115th Congress: Challenges and Opportunities

December 6th, 2016

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Director of Federal Relations
Federal Election Update

- President –Elect Trump
- No change in Majority control of House or Senate
Minnesota’s Federal Representation in the 115th Congress – Democrats

- **Senator Amy Klobuchar** – Senate Committee on Agriculture, Nutrition, and Forestry; Commerce, Science & Transportation Committee; Judiciary Committee; Joint Economic Committee; Committee on Rules and Administration
- **Senator Al Franken** – Senate Health, Education, Labor and Pensions Committee; Judiciary; Indian Affairs Committee; Energy & Natural Resources Committee
- **Congressman Tim Walz (MN-1)** – House Agriculture Committee, Armed Services Committee, Veterans’ Affairs Committee
- **Congresswoman Betty McCollum (MN-4)** – House Appropriations Committee: Defense, Interior, and Environment (Ranking Member)
- **Congressman Keith Ellison (MN-5)** – House Financial Services Committee
- **Congressman Collin Peterson (MN-7)** – House Agriculture Committee (Ranking Member)
- **Congressman Rick Nolan (MN-8)** – House Agriculture Committee, Transportation and Infrastructure Committee
Congressman-Elect Jason Lewis (MN-2):
- May seek a position to replace Congressman Kline on the House Education and Workforce Committee

Congressman Erik Paulsen (MN-3):
- Ways and Means Committee
- Joint Economic Committee

Congresswoman Tom Emmer (MN-6):
- Financial Services Committee
Congressional Leadership (115th)

United States House of Representatives

- Speaker Paul Ryan (WI-1)
- Majority Leader Kevin McCarthy (CA-23)
- Majority Whip Steve Scalise (LA-1)
- Conference Chairwoman Cathy McMorris Rodgers (WA-5)

United States Senate

- Majority Leader – Mitch McConnell (KY)
- Majority Whip John Cornyn (TX)
- GOP Conference Chairman John Thune (SD)
Congressional Leadership (115th)

United States House of Representatives

- Minority Leader Nancy Pelosi (CA-12)
- Minority Whip Steny Hoyer (MD-5)
- Assistant Minority Leader James Clyburn (SC-6)
- Caucus Chairman Joseph Crowley (NY-14)

United States Senate

- Minority Leader – Charles E. Schumer (NY)
- Minority Whip Richard Durbin (IL)
- Assistant Minority Leader Patty Murray (WA)
- Chairwoman of the Senate Democratic Policy and Communications Committee Debbie Stabenow (MI)
- Chairwoman of the Senate Policy Steering Committee Amy Klobuchar (MN)
End-of-Year Top Priority: Funding

- **Continuing Resolution to Fund the Government**
  - Deadline for current CR is Dec. 9.
  - CR will likely extend until March 31, giving the Trump Administration time to play a role.

- **FY 2017 Appropriations Bills**
  - How Congress addresses the challenge of funding the government and avoiding another shutdown will have a direct impact on many county priorities that rely on federal discretionary spending, including: substance abuse and mental health block grants, Payments in Lieu of Taxes program and Community Development Block Grants.
In 2010, Former Speaker John Boehner instituted the Congressional Earmark ban.

Removing this ban was broadly popular last month in the first House Republican Caucus meeting after the election.

Speaker Ryan has promised that an amendment to bring back Earmarks will be given a vote in the first quarter of the next Congress.

Per our direction, a number of counties have already weighed in with their Federal Congressmen, and we encourage other counties to weight in as well.

This is an opportunity that should not be taken for granted!
Congress has a number of bills it is currently working on that may yet be passed this year or next:

- Comprehensive Energy Bill
- Mental Health Treatment and Prevention Funding Bill
- Water Resources Reform and Development Act

*Policies often recycle themselves in the next Congress*
Comprehensive Energy Bill

The Energy Policy Modernization Act focuses heavily on renewable energy deployment, energy efficiency improvements, building code upgrades and electrical grid security. Both bills would speed regulatory approvals for energy projects.

- **Important provisions in the bill include:**
  - Extends Brownfields Cleanup
  - Promotes renewable energies
  - Permanently Reauthorizes Land and Water Conservation Fund (LWCF)
  - Boosts energy workforce programs
  - Continues weatherization and state energy programs
  - Updated underwriting and appraisal guidelines for energy efficiency upgrades
Mental Health Legislation would expand Medicare and Medicaid services and coverage authorize numerous grants

- Mental Health has not been addressed in Federal Legislation since the Kennedy administration, this legislation presents a significant opportunity to invest in this neglected policy area.
- The House voted overwhelmingly, by a vote of 422-2 in July for a compromise plan to overhaul the nation’s mental health system.
- The Senate has an alternative version of the bill that pasted out of the HELP Committee. It includes two provisions that were added by Minnesota Al Franken.
- Establish and reauthorize numerous grants programs addressing many aspects of mental health care treatment including expanding services, increasing the workforce.
- **Outlook:**
  - Could still advance before the new Congress.
  - Lawmakers have varying priorities in the extenders package.
  - Some Lawmakers are concerned about a potential deal’s impact on the deficit (no pay-fors).
## Water Resources Reform and Development Act

### Status

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<tbody>
<tr>
<td>House</td>
<td>• Committee approved H.R. 5303 by voice vote on May 25</td>
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<tr>
<td>Senate</td>
<td>• Committee approved S. 2848 on April 28 by a vote of 19-1.</td>
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### Legislation:

- House and Senate bills would expand use of Harbor Maintenance Trust Fund and dredging allowed under the 2014 law.
- The House version would authorize $9 billion for various U.S. Army Corps of Engineers water resources projects, including navigation, flood control, environmental restoration and natural disaster damage projects.
- The Senate version would authorize just over $10 billion for 30 new Corps projects.

### Points of contention/key differences

- Senate bill would authorize one fewer project than House bill, but is much more expansive.
  - Senate bill includes several additional provisions related to navigation, harbor maintenance, dam repair and flood control.
- House bill includes language related to drone use by the Army Corps of Engineers and would facilitate electronic project applications.
What to Expect in 2017

OPPORTUNITIES AND CHALLENGES FOR COUNTIES IN THE 115TH CONGRESS
Engagement Matters

- Healthcare Reform including the Affordable Care Act and Medicaid
- FAST Act - Transportation Authorization Implementation
- SNAP Benefits
- Social Services Block Grants
- FAA Reauthorization
- Municipal Bonds
- Low Income Housing Tax Credits (LIHTC)
Infrastructure is likely to be one of the highest priorities in the Trump Administration.

$550 billion over five years.

Trump’s plan would focus on building the next generation of roads, bridges, railways, tunnels, sea ports, airports and energy infrastructure.

President-Elect Trump would consider funding this by:

- Onetime, 10 percent tax on companies that bring home their profits earned in foreign countries.
- Large-scale bonding for infrastructure projects.
### Federal Transportation Funding Mechanisms of Note

- **TIGER DISCRETIONARY GRANT PROGRAM**
- **THE LEAP PILOT PROGRAM**
- **FAST ACT STATE FREIGHT FORMULA FUNDING: [NFHP]**
- **FASTLANE PROGRAM**
President-elect Donald Trump has repeatedly promised that he would reform rescind the Waters of the U.S. Rule, which outlines what kinds of water bodies are federally protected.

Congress could make sweeping changes to the nation’s water rules.

There are also ways the Trump Administration could undermine the rule.

Counties are responsible for many types of infrastructure that can be impacted by the rule, including roadside ditches, storm water drains, flood control channels and other systems designed to keep water away from people and property.
While President-Elect Trump has called for eliminating the EPA, he has more recently modified that position, saying his administration will refocus the EPA on its core mission of ensuring clean air, and clean, safe drinking water for all Americans.

Myron Ebell, a climate change questioner who is running the EPA working group on Trump’s transition team, is seen as a top candidate to lead the agency.

The Administration’s energy policy has a primary focus on boosting energy production and undoing regulations that hinder this goal.
Next Year, New Opportunities

PRACTICAL TIPS FOR CONTINUED ENGAGEMENT
Risks of Not Engaging

- Potential Loss of Millions of Dollars
- Elimination of Services to those you serve
- Bigger Strain on Local Budgets
- Left Behind on Policy Reform
Lessons Learned

Targeted Case Management (TCM)

Engagement Matters

- In 2006 Democrats controlled the U.S. House, Republicans controlled the U.S. Senate and President George W. Bush in his second term.

- AMC worked on the issue for three years (2006-2008), organized the effort, led the way in securing support from a wide range of bipartisan Members of Congress, and successfully moved the White House from a threatened “veto” of our language to announcing Presidential support.

- 100s of Millions of Dollars saved for Minnesota Counties.
Continued Engagement = Critical

• **NOW is the time** to outline your legislative priorities and tailor your federal agenda to the upcoming Congress and Administration.

• **Participate** in the AMC policy formation process.

• **Communicate** and make your positions known (letters, meetings, phone calls), build coalitions and be active as a group.
  - Allies in Congress need to know exactly what the critical priorities and issues are that effect Counties so they can defend what works and advocate on your behalf

• **Attend the NACO 2017 Legislative Conference in Washington, D.C. on February 25th.**
  - Join us at my home for a Taste of Italy Reception on Saturday, February 25th

• **Continue to communicate!**
Notable Dates

- 01/04/2017: New Members Sworn into Congress
- 01/20/2017: New President Takes Office
- 02/2017: President’s Budget Released
- 02/25/2017: NACo Legislative Conference - Washington D.C.
- 03/01/2017: Annual AMC Legislative Breakfast - Washington D.C.
- 07/21/2017: NACo Annual Conference - Franklin County, Ohio
- 09/30/2017: End of FY2017