reform issues, financial exploitation, and fraud against the elder population older adults as well as services for victims.

AUTISM SUPPORT Support reauthorization of the autism collaboration, accountability, research, education and support act (autism cares act), which expires in 2019

MEDICATION ASSISTED TREATMENT

- Explore options to implement Medication Assisted Treatment (MAT) for individuals battling substance abuse.
- Support efforts to allow medical professionals to prescribe controlled substances via telemedicine.

MEDICAID FLEXIBILITY FOR INCARCERATED INDIVIDUALS

- Support greater flexibility in the Medicaid program for incarcerated individuals and suspend rather than terminate their Medicaid coverage. Doing so will allow communities to better coordinate systems of care and treat individuals' illnesses, chronic disease, and pregnancy.

PUBLIC CHARGE Monitor changes to the definition of public charge.

SNAP & WIC BENEFITS Monitor and report on any legislative or executive changes to the Supplemental Nutrition Assistance Program (SNAP) and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). Monitor legislation that expands eligibility of SNAP to students attending institutions of higher education.

SUBSTANCE ABUSE

- Monitor and support implementation of provisions in the H.R. 6 "Substance Use Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act" or the "SUPPORT for Patients and Communities Act," passed by the 115th Congress that provide greater flexibility in the Medicaid program for incarcerated individuals and request that Loudoun County be part of the study group on best practices for states to consider health care related transitions for inmates of public institutions.
- Monitor and support implementation of provisions of the "SUPPORT for Patients and Communities Act" that address parity for behavioral services.
- Monitor legislation that provides a process for addressing employment supports and services for individuals in treatment for a behavioral health disorder.

BEHAVIORAL HEALTH ACCESS Remove barriers that limit access to behavioral health services for all people. Monitor Mental Health Parity and Addiction Equity Act, support network adequacy for behavioral health services on par with medical services in plans to treat conditions across lifespan in private (commercial) insurance products, Medicaid Managed Care products, and in Medicare Plans.

SUICIDE PREVENTION Monitor legislation or policy efforts that work to reduce suicide.

FUNDING

FY 2021 APPROPRIATIONS AND COMPETITIVE GRANTS

The County supports appropriations that provide for the following priority programs and competitive grants, and will monitor the following federal grant opportunities:

FAMILY SERVICES & HEALTH:

- Priority Programs: Department of Housing and Urban Development (HUD) Community Development Block Grant, HUD Emergency Solutions Grant, Department of Agriculture (USDA) Women, Infants and Children (WIC) program, Health and Human Services (HHS) Head Start, HHS Telehealth, and HHS Aging and Disability Services Program Grants to States.
- Monitor funding opportunities to address human trafficking.
- Monitor grant opportunities for education and awareness around elder abuse.
- Monitor grant opportunities stemming- from the Family First Prevention Services Act.

MENTAL HEALTH, SUBSTANCE ABUSE & DEVELOPMENTAL SERVICES:

- Priority Programs: Substance Abuse and Mental Health Services Administration funding and grant programs
- Monitor grant opportunities for training and staffing needs across the continuum for justice involved individuals, reentry services, and mental health screening at pre booking and booking to facilitate referrals to a mental health docket.
- ~~Monitor grant opportunities for MHSADS services and staff training in support of the new Drug Court.~~
- ~~Monitor grant opportunities for the Crisis Intervention Training and Response Center~~
- Monitor grant opportunities for substance abuse prevention, treatment and recovery programs with a focus on programs to address ~~the opioid epidemic and other~~ substance abuse disorders.
- Explore funding opportunities for needle exchange and drug take-back programs.
- Monitor grant opportunities that fund evidence-based programs or models of integrated behavioral and medical/physical health care.
- Monitor grant opportunities for transportation services for individuals with treatment needs

OTHER PRIORITIES

INFRASTRUCTURE PACKAGE

~~Loudoun County support efforts to improve our nation's infrastructure through increased investments, including increased Federal funding and matches for projects. The County supports the Administration's streamlining proposals, as they are a good way to improve project delivery, efficiency and cost.~~

EARMARKS

Monitor and report on proposed rules to reinstitute earmarks.

EDUCATION FUNDING

Support legislation and appropriations that increase federal funding for schools.

EQUAL RIGHTS AMENDMENT

Support Congressional efforts to ratify the Equal Rights Amendments.

FINANCING & PROCUREMENT

- Support tax-exempt municipal bonds.
- Support Congressional efforts to reinstate tax-exempt advance refunding bonds.
- Monitor and promote changes to Internal Revenue Service (IRS) rules on per diem travel during the day for those actively working.
- Monitor legislation or regulatory changes that address the Brooks Act (Qualification Based Selection).

2020 CENSUS AND REDISTRICTING

Monitor and report on Congressional and agency efforts related to the 2020 Census and Redistricting.

BROADBAND PROVISIONS

FY 21 Omnibus and COVID-19 Relief Package

The historic \$900 billion coronavirus (COVID-19) relief package signed into law last December – the second largest economic stimulus legislation ever produced by Congress – includes \$7 billion in new funding for broadband-related purposes. Most of these funds will go to new programs seeking to narrow the digital divide by targeting resources to traditionally underserved communities. Additionally, a separate \$1.4 trillion omnibus appropriations legislation to fund the government through Fiscal Year 2021, includes numerous telecom-related provisions. Altogether, the massive \$2.3 trillion coronavirus relief and government funding deal passed by Congress this week ensures a frantic start to 2021 for a new administration already eager to set a different course for the federal agencies and our nation. The Federal Communications Commission (FCC or Commission) and National Telecommunications Information Administration (NTIA), which are each tasked with implementing many of these initiatives, will be at the center of this activity to start the new year.

COVID-19 Relief Package

Below are highlights the key provisions contained in the \$7 billion broadband section of the COVID-19 relief package as passed by both the House and the Senate.

Section 901 – Amendments to the Secure and Trusted Communications Network Reimbursement Program: The Secure and Trusted Communications Networks Act of 2019, which was signed into law in March of this year, requires certain telecommunications service providers to “rip and replace” equipment in their networks that poses “unacceptable risks” to U.S. national security. It established a reimbursement program authorizing the FCC to reimburse carriers for costs associated with replacing any equipment or services determined to be a national security threat, but did not actually appropriate the funds necessary to reimburse these impacted carriers. Section 901 now provides \$1.9 billion in rip and replace funding for carriers with up to 10 million subscribers, while creating a prioritization scheme by which carriers with 2 million or less subscribers are first in line to receive the reimbursements, followed by public or private non-commercial educational institutions providing their own facilities-based educational broadband service, followed by all other affected entities approved to receive the payments.

Section 902 – Connecting Minority Communities: This section provides \$285 million for a new Connecting Minority Communities Pilot Program, to be administered by the NTIA, to provide grants to an historically black college or university (HBCU), a Tribal College or University (TCU), a Minority-serving institution, or their respective consortiums for the purchase of broadband internet access service or any eligible equipment, or to hire and train information technology personnel. The eligible equipment includes any device capable of providing access to or connecting to broadband internet access service. Within six months, NTIA is directed to establish an Office of Minority Broadband Initiatives which must (1) collaborate with Federal agencies that carry out broadband internet access service support programs; (2) collaborate with state and local governments and HBCU, TCU, and minority-serving institutions to promote broadband access, adoption, digital literacy, and professional development; and (3) assume any functions carried out

under the Minority Broadband Initiative of the NTIA. The NTIA is required to submit an annual report detailing the work of the new office in expanding access to broadband at HBCU, TCU, minority-serving institutions, and their surrounding communities and identifying barriers to providing access to broadband. When making grants under the Pilot Program, the NTIA is required to coordinate with other federal agencies to prevent multiple expenditures of federal funds for the same purpose.

Section 903 – FCC COVID-19 Telehealth Program: This section provides \$249.95 million in funds for the FCC’s COVID-19 Telehealth Program. The Commission is required to issue a Public Notice within 10 days from the enactment of the bill to seek comments on the metrics the FCC must use to evaluate applications for funding and how the Commission should treat applications filed during the prior rounds for awards. The section also directs the FCC to ensure that no less than one applicant in each of the 50 states and the District of Columbia has received funding from the program since its inception. The FCC is required to allow prior applicants the opportunity to update or amend their applications, and the FCC must provide each applicant with information on the status of the application, a rationale for the final funding decision for the application, after making that decision, and, in the case of a denial, issue notice to the applicant of the intent to deny, provide the applicant a 10-day window to submit any supplementary information that the applicant determines relevant, and consider any such supplementary information in making any final decision with respect to the application.

Section 904 – Benefit for Broadband Service During Emergency Period Relating To COVID-19: This section creates a new \$3.2 billion Emergency Broadband Benefit Program for the unemployed or qualifying low-income households.

Section 905 – Grants for Broadband Connectivity: This section creates a \$1 billion Tribal Broadband Connectivity Grants Program to expand access to and adoption of broadband service on Tribal land or remote learning, telework, or telehealth resources during the COVID-19 pandemic. The grants are to be used for broadband infrastructure deployment, affordable broadband programs, distance learning, telehealth, digital inclusion efforts, and broadband adoption activities. Funds are to be expended within a year except for construction of broadband infrastructure under certain circumstances. For new construction of broadband infrastructure, an eligible entity is required to prioritize projects that deploy broadband to unserved households.

This section also creates a separate Broadband Infrastructure Deployment Grant to be administered by the NTIA for grants to public-private partnerships for the deployment of fixed broadband service that provides 25/3 Mbps broadband service and latency sufficient to support real-time, interactive applications in an eligible service area. An eligible service area means a census block in which broadband is not available at one or more households or businesses in the census block, as determined by the maps created by the Broadband Deployment Accuracy and Technological Availability (DATA) Act. The FCC is required annually to provide to NTIA any data collected by the Broadband DATA Act. In awarding grants under this subsection, the NTIA is directed to prioritize applications in the following order: (1) projects designed to provide broadband service to the greatest number of households in an eligible service area; (2) projects designed to provide broadband service in an eligible service area that is rural; (3) projects that are the most cost-effective, prioritizing such projects in areas that are the most rural; and (4) projects that provide a

minimum of 100/20 Mbps broadband service. Grant funds are to be expended within one year, except that the NTIA may extend the period for infrastructure projects if certain conditions are met. The NTIA is prohibited from requiring a provider of broadband service that is part of a covered private-public partnership to be designated as an eligible telecommunications carrier (ETC) as a condition of receiving a grant under this program. The NTIA must issue a notice inviting eligible entities and covered partnerships to submit applications for grants between 30 to 60 days after the date of enactment of the bill. Grant funds may not be used to purchase or support any communications equipment or service that may pose a national security threat, as defined by the Secure and Trusted Communications Networks Act of 2019.

FY 2021 Omnibus Appropriations Bill

Below are highlights the key provisions contained in the FY 2021 Omnibus Appropriation Bill as passed by both the House and the Senate, which includes legislation incorporated in the Appropriations bill.

Agriculture

- \$730 million in the expansion of broadband service, including \$635 million for the ReConnect program, an increase of \$80 million over FY 2020. The Broadband ReConnect Program furnishes loans and grants to provide funds for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband service in eligible rural areas.

Federal Communications Commission

- Provides \$374 million for the FCC, an increase of \$35 million more than the fiscal year 2020 enacted level.
 - \$33 million for broadband mapping. Updated broadband maps will provide better data on how internet access service from telephone and cable TV companies is available across the country and help the FCC better target funds to improve access to broadband to underserved areas. This support the [Broadband DATA Act](#), (Public Law 116-130) signed into law in March 2020.
- Corporation for Public Broadcasting (CPB)
Provides \$475 million, an increase of \$10 million more than fiscal year 2020, for regular operations, and \$20 million to continue investments in public broadcasting's interconnection system and infrastructure, the second increase in a row after a decade of no increase in federal support of the mission of the CPB.

Health and Human Services

Telehealth Expansion: Expands access to telehealth services in Medicare to allow beneficiaries to receive mental health services via telehealth, including from the beneficiary's home.

S. 1294, Broadband Interagency Coordination Act

- The Broadband Interagency Coordination Act will require the FCC, NTIA, and U.S. Department of Agriculture to enter into an interagency agreement to coordinate the

distribution of federal funds for broadband programs, prevent duplication of support, and ensure stewardship of taxpayer dollars.

- The agreement is required to cover, among other things, the exchange of information about project areas funded under the programs and the confidentiality of the information.
- The FCC is required to publish and collect public comments about the agreement, including regarding its efficacy and suggested modifications.
- Wicker is a sponsor of this bipartisan legislation.

[H.R. 451](#), Don't Break Up the T-Band Act of 2020

- The Don't Break Up the T-Band Act of 2020 repeals the requirement for the FCC to reallocate and auction the 470 to 512 megahertz (MHz) band, commonly referred to as the T-Band. In certain urban areas, the T-Band is utilized by public-safety entities.
- The legislation will also direct the FCC to implement rules to clarify acceptable expenditures on which 9-1-1 fees can be spent, and will create a strike force to consider how the federal government can end 9-1-1 fee diversion. This clarification is essential to ensuring states and localities have the resources necessary to staff 9-1-1 calling centers, respond to emergencies, and upgrade to next-generation communications systems. This provision is sponsored by Rep. Greg Walden, R-Ore.

[H.R. 1328](#), Advancing Critical Connectivity Expands Service, Small Business Resources, Opportunities, Access, and Data Based on Assessed Need and Demand (ACCESS BROADBAND) Act

- The ACCESS BROADBAND Act will establish the Office of Internet Connectivity and Growth (Office) at the NTIA. This Office will be tasked with performing certain responsibilities related to broadband access, adoption, and deployment, such as performing public outreach to promote access and adoption of high-speed broadband service, and streamlining and standardizing the process for applying for federal broadband support.
- The Office will also track federal broadband support funds and coordinate federal broadband support programs within the executive branch and with the FCC ensuring unserved Americans have access to connectivity and preventing duplication of broadband deployment programs.
- This legislation is cosponsored by 10 Republicans in the House and three Republicans in the Senate.

[S. 4803](#), Beat CHINA for 5G Act of 2020

- The Beat CHINA for 5G Act of 2020 will direct the President, acting through the Assistant Secretary of Commerce for Communications and Information, to withdraw or modify federal spectrum assignments in the 3450 to 3550 MHz band, and will direct the FCC to begin a system of competitive bidding to permit non-federal, flexible-use services in such band no later than December 31, 2021.
- This is intended to unleash critical mid-band spectrum for commercial use to enhance U.S. global leadership in 5G and next-generation technologies.
- This legislation is sponsored by Wicker and Sen. John Thune, R-S.D., and Reps. Walden, Brett Guthrie, R-Ky., and Bob Latta, R-Ohio.