



# BIGHORN-DESERT VIEW WATER AGENCY

*Our Mission - "To provide a high quality supply of water and reliable service to all customers at a fair and reasonable rate."*

## Planning/Legislative/Engineering Grant & Security Standing Committee Meeting Agenda

Committee Members: President Burkhart & Director Close-Dees

BOARD MEETING OFFICE  
1720 N. CHEROKEE TR.  
LANDERS, CALIFORNIA 92285

August 17, 2021  
Time – 9:15 A.M.

**PUBLIC AND BOARD WISHING TO PARTICIPATE REMOTELY**  
**\*\*TELECONFERENCE LINE THRU ZOOM 669-900-6833\*\***  
**OR**  
**Join Zoom Meeting**

**Please click the link below to join the webinar:**

<https://us02web.zoom.us/j/83658825348?pwd=ZXdtck9BbW55OE5oWkdMdEJRWFbZ09>

Passcode: 685335

Or Dial:

1-669-900-6833

Webinar ID: 836 5882 5348

Passcode: 685335

**Please note that all requirements of the Brown Act requiring the physical presence of the board or staff have been waived per Executive Order N-29-20**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF AGENDA**

**Discussion and Action Items** - The Committee will discuss the following items, and the Committee will consider taking action, if so inclined. The Public is invited to comment on any item on the agenda during discussion of that item. When giving your public comment, please have your information prepared. If you wish to be identified for the record, then please state your name. Due to time constraints, each member of the public will be allotted three minutes to provide their public comment.

- 1. Conference Call with Mojave Water Agency's Legal/Legislative and Public Information Committee**  
Committee to participate via teleconference for an update by the State Advocate of Issues at the State Level, as well as an update by the Federal Advocate of Issues at the Federal Level.
- 2. Community Water Systems Alliance Update and SB 427, Eggman. Water Theft: enhanced penalties.**
- 3. Status Update Proposition 1 Planning Grant**
- 4. Status Update Goat Mountain Replacement Well, Destruction of GM Well 2 and Up to Three Additional Borings/Monitoring Wells**
- 5. Consent Items** – The following items are expected to be routine and non-controversial and will be acted on by the Committee at one time without discussion, unless a member of the Public or member of the Committee requests that the item be held for discussion or further action.

- a. PLEGS Committee Meeting Minutes, June 15, 2021**

Recommended Action:

Approve as presented (Item a):

- 6. Public Comment Period**

Any person may address the Committee on any matter within the Agency's jurisdiction on items not appearing on this agenda. When giving your public comment, please have your information prepared. If you wish to be identified for the record, then please state your name. Due to time constraints, each member of the public will be allotted three minutes to provide their public comment. State Law prohibits the Committee from discussing or taking action on items not included on the agenda.

- 7. Verbal Reports - Including Reports on Courses/Conferences/Meetings**

1. Committee Members' Comments/Reports
  2. General Manager's Report

- 8. Adjournment**

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the Bighorn-Desert View Water Agency, 622 S. Jemez Trail, Yucca Valley, CA not less than 72 hours if prior to a Regular meeting, date and time above; or in accordance with California Government Code Section 54956 this agenda has been posted not less than 24 hours if prior to a Special meeting, date and time above.

As a general rule, agenda reports or other written documentation have been prepared or organized with respect to each item of business listed on the agenda.

Copies of these materials and other disclosable public records in connection with an open session agenda item, are also on file with and available for inspection at the Office of the Agency Secretary, 622 S. Jemez Trail, Yucca Valley, California, during regular business hours, 8:00 A.M. to 4:30 P.M., Monday through Friday. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Bighorn-Desert View Water Agency.

**Internet:** Once uploaded, agenda materials can also be viewed at [www.bdvwa.org](http://www.bdvwa.org)

**Public Comments:** You may wish to submit your comments in writing to assure that you are able to express yourself adequately. Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, should contact the Board's Secretary at 760-364-2315 during Agency business hours.



Item # 1

Conference Call with Mojave Water  
Agency's Legal/Legislative and Public  
Information Committee





LEGAL, LEGISLATIVE,  
AND PUBLIC INFORMATION  
COMMITTEE MEETING

AGENDA

Mojave Water Agency  
Board Room  
13846 Conference Center Drive  
Apple Valley, CA 92307

August 17, 2021  
9:30 a.m.

**REMOTE ACCESS AVAILABLE - See Attached Instructions**

*\*Please note that all requirements of the Brown Act requiring the physical presence of the Board or staff have been waived per original Executive Order N-29-20 and any amendments or modifications thereto.*

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**NO ACTION WILL BE TAKEN – STUDY SESSION ONLY**

1. Roll Call
2. Approve Agenda
3. Approve Meeting Summary from the Legal, Legislative, and Public Information Committee Meeting of July 20, 2021
4. Update by State Advocate of Issues at the State Level (teleconference)
5. Update by Federal Advocate of Issues at the Federal Level (teleconference)
6. Staff to Request Bids for Professional Redistricting Consultant Services
7. Public Information Update
8. Local Legislative and Regulatory Activities Report
9. Public Participation
10. General Manager's Report
11. Comments/Discussion Items for Next or Future Agendas
12. Adjournment

*Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above-agendized public meeting, should be directed to the Agency's General Manager's office at (760) 946-7000 at least 24 hours prior to said meeting.*

A complete agenda packet is available through the Agency's website at: [www.mojavewater.org](http://www.mojavewater.org).

Posted: August 13, 2021



# LEGAL, LEGISLATIVE, AND PUBLIC INFORMATION COMMITTEE MEETING

## APPROVED MEETING SUMMARY July 20, 2021

### REMOTE PUBLIC ACCESS AVAILABLE

*\*Please note that all requirements of the Brown Act requiring the physical presence of the Board or staff have been waived per Executive order N-29-20 and any amendments or modifications thereto.*

- CALL TO ORDER:** Chairperson Rick Roelle called the meeting to order at 9:30 a.m.
- PRESENT:** Chairperson Rick Roelle and Director Jeanette Hayhurst
- ABSENT:** Ken Anderson
- STAFF:** Director of Community Outreach and Cultural Relations Yvonne Cox, Administrative Assistant Arlynn Caasi and Senior Administrative Assistant Deronda Smith
- CONSULTANTS:** State Advocate Carolyn Jensen, KP Public Affairs; and Federal Advocates Letitia White, Drew Tatum, Jean Denton and Sarah Persichetti, Innovative Federal Strategies LLC joined by tele-conference
- VISITORS:** Two people were present, and six people virtually participated in this meeting

1. **ROLL CALL**  
All members of the Committee were present.
2. **APPROVAL OF AGENDA**  
*The Committee approved the agenda as presented.*
3. **APPROVE MEETING SUMMARY FROM THE LEGAL, LEGISLATIVE, AND PUBLIC INFORMATION COMMITTEE MEETING OF June 16, 2021**  
*The Committee approved the meeting summary as presented.*
4. **UPDATE BY STATE ADVOCATE KP PUBLIC AFFAIRS OF ISSUES AT THE FEDERAL LEVEL**  
Carolyn Jensen provided updates on this item.
5. **UPDATE BY FEDERAL ADVOCATE INNOVATIVE FEDERAL STRATEGIES LLC OF ISSUES AT THE FEDERAL LEVEL**  
Letitia White and Drew Tatum provided updates on the appropriations bills.  
  
Questions from the Committee were addressed.
6. **PUBLIC INFORMATION UPDATE**  
Yvonne Cox provided updates on public outreach & education, the Innovators High Desert



Water Summit, and upcoming events.

7. **GENERAL MANAGER'S REPORT**

None.

8. **PUBLIC PARTICIPATION**

None.

9. **COMMENTS/DISCUSSION ITEMS FOR NEXT OR FUTURE AGENDAS**

10. **ADJOURNMENT**

Chairperson Roelle adjourned the meeting at 10:10 a.m.

Submitted by: \_\_\_\_\_  
Arlynn Caasi  
Administrative Assistant

Attachments on-file:  
Item No. 6 – Public Information Report – PowerPoint  
Sign-in sheet

DRAFT





TO: Legal, Legislative and Public Information Committee  
FROM: Ed Manning and Carolyn Jensen  
RE: KP Public Affairs Agenda  
DATE: August 10, 2021

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**1. Legislative Calendar:**

- August 16<sup>th</sup> – Legislature returns from Summer Recess
- August 27<sup>th</sup> – Last day for fiscal committees to meet and report bills
- August 30<sup>th</sup> to September 10<sup>th</sup> – Floor session only
- September 10<sup>th</sup> - Interim Recess begins upon adjournment

**2. Legislative Update (Bill list attached):**

- AB 1138 (Rubio) Unlawful Cannabis Activity: Civil Enforcement
- SB 222 (Dodd) Water Rate Assistance Program
- SB 559 (Hurtado) Canal Conveyance Capacity Restoration Fund
- SB 626 (Dodd) DWR: Procurement Methods

**3. State Budget Update:**

- Climate Resilience



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*Comprehensive Government Relations*

## MEMORANDUM

**To:** Mojave Legal, Legislative, and Public Information Committee

**From:** Letitia White, Jean Denton, Drew Tatum, and Sarah Persichetti

**Date:** August 2, 2021

**Re:** July Monthly Legislative Update

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### **Infrastructure Update: Senators Say they have a Deal on Major Issues in Talks**

Senators unveiled a \$1.2 trillion, eight-year infrastructure bill during a rare Sunday session on August 1 after negotiators worked through the weekend to nail down legislative text for the bipartisan infrastructure deal reached during the last week of July.

The 2,702-page bill, named the Infrastructure Investment and Jobs Act, spearheaded by Senator Rob Portman (R-OH), Sen. Kyrsten Sinema (D-AZ) and a larger group of roughly two dozen negotiators, is substantially narrower than the multitrillion-dollar plan envisioned by President Biden earlier this year but includes a wide range of funding for roads, bridges, transit, broadband and water.

Supporters of the bill are hopeful that they can pass the measure by the end of the week prior to the Senate's scheduled leave for August recess.

However, the bill is expected to face a days-long debate on the Senate floor, with Republicans, and some Democrats, eager to try to make changes after largely being on the sidelines of the bipartisan group's negotiations.

On Wednesday, July 28, the Senate agreed to take up a bipartisan infrastructure package, hours after senators and the White House announced they had reached a deal after weeks of closed-door haggling.

Senators voted 67-32 to greenlight the debate, with 17 Republicans joining all 50 Democrats to launch a floor effort that could conclude with a Senate victory for a bipartisan package that has been championed by President Biden.

On Wednesday, the bipartisan group announced that the deal that had been reached will provide for \$550 billion in new spending. According to a release from the White House, the agreement includes funding in the following buckets:

- \$110 billion for roads, bridges and major projects;
- \$73 billion for electric grid upgrades;
- \$66 billion for rail and Amtrak improvements;
- \$65 billion for broadband expansion;

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- \$55 billion for clean drinking water;
- \$39 billion for transit;
- \$17 billion for ports and \$25 billion for airports; and
- \$7.5 billion for electric vehicle chargers.

The legislation also includes \$8.3 billion for the Bureau of Reclamation western water infrastructure, including:

- \$3.2 billion for aging infrastructure,
- \$1.15 billion for water storage, groundwater storage and conveyance projects (includes
- \$100 million for small water storage),
- \$1 billion for water recycling and reuse projects (includes \$450 million for large waterrecycling projects),
- \$250 million for desalination projects,
- \$1 billion for rural water projects,
- \$500 million for dam safety projects,
- \$300 million for Drought Contingency Plan (includes \$50 million for Upper Basin States),
- \$400 million for waterSMART Water and Energy Efficiency Grants (includes \$100 million for natural infrastructure projects),
- \$100 million for the Cooperative Watershed Management Program,
- \$250 million for Aquatic Ecosystem Restoration Program,
- \$100 million for multi-benefit watershed projects, and
- \$50 million for Colorado River fish species recovery programs.

To pay for the legislation, the bipartisan infrastructure group has proposed a number of sources of funding, including recouping unspent COVID relief funding.

“We now have an agreement on the major issues. We are prepared to move forward,” said Senator Portman, who led the negotiations for the Republicans stated once the deal was reached.

Senator Jon Tester (D-MT) a member of the group, confirmed that they had a deal and were just drafting text.

“I think we’re good to go,” he said.

Wednesday’s vote comes roughly a month after Biden and the 10 senators at the core of the bipartisan negotiating group announced outside the White House that they had reached a deal on a framework for roughly \$1.2 trillion over eight years.

Some changes were made between when the framework was announced and Wednesday, when details of their agreement started to be unveiled. Though the total cost of the group’s proposal is \$1.2 trillion over eight years, \$579 billion of that was expected to be new spending. On Wednesday, senators revealed that number dropped to \$550 billion including cutting an “infrastructure bank” that was meant to help spur private investment in large projects.

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The deal includes funding for roads, bridges, public transit, electric buses, clean drinking water and broadband.

Wednesday's boost of momentum is a sharp u-turn from Monday when the talks appeared to be on life support and senators were scrambling to fill their deal back from the brink of collapse.

On Tuesday, the sticking points had largely been boiled down to two areas: transit, where they've been struggling to break a stalemate for days, and broadband, where Republicans are accusing Democrats of trying to fix rates.

While negotiators said they had a deal on the "major issues" after late-night talks, they also indicated that they were still finalizing legislative text.

However, many Republicans have stated that they won't support any deal until they see legislative text.

"Until this bill is actually written and we have a chance to review it, including all the details, the costs, the pay-fors, and the impact it will have on our states, I will not support it. And I imagine the majority of my Republican colleagues feel the same way," said Senator John Cornyn (R-TX).

The re-vote comes after Republicans blocked the debate on Wednesday, July 21. GOP negotiators at the time accused Schumer of rushing the process. As a reminder, that vote was also on a shell bill that would serve as a legislative vehicle for the text once it was ready for consideration.

The vote on July 21, which came in at a 49-51 vote fell short of the 60 votes needed to advance what is effectively stand-in legislation that senators will swap the bipartisan group's text into once it is finished.

Senate GOP Leader Mitch McConnell (KY) said Schumer was "intent on calling a vote that he knows will fail."

"These discussions have yet to conclude. There's no outcome yet. ... So, obviously, if the Democratic leader tries to force a cloture vote on a bill that does not exist, it will fail," Minority Leader McConnell said.

The negotiations ran into additional turbulence when Environment and Public Works Committee Chairman Tom Carper (D-DE) raised concerns about funding for drinking water and sanitation infrastructure in the proposal.

He told reporters that he wanted an additional \$6 billion in funding for communities allocated through grants in legislation passed by his committee earlier this year to remain as grants instead of being allocated through revolving loan funds.

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“I’m going to withhold my support until they’re fully funded,” he said, noting the Senate passed the Drinking Water and Wastewater Infrastructure Act that came out of his committee on an 89-2 vote in May.

Carper said the legislation gave local communities broad authority on how to spend federal funding and expressed concern that some of that flexibility may be lost under the bipartisan deal.

He said his bill increased funding in state revolving funds for drinking water and wastewater infrastructure to \$30 billion and provided another \$6 billion in grants for impoverished communities.

“Add it all up, it’s about \$36 billion,” he said. “We’ve been assured that our legislation would be funded, would be fully funded, and now we’re hearing it may be moved around.”

Senator Tammy Duckworth (D-IL), who crafted the drinking water bill, warned in a statement that it had to be fully funded through the bipartisan bill in order for her to support it.

“While I voted to proceed to consideration of a bipartisan infrastructure bill, more will need to be done in order for me to support the current proposal that is being drafted. ... I can’t commit to supporting a final bill if it does not include full funding for my Drinking Water and Wastewater Infrastructure Act (DWWIA) at \$35.9 billion over the next five years,” she said.

According to the summary of the bipartisan agreement reached on Wednesday, the deal includes \$23.4 billion for the Drinking Water and Wastewater Infrastructure Act.

In addition to Carper and Duckworth, Senator Ben Cardin (D-MD) is also raising concerns about the funding for the drinking water bill, according to senators involved in the talks.

Lawmakers had set Monday, July 26, as a deadline to wrap up negotiations. Senator Portman, the lead GOP negotiator of the bipartisan group, said on Sunday, July 25, that negotiators were “about 90% of the way there” in reaching an agreement, but were still battling over how much money to direct to public transit. Democrats have pushed to include a larger share of transit funding.

Over the course of the month, Senate Majority Leader Charles Schumer (D-NY) has reiterated his plan to pass both a bipartisan infrastructure bill and a Senate budget resolution that would set the stage for a reconciliation bill later in the fall. That reconciliation package is expected to cost \$3.5 trillion and include elements of Biden’s agenda that don’t have GOP support.

Earlier in July, Majority Leader Schumer pledged to complete the package and budget resolution before the Senate leaves for recess on August 6.

The Senate is expected to spend the first week of August considering amendments to the legislation on the floor. Majority Leader Chuck Schumer and Minority Leader Mitch McConnell will likely negotiate a package of amendments that will receive floor consideration. In doing so,



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the leaders hope that the infrastructure bill can be finalized by the end of the first week of August.

Once the Senate has completed consideration of the infrastructure package, lawmakers are expected to turn to the consideration of a budget resolution that will provide reconciliation instructions for the Democratic-only “human infrastructure” bill.

### **House Finishes Markups of All Appropriations Measures, Begins Floor Consideration** *Summaries of the House Appropriations Committee’s bills, as released by the Democratic Majority Staff are included at the end of the report.*

The House Appropriations Committee finished Committee-level markups of the final fiscal year 2022 appropriations bills during the week of July 12 and began floor consideration of the bills during the week of July 26. By the end of July, nine of the twelve annual appropriations bills had cleared the House floor.

House Democrats have moved ahead with bills that largely stick to President Joe Biden’s suggestions — a 16.5% percent increase for domestic priorities and a 1.7% boost for defense — even though those figures are a nonstarter for Republicans. The House doesn’t require bipartisanship, so Democrats are forging ahead with their spending bills, at least as a messaging exercise or an opening bid in the negotiations.

The Senate is roughly a month behind the House in the markup process of its own FY22 bills, and Democrats in that chamber will need the backing of Republicans to get bills out of committee and through the floor.

On Tuesday, July 27, the House adopted the rule providing for consideration of H.R. 4502, the Labor, Health and Human Services, Education, Agriculture, Rural Development, Energy and Water Development, Financial Services and General Government, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act, 2022 by a vote of 218 to 207.

The rule provided for consideration of 229 amendments in order across all divisions.

The House passed the package on Thursday, July 29th by a vote of 219-208 along party lines.

The House also passed both the Legislative Branch and State-Foreign Operations appropriations bills on Wednesday, July 28<sup>th</sup>. Both bills also passed largely along party lines.

Despite House Democrats passing at least nine of the 12 annual appropriations bills before departing for the August recess, it appears likely that Congress will nevertheless turn to a temporary spending patch to avoid a government shutdown on October 1.

The Commerce-Justice-Science, Homeland Security, and Defense bills will not be considered by the full House until the House returns from recess in September.

**President Biden Signs Emergency Capitol Security Bill**

On Friday, July 30, President Biden signed into law the Emergency Security Supplemental Appropriations Act, 2021 following the legislation's passage in the House on Thursday, and a deal reached earlier in the week on the legislation in the Senate.

The \$2.1 billion bipartisan package would reimburse the National Guard for services related to the January 6th insurrection, provide the U.S. Capitol Police \$70 million for salaries, equipment and other expenses related to the insurrection and provide \$1.1 billion to help safely evacuate Afghans who assisted the U.S. government during the war.

The House passed the legislation on Thursday, July 29, by a vote of 416-11, quickly following the Senate's vote to advance the measure in a 98-0 vote.

Senators Patrick Leahy (D-VT) and Richard Shelby (R-AL), the top members of the Appropriations Committee, reached a roughly \$2 billion deal on Tuesday, July 27, to provide new funding to the Capitol Police, after warning bells that they were heading toward a funding cliff sparked by the Jan. 6 attack.

"We're going to take care of the Capitol Police and fix some of the problems that need to be done here. Certainly, take care of the National Guard," Leahy said. "Both sides had to compromise on some things, but I think we're in pretty good shape."

Senator Shelby, in a statement on Tuesday, confirmed that they had an agreement.

"I am pleased this legislation sticks to immediate security needs, as I have long advocated. ...I urge my colleagues to support this important legislation," he said.

The deal will include more than \$1 billion for the Pentagon, divided up between the money for the National Guard and roughly \$500 million for the Afghan special immigrant visas program. The State Department would get an additional \$600 million for the program and the Department of Health and Human Services Office of Refugee Resettlement would get \$25 million, the source added.

The House previously passed a \$1.9 billion emergency supplemental package in May.

The compromise Senate measure lacks some of the provisions included in the original House bill, such as creating a rapid response force within the National Guard to back up the Capitol Police in emergency situations and resources for prosecuting the people in the mob that stormed the Capitol on Jan. 6.

**Democrats Reach Deal on \$3.5 Trillion Price Tag for Human Infrastructure Bill**

Senate Majority Leader Charles Schumer (D-NY) and Budget Committee Democrats, led by Senator Bernie Sanders (I-VT), have reached a deal on a \$3.5 trillion price tag for a Democratic-

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only “human” infrastructure package that will contain elements of President Joe Biden’s American Families Plan and elements of the American Jobs plan not included in the bipartisan infrastructure package being negotiated.

Schumer, emerging from an hours-long meeting with Budget Committee Democrats on Tuesday, July 13, said they had reached a deal on the budget resolution — which greenlights reconciliation, the process Democrats will use to bypass a GOP filibuster on the infrastructure bill — including a \$3.5 trillion top-line figure.

"The budget committee has come to an agreement. The budget resolution with instructions will be \$3.5 trillion," Schumer said, speaking to reporters with Sanders and other members of the panel. "Every major program that President Biden has asked us for is funded in a robust way."

The deal will also include funding for expanding Medicare to cover dental, vision and hearing and addressing climate change — key asks from progressives, including Sanders.

Additionally, the deal included language prohibiting taxes from being raised on individuals who make less than \$400,000 or small businesses.

The agreement is a significant breakthrough for Democrats' infrastructure push as the party faces a tight timeline and even tighter margins to advance Biden's sweeping jobs and families plan.

Schumer has vowed to hold votes on two pieces before the Senate breaks for the August recess: a smaller bipartisan deal for \$1.2 trillion over eight years and the budget resolution that includes the instructions for and sets up a separate Democratic-only bill.

To pass both the budget resolution and a subsequent \$3.5-trillion infrastructure bill through the Senate Democrats will need total unity from all 50 of their members.

Senators Joe Manchin (D-WV) and Kyrsten Sinema (D-AZ), who aren't on the panel, have signaled they are open to using reconciliation to pass a larger Democratic-only infrastructure bill in addition to the bipartisan package they are currently negotiating. But they haven't endorsed a specific price tag.

The top-line figure is also significantly less than the \$6 trillion pushed by Sanders, a figure that was met with heavy skepticism by other members of the caucus whose votes he would ultimately need to support the spending figure.

Sanders, asked about coming in so far below his pushed for price tag, stressed that he viewed the agreement on a \$3.5 trillion price tag as significant.

“This is the most significant piece of legislation passed since the Great Depression, and I'm delighted to be part of having helped to put it together," he told reporters.

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Democrats won't get any GOP help to pass a \$3.5 trillion infrastructure bill. But combined with the separate bipartisan package that includes around \$580 billion in new spending, it's expected to bring the total of new spending on infrastructure to \$4.1 trillion.

President Biden visited with Senate Democrats on Wednesday, July 14 in the Capitol to rally them to support his infrastructure agenda, which is picking up political momentum.

Biden, making his first trip to visit Democrats in the Senate since being elected president, appeared to be in a buoyant mood as he walked into the Capitol's ornate Mansfield Room flanked by Senate Majority Leader Schumer.

Senators afterward described the meeting, which lasted under an hour, as positive and said the discussion focused on the impact Biden's infrastructure priorities would have on the country.

"He is very happy about the fact that we're moving forward with an historic deal, a deal that's going to work for families all across this nation," Senator Elizabeth Warren (D-MA) said. "It was both a celebration and a reminder of how much hard work lies ahead, but it's good work."

However, Democrats hit a road bump on Wednesday, July 28, when Senator Kyrsten Sinema (D-AZ) announced that she does not support the \$3.5 trillion budget plan.

She said she supports many of its goals, including job growth and American competitiveness, she has "also made clear that while I will support beginning this process, I do not support a bill that costs \$3.5 trillion."

Senator Sinema's reservations suggests Democrats won't have the votes to pass the more expansive plan, forcing Democrats to scale back the bill.

All Senate Democrats would have to vote for the budget reconciliation bill for it to pass in the 50-50 chamber, where Vice President Kamala Harris would deliver a vote to break a tie.

### **California Democrats Release Water Rebate Tax Bill**

On Thursday, July 22, California Democratic Representatives Jared Huffman and Judy Chu joined Senators Dianne Feinstein and Alex Padilla in introducing bicameral legislation to amend federal tax law so that homeowners wouldn't pay income tax on rebates from water utilities for water conservation and water runoff management improvements.

The legislation, the Water Conservation Rebate Tax Parity Act clarifies that these rebates are not taxable income but rather an effort to defray up-front consumer costs for a public benefit.

The bill would ensure that the IRS treats water conservation rebates in the same manner as the agency treats non-taxable energy conservation rebates including insulation, Energy Star-certified windows and doors and energy efficient appliances.

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“We need to do all we can to combat severe drought in California and across the West. That’s why California issues rebates to homeowners who work to improve their homes’ water efficiency,” said Senator Feinstein. “Unfortunately, homeowners must pay income taxes on these rebates under current law. That needs to change so more Californians will invest in these critical water efficiency home improvements.”

“As California continues to experience severe drought, it’s important that we support homeowners who invest in technologies to reduce their water consumption, not penalize them with additional federal income taxes,” Senator Padilla said. “The Water Conservation Rebate Tax Parity Act is a simple step to reduce water usage and encourage homeowners to take the initiative to conserve our limited water supply.”

“At a time like this, Congress must act to ensure the federal government is not an obstacle to local and state efforts to conserve water and make our communities more resilient in the face of climate change,” said Representative Huffman. “The Water Conservation Rebate Tax Parity Act is a smart solution to ensure our constituents are not taxed for improving their water footprint, and will make it easier for property owners to make the switch to water-saving technologies.”

“With states like California in the grips of an historic drought, it is crucial that Americans get help to make water-smart investments to reduce their water use...this bill will remove the federal tax burden on water conservation rebates and help more Americans to lower their water use, reduce stormwater runoff, and help states like California to preserve our water resources,” said Representative Chu.

Similar legislation has been introduced in prior Congresses but has not been enacted.

### **House Passes \$760B Infrastructure and Water Package**

The House on Thursday, July 1, passed a roughly \$760 billion proposal to fund transportation and water projects that’s meant to shape parts of the broader infrastructure package.

Lawmakers passed the legislation, the Investing in a New Vision for the Environment and Surface Transportation (INVEST) in America Act, largely along party lines in a 221-201 vote with just two Republicans voting for the package.

Democrats hailed it as a monumental shift toward more sustainable infrastructure projects, with Republicans warning of lost jobs and a skyrocketing federal debt.

The bill “not only builds the infrastructure of America, but helps to rebuild the middle class,” said Speaker Nancy Pelosi (D-CA). “It does so in a transformative way.”

The measure would reauthorize surface transportation programs that are set to expire on September 30, as well as invest in Democratic priorities like promoting electric vehicles, strengthening drinking water standards and making utilities more durable against the impact of climate change.

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Thursday's vote came as President Biden is fighting to keep GOP senators on board with a bipartisan infrastructure framework while assuring progressives that a larger, Democratic-only package — expected to include elements of his economic agenda like subsidized higher education and paid family leave — is still on the way.

As the Senate and White House grapple over the particulars of their fragile agreement — a plan that has not yet been drafted into legislation — House Democrats are battling to ensure that some of their priorities find their way into whatever final product emerges from the talks.

"This bill is designed to be a part of the president's jobs bill. It is not a substitute for the jobs bill," House Majority Leader Steny Hoyer (D-MD) emphasized last week.

Democrats are hoping to use the legislation passed on Thursday to make it easier to include some of their priorities in the bipartisan package that's still being negotiated.

House Transportation and Infrastructure Committee Chairman Peter DeFazio (D-OR) suggested that adopting some of the policies of the House package could help speed up the Senate process given the Democrats' ambitious timeline for passing an infrastructure package, since his panel now has legislative language ready to go.

The legislation includes funding for 403 projects requested by House GOP lawmakers, out of a combined 1,473 projects between the two parties.

Yet Republicans opposed the legislation on the grounds that it was overly partisan and costly.

A bulk of the House package tackles surface transportation projects, with designs not only to bolster the nation's aging roads and bridges, but also to impel a seismic, country-wide shift away from fossil fuel-based infrastructure programs — a leading source of ozone-depleting carbon emissions — toward mass transit and other more sustainable ventures that take into account a warming climate.

Toward that end, the bill features provisions discouraging states from leaning on highway expansions as their only strategy for relieving congestion; promotes a shift to zero-emission transit vehicles; expands transit to more rural communities; and includes around \$40 billion for charging stations and other electric vehicle infrastructure.

The package also includes two bills designed to ensure that all Americans have access to clean water. One is infrastructure-based, featuring tens of billions of dollars to replace lead pipes around the country while adopting tougher water quality standards nationwide. The second aims to help low-income people pay their water bills, making permanent a coronavirus-era water subsidy program and establishing a five-year moratorium on shut-offs by utility companies.

The bill also included several amendments to improve water access and affordability, as well as provisions boosting conservation and climate resiliency programs.

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Representative Frank Pallone Jr. (D-NJ), chairman of the House Energy and Commerce Committee, said the legislation stems from the simple concept that "water is a basic, fundamental human right."

"If you don't make these investments — whether it's in transportation, or whether it's water — then you just get behind and everything falls apart," he said. "The bottom line is that the states and the towns need help."

### **House Passes PFAS Legislation in Bipartisan Vote**

The House, on Wednesday, July 21, approved a comprehensive bill requiring the EPA to regulate the most concerning "forever chemicals" and make decisions on others—but its Senate prospects are unclear.

The PFAS Action Act of 2021 was approved on a 241-183 vote, with 23 Republicans supporting the bill.

Amendments lawmakers approved to the bill would exclude PFAS used for research and development related to medicines, medical devices, and personal protective equipment needed to protect health care providers.

The amended bill also would add the electroplating, metal finishing, leather tanning and finishing, paint, plastics molding, and electrical and electronic components industries to those for which the EPA must establish Clean Water Act effluent limits and pretreatment standards. The standards would cover PFOA and PFOS.

And the amended bill would authorize a five-year \$100 million grant program to allow schools to test for and remediate PFAS. That funding would be in addition to the \$1.5 billion over fiscal years 2022-2026 that the bill would authorize for state and community water system grants.

Authorized money, however, is not guaranteed, requiring the need for money to come through the annual appropriations process.

The bill would establish a five-year moratorium on the EPA's approval of new PFAS into commerce while chemical manufacturers generate toxicity and other test data on existing forms of the chemicals.

The White House backed the bill in a statement on July 26.

No companion bill has been introduced in the Senate, where a similar House-approved measure died in the last Congress.

Senator Shelley Moore Capito (R-WV), the top Republican on the Environment and Public Works Committee, has pushed the EPA to get more aggressive on PFAS regulation.

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Capito said she needed to look more closely at H.R. 2467 before she could support it. But PFAS is “obviously a topic I am really interested in,” she said.

Senator Ed Markey (D-MA), who also sits on the environment panel, said he is “very optimistic” that the Senate would act on PFAS this Congress.

Additionally, while the text of the National Defense Authorization Act for fiscal year 2022 are not available yet, it was reported last week that the bill includes provisions requiring the Department of Defense to meet certain deadlines and set cleanup schedules for PFAS.

### **Senate Democrats Unveil Bill to Decriminalize Marijuana**

Senate Democrats unveiled a bill on Wednesday, July 14, to decriminalize marijuana at the federal level.

Senate Majority Leader Charles Schumer (D-NY), Senate Finance Committee Chairman Ron Wyden (D-OR) and Sen. Cory Booker (D-NJ) released the draft text of the Cannabis Administration and Opportunity Act after Schumer previously teased the plan on April 20.

The bill is designed to decriminalize marijuana on the federal level, expunge federal convictions for nonviolent marijuana crimes, allow those imprisoned for marijuana to petition their sentencing, take marijuana off the federal list of controlled substances and create a tax system for the substance.

Schumer said at a press conference the next step for the discussion draft is to get input from stakeholder groups, as it is “essential to the legislation’s success.”

The road for the draft bill will be rough, as it would need 60 votes to overcome a Republican filibuster. The House in December passed a bill to decriminalize marijuana, with the vote passing despite majority GOP opposition.

Schumer stated he does not currently have the votes to pass the legislation but has large support from Democrats for it. Negotiations will have to be done with Republicans in order to get the bill through.

Wyden emphasized during the press conference that the marijuana business saved hundreds of jobs during the pandemic when most businesses were struggling to stay afloat.

“This is a historic day,” Booker said. “This is the first time in American history a majority leader of the United States Senate is leading the call to end the prohibition of marijuana.”

The Democratic senators said Republicans who support the rights of states should support the bill, as it lets states decide if marijuana should be legalized. There are 18 states who have already legalized marijuana for recreational use.



“People running for president of the United States readily admit that they’ve used marijuana but we have children in this country, people all over the nation, our veterans, Black and brown people, low-income people now bearing the stain of having a criminal conviction for doing things half of the last four presidents admitted to doing,” Booker added.

### **Biden Renews Push for Families Plan**

President Biden took his show on the road Wednesday, July 7, to make his latest pitch for the American Families Plan as the Senate continues to haggle over a reconciliation bill that would include many provisions of the proposal and the bipartisan infrastructure package.

Touring a community college in a suburb of Chicago last week, President Biden said that his focus remains on his administration’s expansive efforts to invest in programs that touch many facets of American life, not just the bipartisan infrastructure agreement that has spent weeks in the spotlight.

“I’m here to make the case for the second critical part of my domestic agenda,” Biden told the crowd. “It’s a combination of parts of my American Jobs Plan that were essential and not included in the bipartisan infrastructure plan as well as my American Families Plan.”

White House officials signaled that Biden’s trip was an effort to allay concerns that the administration was too focused on the bipartisan agreement instead of the transformational changes he and other Democrats vowed to enact if given control of the White House and Congress.

In Illinois, Biden and the White House stressed that all that high-minded talk of unity did not mean they were abandoning the ambitious policy goals Biden has proposed.

Press secretary Jen Psaki said Biden’s focus was on benefits that are on “generational investments in infrastructure... that aren’t included in the bipartisan framework.”

Biden stressed that his sights are still set on the American Families Plan that his administration has proposed, which he said Wednesday would energize the economy, boost the middle class and make America more competitive on the world stage.

Biden in his speech highlighted a slate of liberal priorities: investments in child care and the workforce; universal prekindergarten and two years of free community college; investments in affordable housing and a “care economy” that would include caring for seniors; and a clean-energy standard that would require power companies to source more electricity from renewable and clean sources.

“It’s about time,” Biden said. “There’s a lot of work ahead of us to finish the job, but we’re going to get it done. We’re going to reimagine what our economy and our future could be, and show the world ... that democracy can deliver for its people.”

## **House Appropriations Bills Summaries**

*Note: these summaries were drafted and released by the House Appropriations Committee Democratic Staff when the individual bills were released.*

### **Agriculture**

Rural Development and Infrastructure – The bill provides a total of more than \$4.695 billion for rural development programs. These programs help create an environment for economic growth by providing business and housing opportunities and building sustainable rural infrastructure for the modern economy.

- Rural Broadband – The legislation invests over \$907 million, an increase of \$165 million above the FY 2021 enacted level, in the expansion of broadband service to provide economic development opportunities and improved education and healthcare services. This includes \$800 million for the ReConnect program. These significant investments in broadband reflect a commitment to enabling Americans in rural communities to access digital tools necessary to improve health, educational, and economic outcomes. Since 2019, more than 200,000 rural residents have gained access to broadband through these programs.
- Critical Infrastructure – The legislation includes responsible investments in infrastructure to help rural areas of the country access basic utilities. This includes \$1.45 billion for rural water and waste program loans, and over \$716 million in water and waste grants for clean and reliable drinking water systems and sanitary waste disposal systems, which will provide safe drinking water to millions of rural residents. An additional \$7.195 billion in loan authority is provided for rural electric and telephone infrastructure loans.
- Rural Housing Loans and Rental Assistance – The bill provides a total of \$30 billion in loan authority for the Single Family Housing Guaranteed Loan Program. The bill includes \$1.5 billion in direct single family housing loans, meeting the estimated need for these loans, which provide home loan assistance to low-income rural families, many of whom would have few loan options for purchasing a home because of their geographical location. In addition, a total of \$1.495 billion is provided for rental assistance and rental vouchers for affordable rental housing for low-income families and the elderly in rural communities to renew all existing rental assistance contracts. In FY 2020, Rural Development housing programs provided affordable housing to 138,331 rural homeowners.

Food and Nutrition Programs – The legislation contains discretionary funding, as well as mandatory funding required by law, for food and nutrition programs within the Department of Agriculture. This includes funding for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), the Supplemental Nutrition Assistance Program (SNAP), and child nutrition programs.

- Women, Infants, and Children (WIC) – The bill provides \$6 billion in discretionary funding for WIC, including \$834 million to increase the amounts of fruits and vegetables in the WIC Food Package. In FY 2022, WIC will serve an estimated 6.4 million women, infants, and children.
- Child nutrition programs – The bill provides \$26.9 billion in funding for child nutrition programs. This is an increase of \$1.774 billion above the FY 2021 enacted level. As kids

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return to the classroom, this funding will support more than 5.2 billion school lunches and snacks. In addition, the bill provides \$45 million for the Summer EBT program, \$35 million for school kitchen equipment grants, and \$10 million for school breakfast expansion grants.

- Supplemental Nutrition Assistance Program (SNAP) – The bill provides \$105.792 billion in required mandatory spending for SNAP, including \$3 billion for the SNAP reserve fund, which will serve more than 45 million people. For the first time ever, the bill provides additional protections for SNAP recipients by providing a “such sums” appropriations for the fourth quarter of fiscal year 2022 to ensure SNAP does not run out of money.

International Food Assistance Programs – The legislation contains \$2 billion for international food aid and to promote U.S. agricultural exports overseas. This includes \$1.74 billion for Food for Peace grants and \$245 million for the McGovern-Dole International Food for Education and Child Nutrition program. In 2020, these programs, which work to reduce famine and increase food security overseas, provided food assistance to 15 countries.

Food and Drug Administration (FDA) – FDA receives a total of \$3.471 billion in discretionary funding in the bill, an increase of \$257 million above the FY 2021 enacted level. Total funding for FDA, including revenue from user fees, is \$6.288 billion. Within this total, the Committee provides a targeted increase of \$72 million to address the opioid crisis, medical supply chain surveillance, rare cancers, and increasing and strengthening inspections. It also includes a \$65 million increase to better avoid or more quickly respond to food outbreaks, improve the animal food inspection system, and addresses heavy metals in baby food. The bill also appropriates \$50 million to accelerate medical product development as authorized in the 21st Century Cures Act.

Food Safety and Inspection Service – The legislation includes \$1.153 billion for food safety and inspection programs. These mandatory inspection activities help ensure the safety and productivity of the country’s meat and poultry industry, and keep safe, healthy food on American tables. The funding provided will maintain more than 8,700 frontline inspection personnel for meat, poultry, and egg products at more than 6,500 facilities across the country.

Marketing Programs – The bill provides \$223 million, \$35 million above the FY 2021 enacted level and \$10 million above the request, to facilitate the movement of agriculture products and open market opportunities. This includes \$20.3 million for the National Organic Program to protect the integrity of the USDA Organic label and \$16.7 million for the new hemp production program. The bill also provides \$21.4 million in discretionary funds to the Agricultural Marketing Service and Rural Development for the Local Agriculture Market Program to continue supporting local food and value-added agriculture.

Farm Programs – The legislation provides \$1.873 billion for farm programs, which is \$48.5 million above the FY 2021 enacted level. This includes \$60 million to resolve ownership and succession of farmland issues, also known as heirs’ property issues. This funding will continue support for various farm, conservation, and emergency loan programs, and help American farmers and ranchers. It will also meet estimates of demand for farm loan programs.

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Animal and Plant Health – The legislation includes \$1.125 billion – \$57 million above the FY 2021 enacted level – for the Animal and Plant Health Inspection Service. This funding will support programs to help control or eradicate plant and animal pests and diseases that can be crippling to U.S. producers. The funding level provides increases that will help address harmful pests and diseases such as cotton pests, spotted lanternfly, and chronic wasting disease, and support the growing needs of veterinary biological products such as vaccines and diagnostic tests while maintaining increases from past years for citrus greening.

Conservation Programs – The bill provides \$1.06 billion to help farmers, ranchers, and other private landowners conserve and protect their land. This includes \$170 million for infrastructure for watershed and flood prevention and watershed rehabilitation projects, \$9.5 million for the Urban Agriculture and Innovative Production Program, and \$10 million for the Healthy Forests Reserve Program.

Agricultural Research – The bill provides \$3.391 billion – \$321 million above the FY 2021 enacted level – for agriculture research programs, including the Agricultural Research Service (ARS) and the National Institute of Food and Agriculture (NIFA). This funding will support research at all ARS facilities to help mitigate and stop devastating crop diseases, improve food safety and water quality, increase production, and combat antimicrobial resistance. This funding also includes important research investments in U.S. land-grant colleges and universities, including a significant increase for the 1890 institutions, and for the Agriculture and Food Research Initiative, the U.S. Department of Agriculture’s premier competitive research program.

Commodity Futures Trading Commission (CFTC) – The bill provides \$363 million for the CFTC - \$59 million above the FY 2021 enacted level.

### **Commerce Justice Science**

Department of Commerce – The bill includes \$10.95 billion for the Commerce Department, an increase of \$2.03 billion above the FY 2021 enacted level. This includes funding for the following agencies.

- International Trade Administration: \$577.4 million is provided, an increase of \$36.4 million above FY 2021, to help create U.S. jobs by expanding exports and by fighting the unfair trade practices of other countries.
- Census Bureau – The bill provides \$1.44 billion for the Census Bureau, an increase of \$335.8 million above the FY 2021 enacted level.
- Economic Development Administration (EDA) – The legislation includes \$433 million for the EDA, an increase of \$87 million above the FY 2021 level. These funds will help improve our nation’s infrastructure, boost economically recovering communities, and launch innovative community development efforts.
- Minority Business Development Agency (MBDA) – The legislation includes \$70 million for MBDA, an increase of \$22 million above the FY 2021 enacted level, to help create

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jobs and expand business growth opportunities among minority-owned U.S. companies.

- National Institute of Standards and Technology (NIST) – NIST is funded at \$1.35 billion in the bill, an increase of \$320 million above the FY2021 level. This includes \$275 million for the Manufacturing Extension Partnership program, an increase of \$125 million. \$938 million is also included for core NIST research activities, to help advance U.S. competitiveness, economic growth, cybersecurity, and other important efforts.
- National Oceanic and Atmospheric Administration (NOAA) – The legislation contains \$6.46 billion for NOAA, which is \$1.03 billion above the FY 2021 enacted level. Funding will help address important priorities such as climate research, improvements in weather forecasting, understanding sea level rise, supporting offshore wind energy, fisheries management, and STEM education.

Department of Justice (DOJ) – The bill funds DOJ at \$36.04 billion, an increase of \$2.64 billion above the FY 2021 discretionary enacted level. This includes funding for the following:

- Byrne Justice Assistance formula grants and COPS Hiring grants are funded at the FY 2021 levels of \$360.1 million and \$156.5 million, respectively.
  - Requires state and local governments, as a precondition for receiving any fiscal year 2022 COPS or Byrne JAG funds, to comply with nine conditions aimed at improving police practices, including eliminating racial profiling and implicit bias; eliminating excessive force and chokeholds; eliminating “no-knock” warrants in drug cases; eliminating contractual arrangements that prevent investigations of law enforcement misconduct; and eliminating sexual contact between police and persons in their custody.
  - Requires at least 25 percent of each recipient’s Byrne JAG formula funds to be spent in specified ways aimed at improving police practices.
- Further Efforts at Police Reform and Racial Justice – Takes concrete actions and provides resources for meaningful change, including:
  - \$100 million for community-based violence intervention initiatives
  - \$110 million for Youth Mentoring grants
  - \$42 million for grants to train State and local law enforcement officers on racial profiling, implicit bias, de-escalation, use of force, and procedural justice
  - \$100 million to assist states in conducting pattern and practice investigations of law enforcement
  - Funding increases within the FBI, U.S. Attorneys, and Civil Rights Division for pattern and practice investigations, as well as an additional Civil Rights Division increase for voting rights enforcement and other civil rights priorities
  - \$7.2 million for grants to help State and local law enforcement comply with consent decrees and other reform efforts
  - \$250 million to implement statutes providing for independent investigation of law enforcement
  - \$4 million to develop best practices for, and to create, civilian review boards
  - Requires state and local law enforcement agencies to begin or complete the process of obtaining accreditation from a certified law enforcement accreditation

- organization, as a precondition for receiving any fiscal year 2022 Justice Department funds.
- o \$5 million for a National Police Misconduct Registry
- o \$5 million for a National Task Force on Law Enforcement Oversight
- o \$25 million for grants to support community-based law enforcement improvement efforts
- o \$25 million for pilot programs to address police misconduct
- o \$70 million for Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention and Prosecution Grants, an increase of \$65 million above FY 2021
- o \$30 million in new funding for community groups for efforts to prevent hate crimes
- o \$13.5 million in support of the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act, to investigate and prosecute unresolved civil rights era “cold case” murders
- o \$50 million for alternatives to youth incarceration
- o \$125 million for Second Chance Act grants, an increase of \$25 million above FY 2021
- o \$7 million to support family-based alternative sentencing programs for parents in the criminal justice system
- o \$45 million for the Justice and Mental Health Collaboration Program
- o \$15 million for Capital Litigation Improvement and Wrongful Conviction Review, an increase of \$8 million above FY 2021
- o \$15 million for technical assistance grants to Tribes and small law enforcement agencies to help them comply with the requirements of the George Floyd Justice in Policing Act
- o \$5 million to create local task forces on public safety innovation
- o \$6 million for the National Center for Restorative Justice, double the FY 2021 amount
- o \$12 million for domestic radicalization research, including research on white supremacist extremism
- Gun Violence Reduction Grants—The bill funds the following programs aimed at reducing gun violence:
  - o \$100 million for grants to help states improve their submissions into the National Instant Criminal Background Check system for gun purchases
  - o \$40 million for a pilot program to incentivize states to establish or refine Red Flag and Gun Licensing Laws
  - o \$10 million for a pilot program to develop and expand gun buyback and relinquishment programs
- Anti-Opioid Programs – \$458 million for grant programs authorized under the Comprehensive Addiction and Recovery Act, an increase of \$64 million above the FY 2021 enacted level, including for drug courts, treatment, prescription drug monitoring, and overdose-reversal drugs.

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- Other Justice Grant Programs – The bill additionally includes further responsible and effective investments in state and local justice, including:
  - \$753.8 million for Violence Against Women Act programs, an increase of \$240.3 million above FY 2021
  - \$50 million for legal representation of immigrant children and families
  - \$158 million for DNA Initiative Grants
  - \$60 million for Grants to Reduce the Sexual Assault Kit Backlog
  - \$140 million for STOP School Violence Act programs
  - \$95 million for Victims of Trafficking grants
  - \$109 million for Missing and Exploited Children programs
  - \$40 million for Victims of Child Abuse programs
- Federal Bureau of Investigation (FBI) – \$10.2 billion for salaries and expenses, an increase of \$471.2 million above the FY 2021 enacted level, including funding for enhanced civil rights enforcement and new initiatives to counter domestic terrorism and to address cybercrime and cyberthreats.
- Executive Office for Immigration Review (EOIR) – \$891.2 million is provided, an increase of \$157.2 million above the FY 2021 enacted level. This increase will allow for the continued hiring of immigration judges and support staff to address the immigration case backlog.
- Community Relations Service (CRS) – \$22 million, an increase of \$4 million above the FY 2021 enacted level, to help expand CRS’s efforts to help defuse tensions in neighborhoods and communities.
- Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) – The legislation contains \$1.55 billion for ATF, an increase of \$70.6 million above the FY 2021 enacted level, to help expand efforts to reduce violent gun crime.

National Aeronautics and Space Administration (NASA) – \$25.04 billion, \$1.77 billion above the FY 2021 enacted level. This funding includes continued investments in human space exploration efforts, as well as other investments, including the following:

- \$935 million for Aeronautics research, an increase of \$106.3 million above the FY 2021 enacted level and \$20.2 million above the President’s budget request, to continue efforts to improve passenger safety, fuel efficiency, and noise reduction, and to make air travel more environmentally sustainable.
- \$7.97 billion for Science, an increase of \$668.5 million above FY 2021, to continue efforts to explore the solar system, other planets, and other solar systems, including through space telescopes and planetary satellites and rovers, as well as efforts to gain scientific knowledge about the Earth’s changing climate.
- \$7.28 billion for Exploration, an increase of \$723.9 million above FY 2021, to continue human space exploration efforts, including eventually landing the first American woman

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and person of color on the surface of the Moon.

- \$147 million for Science, Technology, Engineering, and Mathematics (STEM) Engagement, an increase of \$20 million above the FY 2021 enacted level, to inspire young people to pursue future careers in science and engineering.

National Science Foundation (NSF) –\$9.63 billion, an increase of \$1.15 billion above the FY 2021 enacted level. These funds will foster innovation and U.S. economic competitiveness, including funding for climate science and sustainable research, as well as research on artificial intelligence, quantum information science, advanced manufacturing, cybersecurity, and many other critical areas. The bill also invests in important scientific infrastructure. Within this total:

- Research and Related Activities are funded at \$7.7 billion, an increase of \$785.97 million above the FY 2021 enacted level; and
- Education and Human Resources are funded at \$1.27 billion, an increase of \$306.3 million above the FY 2021 enacted level, to help broaden participation in STEM research and STEM careers among underrepresented populations.

Equal Employment Opportunity Commission (EEOC) – \$445.9 million, an increase of \$41.4 million above the FY 2021 enacted level and equal to the Administration’s request.

Legal Services Corporation: The legislation provides \$600 million for the Legal Services Corporation, an increase of \$135 million above the FY 2021 enacted level, to help increase the availability of legal assistance in underserved communities.

U.S. Commission on Civil Rights: \$13 million is included, including \$1 million in support of the Commission on the Social Status of Black Men and Boys

Office of the U.S. Trade Representative: \$72.9 million is included, an increase of \$2.8 million above FY 2021

International Trade Commission: \$118.5 million is included, an increase of \$15.5 million above FY 2021

### **Defense**

Military Personnel

Total: \$166.8 billion

The FY 2022 Military Personnel recommendation is \$166.8 billion in funding for active, reserve and National Guard military personnel, a decrease of \$488 million below the budget request and an increase of \$8.99 billion above the FY 2021 enacted level.

- Provides full funding necessary to support the proposed 2.7 percent military pay raise.
- Increases funding by \$54.5 million above the President’s request for the Department and Services’ Sexual Assault Prevention and Response programs, for a total of \$442.7 million. This includes \$47 million for the Special Victims’ Counsel and an increase of \$7.5 million above the request for the Department’s Sexual Assault Prevention and Response Office.



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- Funds active duty end strength of 1,346,400, a decrease of 1,975 below current year and equal to the request. Funds reserve component end strength of 799,500, a decrease of 2,500 below current year and equal to the request.
  - Army totals: 485,000 active duty, a decrease of 900 below current year and equal to the request; 189,500 reserve, a decrease of 300 below current year and equal to the request; and 336,000 Guard, a decrease of 500 below current year and equal to the request.
  - Navy totals: 346,200 active duty, a decrease of 1,600 below current year and equal to the request; and 58,600 reserve, a decrease of 200 below current year and equal to the request.
  - Marine Corps totals: 178,500 active duty, a decrease of 2,700 below current year and equal to the request; and 36,800 reserve, a decrease of 1,700 below current year and the request.
  - Air Force totals: 328,300 active duty, a decrease of 5,175 below current year and equal to the request; 70,300 reserve, equal to current year and the request; and 108,300 Guard, an increase of 200 above current year and equal to the request.

### Operation and Maintenance

Total: \$254.3 billion

The FY 2022 Operation and Maintenance recommendation is \$254.3 billion, an increase of \$696 million above the budget request and an increase of \$62 million above the FY 2021 enacted level.

- Provides \$1 billion above the request for key readiness programs to prepare forces for combat operations and other peacetime missions: flying hours, tank miles, and steaming days; equipment, aviation, and ship depot maintenance; training; spare parts; and base operations.
- Provides \$25.5 billion to the Army, Navy, Marine Corps, and Air Force for depot maintenance.
- Provides \$1.3 billion for Environmental Restoration activities, \$276 million above the request. In addition, provides \$15 million for study and assessment of health implications of PFOS/PFOA contamination in drinking water.
- Provides \$9.3 billion to fund SOCOM's operation and maintenance requirements.
- Provides \$3.37 billion to continue the transition of space activities to the Space Force.
- Provides \$1 million to the Army for the renaming of installations, facilities, roads and streets that bear the name of confederate leaders and officers.
- Provides increases for National Guard Youth Challenge (\$210m); and Starbase (\$42 million).
- Provides an additional \$25 million, for a total of \$75 million, for the Office of Defense Local Community Cooperation for the Defense Community Infrastructure Program.
- Provides \$50 million for Impact Aid and \$20 million for Impact Aid for those with disabilities.
- Provides \$8.6 million for gender advisor programs.
- Provides \$50 million for the Procurement Technical Assistance Program.
- Provides \$345 million for the Cooperative Threat Reduction program.

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- Provides \$75 million for noise mitigation tools for communities.

### Procurement

Total: \$134.3 billion

The FY 2022 Procurement recommendation is \$134.3 billion in base funding, an increase of \$1.7 billion above the budget request and a decrease of \$2.2 billion below the FY 2021 enacted level.

- Provides \$2.2 billion above the total funding request for increased investments in ground vehicles, aircraft, ships, munitions, and other equipment.

### *Aircraft*

- Funds 12 F/A-18E/F Super Hornet aircraft (\$977 million).
- Funds the request of 85 F-35 aircraft (\$8.5 billion).
- Funds 12 F-15EX aircraft to recapitalize the F-15C/D fleet (\$1.1 billion).
- Funds the request of 14 KC-46 tankers (\$2.3 billion).
- Funds the request of 14 HH-60W combat rescue helicopters (\$792 million).
- Funds 13 C/KC/MC-130J aircraft, 4 more than the request (\$1.4 billion).
- Funds 12 MQ-9 Reaper air vehicles for the Marine Corps and Air Force, six more than the request (\$351 million).
- Funds the second set of five CH-47F Block II Chinook aircraft and long-lead funding for the third set of five CH-47F Block II Chinook aircraft to ensure that the Army stays on schedule with the program of record (\$170 million).
- Provides \$211.5 million above the request to fund a total of 33 UH/HH-60M Blackhawk helicopters (\$842 million).
- Funds the requested 30 remanufactured AH-64 Apache helicopters (\$494 million).
- Funds the request of five E-2D Advanced Hawkeye aircraft (\$733 million).
- Funds 11 CH-53K helicopters, two more than the request (\$1.5 billion).
- Provides \$166 million for SOCOM's Armed Overwatch Program.

### *Shipbuilding*

- Provides \$23.5 billion to procure eight Navy ships, \$915 million above the request.
- Funds are provided for two DDG-51 guided missile destroyers, two SSN-774 attack submarines, one Frigate, one TAO Fleet Oiler, one towing, salvage, and rescue ship, and one T-AGOS(X) auxiliary general ocean surveillance ship.

### *Vehicles/Force Protection*

- Funds the request to upgrade a total of 187 Stryker combat vehicles (\$956 million).
- Funds the request to upgrade 70 Abrams tanks to the M1A2 SEPv3 tank variant (\$960 million).
- Provides an additional \$100 million for Army National Guard HMMWV modernization.
- Fully funds the Army's request for production of 23 Mobile Protected Firepower systems (\$287 million).

### *Other*

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- Provides \$45 million above the request for Defense Production Act Purchases to ensure the timely availability of domestic industrial base capabilities essential for the national defense (\$386 million)
- Provides \$1,337 million to procure five National Security Space Launch services.
- Provides \$601 million to procure two GPS IIF spacecraft.
- Provides \$200 million to fully support Israeli Cooperative procurement programs (Iron Dome, David's Sling, and Arrow).
- Includes \$950 million for the National Guard and Reserve Equipment Account (NGREA).

### Research, Development, Test and Evaluation

Total: \$110.4 billion

The FY 2022 RDT&E recommendation is \$110.4 billion in base funding, a decrease of \$1.6 billion below the budget request and an increase of \$3.2 billion above the FY 2021 enacted level.

- Invests in basic and applied scientific research, development, test and evaluation of new technologies and equipment, and supports the research community so forces will have the systems and equipment for tomorrow's challenges.

### *Aircraft*

- Fully funds the continued development and modernization of the F-35 Joint Strike Fighter (\$2.1 billion).
- Fully funds the continued development of the Air Force's B-21 bomber (\$2.9 billion).
- Fully funds the Air Force's Next Generation Air Dominance program (\$1.5 billion).
- Provides \$388 million above the fiscal year 2021 level to support the Army's Future Long Range Assault Aircraft and the Future Attack and Reconnaissance Aircraft (\$1.1 billion).
- Fully funds the continued development and testing of the CH-53K helicopter (\$257 million).

### *Vehicles and Ground Forces*

- Fully funds the Army's Long Range Hypersonic Weapon (\$300 million).
- Fully funds the Army's Extended Range Cannon Artillery (ERCA) modernization effort (\$213 million).

### *Defense Advanced Research Project Agency (DARPA)*

- Provides \$3.48 billion for DARPA research programs.

### *Other*

- Eliminate funding for the Navy's sea-launched cruise missile - nuclear program.
- Provides an additional \$30 million for PFAS remediation and disposal technology.
- Provides an additional \$20 million for AFFF replacement, disposal and cleanup technology.
- Provides \$300 million for the Israeli cooperative research and development programs, including David's Sling and Arrow-3.
- Provides \$264 million for the Global Positioning System IIF program.

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- Provides \$413 million for the Global Positioning System III Operational Control Segment.
- Provides \$434 million for Global Positioning System user equipment.
- Provides \$184 million for National Security Space Launch to develop new U.S. space launch vehicles.
- Provides \$2.45 billion for Next Generation Overhead Persistent Infrared.
- Provides \$2.5 billion for the Ground Based Strategic Deterrent and \$581 million for the Long Range Standoff Weapon.
- Provides \$1.3 billion for the Navy's Conventional Prompt Strike program.

### Revolving and Management Funds

Total: \$1.902 billion

The FY 2022 Revolving and Management Funds recommendation is \$1.902 billion in base funding, equal to the budget request and an increase of \$428 million above the FY 2021 enacted level.

- Fully funds the Defense Commissary Agency to ensure servicemembers and their families receive continued savings for food and household goods as part of the military pay and benefits package.

### Other Department of Defense Programs

Total: \$39.0 billion

### *Defense Health Programs*

- \$36.7 billion for medical and health care programs of the Department of Defense.
- Within this total, adds \$562.5 million for cancer research. The total amount is distributed as follows:
  - \$150 million for the breast cancer research program;
  - \$110 million for the prostate cancer research program;
  - \$50 million for the kidney cancer research program;
  - \$45 million for the ovarian cancer research program;
  - \$20 million for the lung cancer research program;
  - \$40 million for the melanoma research program;
  - \$15 million for the pancreatic cancer research program;
  - \$17.5 million for the rare cancer research program; and
  - \$115 million for the cancer research program.
  - Adds \$175 million for the peer reviewed psychological health and traumatic brain injury research program.
  - Adds \$40 million for spinal cord research.
  - Adds \$40 million for the joint warfighter medical research program.

### *Chemical Agents and Munitions Destruction*

- \$1.09 billion, as requested.

### *Overseas Humanitarian, Disaster, and Civic Aid*

- \$150 million, including for foreign disaster relief, humanitarian assistance, and the humanitarian mine action program at levels above the budget request.

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### *Drug Interdiction and Counter-Drug Activities*

- \$845 million, including \$194 million for the National Guard Counter-Drug Program.

### *Office of the Inspector General*

- \$438.4 million, as requested.

### *Afghanistan Security Forces Fund*

- \$3.05 billion. Funds may only be obligated if the Secretary of Defense certifies that the Afghanistan Security Forces are controlled by a civilian, representative government that is committed to protecting human rights and women's rights and preventing terrorists and terrorist groups from using the territory of Afghanistan to threaten the security of the United States and U.S. allies.
- Funds may only be obligated after the Secretary certifies that a program is in place to monitor, evaluate, and oversee funds, and directs the Inspector General to provide an assessment of the program and recommendations.
- Prevents payments to so-called "ghost soldiers" by prohibiting funds for Afghanistan security personnel who are not enrolled in the Afghanistan Personnel and Pay System.

### *Counter-ISIS Train and Equip Fund*

- \$500 million, including support for the Iraqi Security Forces, Kurdish Peshmerga, and the Syrian Democratic Forces fighting ISIS.
- Requires the Secretary of Defense to ensure that elements are appropriately vetted and made commitments to promote respect for human rights and the rule of law.
- No funds may be used with respect to Iraq or Syria in contravention of the War Powers Resolution.
- Prohibits funds to exercise United States control over any oil resource of Iraq or Syria.

### *Security Cooperation Programs*

- \$275 million for the Ukraine Security Assistance Initiative, \$25 million above the request.
- \$1.14 billion for International Security Cooperation Programs.
  - \$165 million for programs with countries in the Africa Command area of responsibility, \$60 million above the request.
  - \$90 million for programs with Jordan.
  - \$150 million for the Baltic Security Initiative.
  - Supports international security cooperation programs with countries in Indo-Pacific command, including Maritime Security Programs.
- Up to \$500 million for Jordan, including not less than less than \$150 million for reimbursements for enhanced border security.

### *Important Oversight and Reform Provisions:*

- Conforms with the language included in Section 365 of H.R. 1280 regarding the transfer of any personal property of the Department of Defense to a state or local law enforcement agency.
- Requires for-profit contractors to pay a minimum wage of \$15 an hour.
- Provides \$1 million to the Army for the renaming of installations, facilities, roads and streets that bear the name of confederate leaders and officers since the Army has the preponderance of the entities to change.
- Includes \$300 million to construct, renovate, repair, or expand public schools on military installations and requires laborers and mechanics to be paid prevailing wages.

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- Provides \$25 million to provide transport and safe passage to Afghans who have provided faithful and valuable service to the United States and who are under serious threat.
- Prohibits funds for the Taliban.
- Prohibits funds to support or facilitate offensive military operations conducted by the Saudi-led coalition against the Houthis in the war in Yemen.
- Provides that nothing in this Act may be construed as authorizing the use of force against Iran or North Korea.
- Prohibits funds from being used in contravention of the War Powers Resolution.
- Prohibits funds to establish permanent bases in Afghanistan or Iraq.
- Includes \$1.6 billion in prior year rescissions.
- Does not include prior year provisions related to detainees at the military prison located in Guantanamo Bay, Cuba and prohibits funds from being used to operate the facility after September 30, 2022.

### **Energy and Water Development**

Army Corps of Engineers – For fiscal year 2022, the bill provides a total of \$8.66 billion, an increase of \$1.9 billion above the President’s budget request.

- Investigations – The bill provides \$155 million, \$2 million above fiscal year 2021 and \$49.2 million above the request.
- Construction – The bill provides \$2.6 billion, \$799.4 million above the request.
- Operation and Maintenance – The bill provides \$4.8 billion, an increase of \$967.3 million above fiscal year 2021.
- Harbor Maintenance Trust Fund projects receive an estimated \$2.05 billion, an increase of \$370 million above fiscal year 2021 and \$424.1 million above the request. The bill provides these funds in accordance with the budgetary adjustments made by the CARES Act and the Water Resources Development Act of 2020.

Department of the Interior and Bureau of Reclamation – For fiscal year 2022, the bill provides a total of \$1.97 billion for the Department, an increase of \$274.9 million above fiscal year 2021 and \$413 million above the President’s budget request.

- Central Utah Project – The bill provides \$20 million, the same as the budget request.
- Bureau of Reclamation – The bill provides \$1.95 billion, an increase of \$276 million above fiscal year 2021 and \$413 million above the request. Within Reclamation:
  - The bill provides \$413 million in additional funding for water resources projects, including those authorized in the Water Infrastructure Improvements for the Nation (WIIN) Act.
  - The bill provides \$191.4 million for WaterSMART programs, \$62.4 million above fiscal year 2021 and \$137.4 million above the budget request, to assist western states and communities as they respond to the historic drought.
  - Within additional funding, \$55.7 million above the request is provided for rural water projects.

Department of Energy – For fiscal year 2022, the bill provides a total of \$45.1 billion for the Department, an increase of \$3.2 billion above fiscal year 2021 amounts.

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- Energy Efficiency and Renewable Energy – The bill provides \$3.77 billion, an increase of \$906 million above the fiscal year 2021 level. This funding provides for clean, affordable, and secure energy and ensures American leadership in the transition to a global clean energy economy.
  - Weatherization Assistance Program – The bill provides \$375 million, an increase of \$65 million above the fiscal year 2021 level. This funding will support the weatherization of nearly 50,000 low-income households.
  - Build Back Better Challenge Grants – The bill provides \$100 million for a new program to support novel state-, local-, and Tribal-level approaches that encourage early action and novel methods for clean energy deployment, prioritizing investments that meet energy needs at the local level and are inclusive in elevating impoverished, disenfranchised, marginalized, or overburdened communities.
- Cybersecurity, Energy Security, and Emergency Response – The bill provides \$177 million, an increase of \$21 million above the fiscal year 2021 level. This funding provides for efforts to secure the nation’s energy infrastructure against all hazards, reduce the risks of and impacts from cybersecurity events, and assist with restoration activities.
- Electricity – The bill provides \$267 million, an increase of \$55 million above the fiscal year 2021 level. This funding will advance technologies to increase the resiliency and efficiency of the nation’s electricity delivery system with capabilities to incorporate growing amounts of clean energy technologies.
- Nuclear Energy – The bill provides \$1.68 billion, an increase of \$167 million above the fiscal year 2021 level. The funding invests in research, development, and demonstration activities that develop the next generation of clean and safe reactors, further improve the safety and economic viability of our current reactor fleet, and contribute to the nation’s long-term leadership in the global nuclear power industry.
- Fossil Energy and Carbon Management – The bill provides \$820 million, an increase of \$70 million above the fiscal year 2021 level. This funding advances carbon reduction and mitigation in sectors and applications that are difficult to decarbonize, including the industrial sector, with technologies and methods such as carbon capture and storage, hydrogen, and direct air capture, while assisting in facilitating the transition toward a net-zero carbon economy and rebuilding a U.S. critical minerals supply chain.
- Science – The bill provides \$7.32 billion, an increase of \$294 million above the fiscal year 2021 level. The Office of Science funds basic science research in physics, biology, chemistry, and other science disciplines to expand scientific understanding and secure the nation’s global leadership in energy innovation. The supported research supports nearly 28,000 researchers located at over 300 institutions, spanning all 50 states. The supported scientific user facilities serve over 36,000 users.
- Nuclear Waste Disposal – The bill provides \$27.5 million for interim storage of nuclear waste and oversight of the Nuclear Waste Fund.
- Advanced Research Projects Agency—Energy – The bill provides \$600 million, an increase of \$173 million above the fiscal year 2021 level. This funding supports research aimed at rapidly developing energy technologies that are capable of significantly changing the energy sector to address the nation’s critical economic, environmental, and energy security challenges.

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- Indian Energy Policy and Programs – The bill provides \$70 million, an increase of \$48 million above the fiscal year 2021 level. This funding will provide technical assistance, direct and remote education, policy research and analysis, and financial assistance to Indian tribes, Alaska Native Village and Regional corporations, and Tribal Energy Resource Development Organizations.
- National Nuclear Security Administration – The bill provides \$20.2 billion for DOE’s nuclear security programs. This funding will maintain a safe, secure, and credible nuclear deterrent while addressing the threat of nuclear proliferation and terrorism. This includes:
  - Weapons Activities – \$15.5 billion, equal to the budget request, to maintain a safe and reliable nuclear deterrent.
  - Defense Nuclear Nonproliferation – \$2.34 billion, an increase of \$80 million above the fiscal year 2021 level and \$406 million above the request. This funding secures nuclear material at home and abroad, combats the threat of nuclear terrorism, and provides emergency response capabilities.
  - Naval Reactors – \$1.87 billion, equal to the request, to continue safe and reliable operation of the Navy’s nuclear-powered fleet.
- Environmental Management – The bill provides \$7.76 billion, an increase of \$171 million above the fiscal year 2021 level. This funding is used for nuclear cleanup work at 16 sites across the country. This includes:
  - Non-Defense Environmental Cleanup – \$334 million, an increase of \$14.7 million above the fiscal year 2021 level.
  - Uranium Enrichment Decontamination and Decommissioning – \$831 million, equal to the budget request.
  - Defense Environmental Cleanup – \$6.6 billion, an increase of \$166 million above the fiscal year 2021 level.
- Loan Guarantee Programs – Maintains funding consistent with the fiscal year 2021 levels.
- Power Marketing Administrations – The bill provides the net budget request levels for the Southeastern Power Administration, Southwestern Power Administration, and Western Area Power Administration.

### Independent Agencies

- Nuclear Regulatory Commission – The bill provides a total net appropriation of \$131 million, equal to the request. This funds regulatory activities to ensure the safe use of nuclear reactors and radioactive materials while protecting people and the environment.
- Defense Nuclear Facilities Safety Board – The bill provides \$31 million, equal to the request. The Board provides recommendations regarding public health and safety matters at Department of Energy defense nuclear facilities.
- Appalachian Regional Commission – The bill provides \$210 million, an increase of \$30 million above the fiscal year 2021 level. The Commission funds efforts in the Appalachian Region to promote economic and community development, education and job training, and critical infrastructure.
- Delta Regional Authority – The bill provides \$30 million, equal to fiscal year 2021. This funding targets the economic development needs of distressed portions of the Mississippi River Delta Region.



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- Denali Commission – The bill provides \$15 million, equal to fiscal year 2021. This funding provides critical utilities, infrastructure, health services, and economic support throughout Alaska.
- Northern Border Regional Commission – The bill provides \$32 million, an increase of \$2 million above fiscal year 2021 and \$1.9 million above the request. This funding targets the economic development needs of distressed portions of Maine, New Hampshire, Vermont, and New York.
- Southeast Crescent Regional Commission – The bill provides \$2.5 million, equal to the request. This funding targets the economic development needs of distressed portions of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Virginia.
- Southwest Border Regional Commission – The bill provides \$2.5 million, equal to the request. This funding targets the economic development needs of distressed portions of Arizona, California, New Mexico, and Texas.
- Nuclear Waste Technical Review Board – The bill provides \$3.8 million equal to the request. The Board provides independent technical oversight of the Department of Energy’s nuclear waste disposal program.

### **Financial Services and General Government**

Department of the Treasury – For fiscal year 2022, the bill provides a total of \$15.4 billion in discretionary appropriations for the Department, an increase of \$1.9 billion above the FY 2021 enacted level and equal to the President’s request. Of the total provided for the Department of the Treasury, the bill includes:

- \$330 million for Community Development Financial Institutions, an increase of \$60 million above the FY 2021 enacted level. The total amount includes \$212 million for financial and technical assistance grants and \$10 million to increase the availability and affordability of small-dollar loans.
- \$270.7 million for Departmental Offices Salaries and Expenses, an increase of \$37.7 million above the FY 2021 enacted level.
- \$235.1 million for Inspectors General offices for the Treasury Department, an increase of \$4.8 million above the FY 2021 enacted level, to ensure robust oversight of Departmental policies and practices.
- \$190.5 million for the Financial Crimes Enforcement Network, an increase of \$63.6 million above the FY 2021 enacted level, to boost efforts to combat terrorist financing and money laundering.
- \$185.2 million for the Office of Terrorism and Financial Intelligence, an increase of \$10.2 million above the FY 2021 enacted level, to continue investments to protect the integrity of the financial system.
- \$132 million for the Department’s Cybersecurity Enhancement Account, an increase of \$114 million above the FY 2021 enacted level, to address the impacts of the SolarWinds attack and minimize the impact of future attacks.
- \$131.3 million for the Alcohol and Tobacco Tax and Trade Bureau, an increase of \$7 million above the FY 2021 enacted level.
- Internal Revenue Service (IRS) – The bill includes \$13.6 billion for the IRS, an increase of \$1.7 billion above the FY 2021 enacted level. Included in this amount is a \$417

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million program integrity allocation adjustment to increase tax collections and reduce the tax gap. Of this amount, the bill includes:

- \$2.9 billion, an increase of \$385 million above the FY 2021 enacted level, for Taxpayer Services. This total includes support for the Volunteer Income Tax Assistance Matching Grants Program, Low Income Taxpayer Clinic, the Taxpayer Advocate, Tax Counseling for the Elderly, and increased personnel to improve IRS customer service.
- \$5.8 billion, an increase of \$538 million, including the program integrity allocation adjustment, above the FY 2021 enacted level, for Enforcement. These funds support increased enforcement efforts and additional essential personnel.
- \$4.6 billion, an increase of \$650 million, including the program integrity allocation adjustment, above the FY 2021 enacted level, for Operations Support.
- \$305 million, an increase of \$82 million above the FY 2021 enacted level, for Business Systems Modernization to modernize IRS legacy systems and improve IRS Web applications.

Executive Office of the President – The bill includes a total of \$837.3 million, an increase of \$78.6 million above the FY 2021 enacted level and \$11.5 million above the President’s budget request.

- Office of Administration – The bill provides \$110.8 million, an increase of \$10.8 million above the FY 2021 enacted level. This includes \$4.5 million in funding to pay White House and other Executive Office of the President interns, in line with recent actions by Congress to pay its interns.
- Office of Management and Budget (OMB) – The bill provides \$122.9 million for OMB, an increase of \$16.3 million above the FY 2021 enacted level and \$1 million above the President’s budget request.
- Office of the National Cyber Director – The bill provides \$15 million in funding to stand up a new Office of the National Cyber Director to help coordinate Federal cybersecurity policy and strategy.
- Office of National Drug Control Policy (ONDCP) – The bill includes a total of \$457.9 million for ONDCP, including:
  - \$300 million for the High Intensity Drug Trafficking Areas Program, an increase of \$10 million above the FY 2021 enacted level; and
  - \$110 million for the Drug-Free Communities Program, an increase of \$8 million above the FY 2021 enacted level.

The Judiciary – The bill includes a total of \$8.2 billion in discretionary appropriations, an increase of \$432.3 million above the FY 2021 enacted level.

- Courts of Appeals, District Courts, and Other Judicial Services – \$5.7 billion, an increase of \$331 million above the FY 2021 enacted level, to support court operations and increased services in Probation and Pretrial.
- Defender Services – \$1.37 billion, an increase of \$52 million above the FY 2021 enacted level, to support operations and expenses associated with panel attorney compensation.
- Court Security – \$682 million, an increase of \$18 million above the FY 2021 enacted level, to support security needs and protective services in courthouses, as identified by the U.S. Marshals Service.

Additionally, the bill extends temporary judgeships in several districts.

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District of Columbia – The bill includes a total of \$794.5 million, an increase of \$47 million above the FY 2021 enacted level and equal to the President’s budget request.

- \$40 million for D.C. Resident Tuition Support, equal to the FY 2021 enacted level.
- \$5 million, an increase of \$1 million above the FY 2021 enacted level, for HIV/AIDS Testing and Treatment to help prevent the spread of HIV/AIDS in the District of Columbia.
- \$8 million, equal to the FY 2021 enacted level, to fund infrastructure improvements for the D.C. Water and Sewer Authority.

In addition, the bill removes objectionable policy riders previously carried that undermine home rule in the District of Columbia:

- Eliminates a ban on the use of local and Federal funds for abortion services;
- Eliminates a ban on the use of local funds to legalize marijuana;
- Eliminates a ban on the use of funds for needle exchange programs; and
- Eliminates a provision appropriating local District funds.

The bill also restricts the President’s ability to federalize the District of Columbia Metropolitan Police Department.

### Independent Agencies:

- Consumer Product Safety Commission (CPSC) – The bill funds the CPSC at \$172 million, an increase of \$37 million above the FY 2021 enacted level. Within the total, \$2 million is provided for Virginia Graeme Baker Pool Safety grants.
- Election Assistance Commission (EAC) – The bill provides \$500 million for Election Security Grants, an increase of \$400 million above the request, to augment State efforts to improve the security and integrity of elections for Federal office. In addition, \$22.8 million is included for EAC operating expenses, an increase of \$5.8 million above the FY 2021 enacted level.
- Federal Communications Commission (FCC) – The bill includes \$388 million for the FCC, an increase of \$14 million above the FY 2021 enacted level, to support efforts to expand broadband access, improve the security of U.S. telecommunications networks, and administer billions in COVID-19 relief programs.
- Federal Trade Commission (FTC) – The bill includes \$390 million for the FTC, an increase of \$39 million above the FY 2021 enacted level, to bolster antitrust and consumer protection work.
- General Services Administration (GSA) Federal Buildings Fund (FBF) – The bill includes \$10.4 billion in spending authority for the FBF. The total funding level includes:
  - \$254 million for Washington, DC Department of Homeland Security Consolidation at St. Elizabeths and \$103 million for Calexico, CA Land Port of Entry;
  - \$1 billion for Repairs and Alterations; and
- \$300 million for the Electric Vehicle Fund to transform the Federal vehicle fleet to electric and zero emission vehicles.
- National Archives and Records Administration (NARA) – The bill provides a total of \$456 million for NARA, an increase of \$58 million above the FY 2021 enacted level and \$30 million above the President’s request. This supports NARA’s activities to increase access to records that document the history of underserved and underrepresented

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communities in America. This amount also includes \$2 million for implementation of the Civil Rights Cold Case Record Collections Act of 2018, \$9.5 million for the National Historical Publications & Records Commission Grants Program, and \$30 million to help prepare for the 250th anniversary of the founding of the United States.

- Office of Personnel Management (OPM) – The bill includes \$372 million, an increase of \$42 million above the FY 2021 enacted level, for OPM to manage and provide guidance on Federal human resources and administer Federal retirement and health benefit programs.
- Securities and Exchange Commission (SEC) – The bill includes \$2 billion, an increase of \$73.5 million above the FY 2021 enacted level, for the SEC to monitor the capital and securities markets, ensure full disclosure of appropriate financial information, and combat financial fraud and malpractice. This amount also includes funding for move costs related to the SEC's Fort Worth regional offices.
- Small Business Administration (SBA) – The bill provides a total of \$1 billion for SBA, an increase of \$111.9 million above the FY 2021 enacted level. The bill supports the President's budget proposal to invest in programs to help underserved entrepreneurs access capital and contracting opportunities. The bill includes \$323.8 million, an increase of \$51.8 million above the FY 2021 enacted level, for Entrepreneurial Development Programs, including:
  - \$140 million for Small Business Development Centers;
  - \$41 million for Microloan Technical Assistance;
  - \$30 million for the Federal and State Technology Partnership Program, Growth Accelerators, and Regional Innovation Clusters; and
  - \$26 million for Women's Business Centers.

### Important Policy Changes:

- Strengthens our democracy:
  - Campaign Finance Transparency – Eliminates three provisions that limit transparency into political spending.
  - Apportionment Transparency – Includes a new provision requiring OMB to make apportionments of appropriations publicly available in a timely manner and provides \$1 million to OMB to implement such a system.
  - Improvements in Budget Execution – Includes new provisions that require budget authority be made available prudently for obligation, executive agencies to provide budget and appropriations information to the Government Accountability Office (GAO) promptly, and agencies to notify Congress of certain delays or restrictions in apportionment of appropriations.
  - Recordkeeping - Includes a new provision related to recordkeeping requirements for certain GAO audits.
- Respects the dignity of immigrants: Includes new language making Dreamers eligible for Federal employment.
- Fosters equality for women and men: Eliminates provisions preventing the FEHBP from covering abortion services.
- Supports equity and inclusion: Includes a new provision that creates a commission to identify and recommend name changes or removal of Federal property that is inconsistent with the values of diversity, equity, and inclusion.

## **Homeland Security**

Management – The bill provides \$2.4 billion for the Office of the Secretary, executive management, and departmental management, an increase of \$604.7 million above the fiscal year 2021 enacted level and \$123.9 million above the President’s budget request. Funding under this category includes:

- \$209.7 million, as requested, for continued development of the DHS headquarters campus at St. Elizabeths;
- \$170 million for construction of Integrated Migrant Processing Centers at the border;
- \$42.2 million for the Office of Civil Rights and Civil Liberties (CRCL), an increase of \$8.1 million above the fiscal year 2021 enacted level and \$3.5 million above the request;
- \$20.3 million for the Office of Immigration Detention Ombudsman, an increase of \$304,000 above the fiscal year 2021 enacted level and \$410,000 above the request to maintain current services as the office expands to full operating capacity;
- \$10 million above the request for the Alternatives to Detention Case Management Pilot Program (for a total of \$15 million), to be managed by FEMA and overseen by CRCL.
- \$21 million for continued development of the Homeland Advanced Recognition Technology system of the Office of Biometric Identity Management, a reduction of \$25 million below the request due to schedule delays.

U.S. Customs and Border Protection (CBP) – The bill provides \$14.11 billion in net discretionary appropriations for CBP, \$927 million below the fiscal year 2021 enacted level and \$456 million below the request, including increases above the request of:

- \$23 million for CBP personnel, including tuition assistance, on-site mental health clinicians, and childcare services;
- \$20 million for migrant processing improvements;
- \$3 million for migrant child caregivers;
- \$132 million for new technology, including:
  - \$50 million for non-intrusive imaging technology;
  - \$50 million for border technology;
  - \$45 million for innovative technology;
  - \$10 million for port of entry technology;
- \$20 million for body worn cameras;
- \$10 million for video recording capabilities at Border Patrol Stations; and
- \$3 million for electronic health records.
- Provides no funding for additional Border Patrol Agents or border barriers.
- Rescinds \$2.06 billion from prior year appropriations for border barrier construction.
- Authorizes the use of up to \$100 million from prior border barrier construction appropriations for mitigation activities, including land acquisition, and authorizes the transfer of such funds to the Department of the Interior.
- Provides an additional \$655 million in title V of the bill for construction and modernization of land port of entry facilities, activities that are historically funded through the General Services Administration.

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U.S. Immigration and Customs Enforcement (ICE) – The bill provides \$7.97 billion in discretionary appropriations for ICE, \$1.55 million below the fiscal year 2021 enacted level and \$19.5 million below the President’s budget request, including:

- \$3.79 billion for Civil Immigration Enforcement Operations – \$331.6 million below the 2021 enacted level and \$279.2 million below the request, including:  
\$2.46 billion for an average daily population of 28,500 single adults in detention including \$10 million for the cost of increasing allowances to detainees who participate in the Voluntary Work Program; and
- \$475 million to continue expanding Alternatives to Detention, \$34.5 million above the request.
- \$2.26 billion for Homeland Security Investigations, an increase of \$124.2 million above the fiscal year 2021 enacted level and \$95.2 million above the request.
- \$100 million, to be administered by FEMA, for a non-custodial, community-based shelter grant program for immigration processing, ATD enrollment, and provision of case management services for migrants.

Transportation Security Administration (TSA) – The bill includes \$8.6 billion for TSA, an increase of \$303.9 million above the fiscal year 2021 enacted level and equal to the request, of which \$2.11 billion is offset by passenger security and vetting fee collections.

Coast Guard – The bill includes \$13.17 billion for the Coast Guard, an increase of \$327.8 million above the 2021 enacted level and \$301.3 million above the request, as follows:

- \$9.14 billion for Operations and Support, an increase of \$653.9 million above the fiscal year 2021 enacted level and \$118.3 million above the request. Increases above the request include:
  - \$41.5 million to support personnel, including tuition assistance and other educational opportunities, training and course development, and retention and recruitment;
  - \$65 million for operational and asset readiness, including operational command and control and domain awareness, deployability of helicopters on cutters, and communications upgrades;
- \$1.82 billion for Procurement, Construction, and Improvements, including:
  - \$170 million for long lead time materials for a 3rd Polar Security Cutter;
  - \$597 million for the Offshore Patrol Cutter program;
  - \$128 million for an HC-130J aircraft;
  - \$67 million to begin recapitalization of the nation’s inland tenders and barges; and
  - \$29 million for priority information technology systems.

United States Secret Service (USSS) – The bill includes \$2.58 billion for the USSS, an increase of \$137.8 million above the fiscal year 2021 enacted level and \$3.9 million above the request, including:

- \$2.4 million for zero trust cybersecurity architecture; and
- \$1.5 million for transitioning to Internet Protocol Version 6.

Cybersecurity and Infrastructure Security Agency (CISA) – The bill includes \$2.42 billion for CISA, an increase of \$397.4 million above the fiscal year 2021 enacted level and \$288.7 million above the request, including increases above the request of:

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- \$186.7 million for cybersecurity;
- \$21.1 million for infrastructure security;
- \$34 million for emergency communications;
- \$17.1 million for integrated operations;
- \$13.7 million for risk management operations;
- \$13 million for stakeholder engagement and requirements; and
- \$3 million for mission support activities.

Federal Emergency Management Agency (FEMA) – The bill includes \$24.02 billion for FEMA, \$2.1 billion above the fiscal year 2021 enacted level and \$246.6 million below the request. The total provided includes the following:

- \$3.66 billion for grants and training, an increase of \$334 million above the fiscal year 2021 enacted level and \$333 million above the request, including:
  - \$705 million for the Urban Areas Security Initiative , including \$90 million for nonprofit security grants;
  - \$610 million for the State Homeland Security Grant Program, including \$90 million for nonprofit security grants;
  - \$740 million for firefighter grants, an increase of \$20 million above fiscal year 2021;
  - \$110 million for Port Security Grants, an increase of \$10 million above fiscal year 2021;
  - \$110 million for Transit Security Grants, an increase of \$10 million above fiscal year 2021;
  - \$365 million for Emergency Management Performance Grants, an increase of \$10 million above fiscal year 2021;
  - \$140 million for the Emergency Food and Shelter Program, an increase of \$10 million above fiscal year 2021;
  - \$20 million via transfer from the Office of the Secretary and Executive Management (OSEM) for Targeted Violence and Terrorism Prevention grants;
  - \$15 million via transfer from OSEM for ATD Case Management Pilot Program grants; and
  - \$100 million via transfer from ICE for a new Non-custodial Migrant Shelter Grant program; and
- \$18.8 billion for the Disaster Relief Fund for major disasters, \$1.7 billion above the fiscal year 2021 enacted level and equal to the request.
- Makes available an additional \$500 million in prior year funding for the Building Resilient Infrastructure and Communities program.

U.S. Citizenship and Immigration Services (USCIS) – The bill includes \$474.5 million for USCIS, an increase of \$346.7 million above the fiscal year 2021 enacted level and \$5 million above the request, including an increase of \$5 million for the Citizenship and Integration Grant program.

- Includes increases for overtime pay and additional asylum officers to further address backlogs.

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Federal Law Enforcement Training Centers (FLETC) – The bill provides \$355.6 million for FLETC, \$7.9 million above the fiscal year 2021 enacted level equal to the request.

Science and Technology (S&T) – The bill includes \$830.4 million for S&T, an increase of \$64.8 million above the fiscal year 2021 enacted level and \$7.5 million above the request. The total includes:

- \$45.8 million for University Centers of Excellence, an increase of \$6.5 million above the fiscal year 2021 enacted level and equal to the request; and
- \$7.7 million for the Minority Serving Institutions (MSI) Program, an increase of \$2.5 million above the fiscal year 2021 enacted level and the request.

Countering Weapons of Mass Destruction Office (CWMD) – The bill includes \$437.5 million for CWMD, \$35.2 million above the fiscal year 2021 enacted level and \$10 million above the request, including:

- \$5 million for the Chief Medical Officers; and
- \$5 million for the Medical Exchange System.

### Important Policy Provisions –

- Authorizes the use of CBP and ICE funds to support efforts related to the reunification of separated migrant families.
- Prohibits the use of DHS funding to detain or remove an individual based on information provided in the context of an application to sponsor an unaccompanied child or based on information gathered in therapy sessions with such children.
- Ensures access by Members of Congress to detention facilities;
- Requires DHS to provide detained migrants access to legal counsel, including prospective pro bono counsel, and requires Know Your Rights presentations;
- Requires goals and metrics reporting for pilot programs;
- Prohibits the use of funds for the 287(g) task force model and for agreements with law enforcement agencies if CRCL or ICE OPR determine they have violated the civil rights or liberties of an individual who was subsequently the subject of 287(g) immigration enforcement activity, unless the Secretary determines the violation is not part of a pattern or practice or that remediation steps have been taken;
- Prohibits the detention and removal of certain individuals with pending claims for humanitarian relief;
- Requires the Secretary to approve a risk classification assessment process to determine whether a detained individual is a flight risk or a threat to public safety or national security, and to confirm whether the individual fits an immigration enforcement priority category.
- Requires Homeland Security Investigations to focus on criminal investigations by prohibiting its engagement in civil immigration enforcement activities except with probable cause that an individual who is the subject of such enforcement has committed a criminal offense not solely related to immigration status.
- Establishes that the allowance paid to detained individuals for work performed in detention facilities may not be less than the local prevailing minimum wage.
- Requires public reporting on requests to DHS by non-DHS law enforcement agencies for law enforcement support and requires approval by the Secretary or his designee for support related to a mass gathering or protest event.



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- Prohibits the use of DHS funds to deny admission or a benefit to an individual solely on the basis of marijuana use or possession for personal use.

### **Interior, Environment, and Related Agencies**

Department of the Interior (DOI) – The bill provides a total of \$15.6 billion in discretionary appropriations for DOI, an increase of \$2.3 billion above the FY 2021 enacted level and \$240 million below the President’s budget request. Of this amount, the bill includes:

- \$1.6 billion for the Bureau of Land Management (MLR/O&C), \$285 million above the FY 2021 enacted level and \$26 million below the President’s budget request. Within this amount, the bill includes:
  - \$80 million for sage-grouse conservation, and \$66.5 million for the National Landscape Conservation System. It also provides \$162 million for the Wild Horse and Burro program which includes \$11 million for research on reversible immunocontraceptive fertility control and its administration.
  - \$1.9 billion for U.S. Fish and Wildlife Service, an increase of \$301 million above the FY 2021 enacted level and \$32 million below the President’s budget request. Within this amount, the bill includes:
    - \$315 million for Ecological Services, an increase of \$45.5 million above the FY 2021 enacted level and \$17 million below the President’s budget request.
    - \$582 million for National Wildlife Refuge System, an increase of \$78 million above the FY 2021 enacted level and \$2 million below the President’s budget request.
    - \$22 million for Multinational Species Conservation Fund, an increase of \$4 million above the FY 2021 enacted level and the President’s budget request.
    - \$82 million for State and Tribal Wildlife Grants, an increase of \$10 million above the FY 2021 enacted level and equal to the President’s budget request.
- \$3.5 billion for National Park Service, an increase of \$324 million above the FY 2021 enacted level and \$28 million below the President’s budget request. Within this amount, the bill includes:
  - \$3 billion for Operation of the National Park System, an increase of \$277 million above the FY 2021 enacted level and \$12 million below the President’s budget request.
  - \$80 million for National Recreation and Preservation, an increase of \$6 million above the FY 2021 enacted level and \$6 million above the President’s budget request.
  - \$156 million for the Historic Preservation Fund, an increase of \$12 million above the FY 2021 enacted level and \$4 million above the President’s budget request. Within this amount, the bill includes \$81 million for State and Tribal Historic Preservation Offices, \$30 million for Save America’s Treasures grants, \$28 million for competitive grants to preserve the sites and stories of underrepresented community civil rights, and \$10 million for grants to Historically Black Colleges and Universities.
- \$1.6 billion for the U.S. Geological Survey, an increase of \$327 million above the enacted level and equal to the President’s budget request.

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- \$223.93 million for the Bureau of Ocean Energy Management, an increase of \$31.12 million above the FY 2021 enacted level and \$3.85 million below the President’s budget request.
  - \$45.82 million for the Renewable Energy Program, an increase of \$17.35 million above the FY 2021 enacted level and equal to the President’s budget request.
- \$4 billion for Bureau of Indian Affairs, Bureau of Indian Education, and Office of the Special Trustee, an increase of \$507 million above the FY 2021 enacted level and \$65 million below the President’s budget request. Within this amount, the bill includes:
  - \$1.9 billion for Bureau of Indian Affairs Operation of Indian Programs, an increase of \$308 million above the FY 2021 enacted level and \$8 million above the President’s budget request.
  - \$75 million for a new Indian Land Consolidation account to acquire fractionated interests in trust land.
  - \$188 million for Bureau of Indian Affairs Construction, an increase of \$59 million above the FY 2021 enacted level and equal to the President’s budget request.
  - \$11.8 million for the Indian Guaranteed Loan Program, equal to the FY 2021 enacted level and the President’s budget request.
  - \$1.1 billion for Bureau of Indian Education Operation of Indian Programs, an increase of \$110 million above the FY 2021 enacted level and equal to the President’s budget request.
  - \$267 million to Bureau of Indian Education Construction, an increase of \$3 million above the FY 2021 enacted level and \$3 million above the President’s budget request.
  - Fully funds Contract Support Costs and Payments for Tribal Leases.
  - \$110 million for Office of the Special Trustee, an increase of \$1 million above the FY 2021 enacted level and \$110 million above the President’s budget request.
- \$421 million for Departmental Offices, \$57 million above the FY 2021 enacted level and \$6 million above the President’s budget request. Within this amount, the bill includes:
  - \$128 million for Office of Insular Affairs, an increase of \$12.8 million above the FY 2021 enacted level and \$5.5 million above the President’s budget request.
  - \$120 million for Energy Community Revitalization Program to address hard rock mining and orphaned oil and gas wells.

Environmental Protection Agency (EPA) – The bill provides a total of \$11.34 billion in for EPA – an increase of \$2.11 billion above the FY 2021 enacted level and \$110.8 million above the President’s budget request. Of this amount, the bill includes:

- \$4.17 billion for EPA’s core science and environmental program work, an increase of \$681 million above the FY 2021 enacted level. Within these amounts, the bill includes:
  - \$642.7 million for Geographic Programs which help with restoration of nationally significant bodies of water like the Great Lakes, Chesapeake Bay, and Long Island Sound. This is an increase of \$100.8 million above the FY 2021 enacted level and \$64.4 million above the President’s budget request.
  - \$61.8 million in funding for scientific and regulatory work on per- and polyfluoroalkyl substances (PFAS), needed to establish drinking water and

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cleanup standards. This funding builds on the \$49 million the EPA received in 2021.

- \$5.32 billion for State and Tribal Assistance Grants, an increase of \$1.01 billion above the FY 2021 enacted level and \$194 million above the President’s budget request. Within this amount, the bill includes:
  - \$3.23 billion for Clean Water and Drinking Water State Revolving Funds, \$464 million above the enacted level and equal to the President’s budget request. This includes \$428.6 million Community Project Funding for over 280 drinking water, wastewater, and storm water management projects across the country.
  - \$326.6 million for targeted grants for drinking water contaminants and wastewater treatment for lead, nitrates, and other health hazards, an increase of \$117.5 million above the enacted level and \$7.6 million above the request.
  - \$131 million for Brownfields cleanups, a \$49 million increase above the FY 2021 enacted level and equal to the President’s budget request.
  - \$150 million for Diesel Emissions Reduction grants, an increase of \$60 million above the FY 2021 enacted level and equal to the President’s budget request.
- \$1.54 billion for Superfund, an increase of \$331 million above the FY 2021 enacted level and \$2.5 million above the President’s request.
- \$248 million for Environmental Justice activities, an increase of \$235 million above the FY 2021 level. This includes:
  - \$148 million in programmatic funds to expand EPA’s ability to incorporate environmental justice considerations into all aspects of its work, and support other federal agencies’ environmental justice efforts.
  - \$100 million for six new environmental justice grant programs designed to begin implementing environmental justice solutions on the ground in frontline and fenceline communities.

Wildland Fire Management (WFM) - The bill provides \$5.66 billion for WFM, which includes \$2.45 billion in cap adjusted fire suppression funding. The total funding is \$385.82 million above the FY 2021 enacted level and \$380 thousand below the President’s budget request.

Related Agencies –

- \$4.14 billion for the Forest Service (non-fire/without LWCF), an increase of \$680.49 million above the FY 2021 enacted level and \$50.43 million below the President’s budget request.
- \$8.1 billion for the Indian Health Service, an increase of \$1.8 billion above the FY 2021 enacted level and \$1.6 billion below the President’s budget request.
  - \$5.8 billion for Health Services, an increase of \$189 million above the FY 2021 enacted level and \$101 million above the President’s budget request.
  - \$1.3 billion for Health Facilities, an increase of \$351 million above the FY 2021 enacted level and \$232 million below the President’s budget request.
  - Fully funds Contract Support Costs and Payments for Tribal Leases.
- \$201 million each for the National Endowment for the Arts and the National Endowment for the Humanities, an increase of \$33.5 million above the 2021 enacted levels, \$23.45 million over the requested level for the National Endowment for the Humanities and equal to the request for National Endowment for the Arts.

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- \$1.102 billion for the Smithsonian Institution, an increase of \$69.3 million above the FY 2021 enacted level and equal to the President’s budget request.
- \$14.1 million for the Woodrow Wilson International Center for Scholars, an increase of \$95,000 above the FY 2021 enacted level and equal to the President’s budget request.
- \$40.4 million for the John F. Kennedy Center for the Performing Arts, equal to the 2021 enacted level and equal to the President’s budget request.
- \$62.6 million for the United States Holocaust Memorial Museum, an increase of \$1.2 million above the enacted level and equal to the President’s budget request.

Land and Water Conservation Fund (LWCF) – The bill allocates \$900 million for land acquisition and support for state recreation programs.

### **Labor, Health and Human Services, Education, and Related Agencies**

Department of Labor (DOL) – The bill provides a total of \$14.7 billion in discretionary appropriations for DOL, an increase of \$2.2 billion above the FY 2021 enacted level and \$400 million above the President’s budget request. Of this amount, the bill includes:

- \$11.6 billion for the Employment and Training Administration, an increase of \$1.6 billion above the FY 2021 enacted level and \$371.2 million above the President’s budget request. Within this amount, the bill includes:
  - \$3.1 billion for Workforce Innovation and Opportunity Act State Grants, an increase of \$250 million above the FY 2021 enacted level and \$76.2 million above the President’s budget request.
  - \$96.7 million for Migrant and Seasonal Farmworkers, an increase of \$2.8 million above the FY 2021 enacted level and the same as the President’s budget request.
  - \$150 million for the Reintegration of Ex-Offenders, an increase of \$50 million above the FY 2021 enacted level and the same as the President’s budget request.
  - \$285 million for Registered Apprenticeships, an increase of \$100 million above the FY 2021 enacted level and the same as the President’s budget request.
  - \$145 million for YouthBuild, an increase of \$48.5 million above the FY 2021 enacted level and the same as the President’s budget request.
  - \$100 million, an increase of \$55 million over the FY 2021 enacted level and the President’s budget request, to continue and expand Strengthening Community College Training Grants to help meet local and regional labor market demand for a skilled workforce by providing training to workers in in-demand industries at community colleges and four-year partners.
  - \$100 million to support communities experiencing dislocations related to fossil fuel and energy production.
  - \$50 million for National Youth Employment Program to support summer and year-round employment for youth.
  - \$20 million for Veterans Clean Energy Training to prepare veterans and their spouses for employment in clean energy.
  - \$1.83 billion for Job Corps, an increase of \$81.4 million above the FY 2021 enacted level and \$75.3 million above the President’s budget request.
  - \$450 million for the Senior Community Service Employment for Older Americans Program, an increase of \$45 million above the FY 2021 enacted level and the President’s budget request.

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- \$3.1 billion for operation of the Unemployment Insurance program, an increase of \$559.4 million above the FY 2021 enacted level and the same as the President's budget request. The bill also includes \$155 million in emergency contingency funding to help States address spikes in unemployment claims.
- \$94.1 million for Foreign Labor Certification, an increase of \$16.3 million above the FY 2021 enacted level and \$4.5 million above the President's budget request. Funds will help support Federal oversight and enforcement of regulations and assist States in reviewing and conducting oversight of processing applications.
- \$2.1 billion for Worker Protection Agencies, an increase of \$305 million above the FY 2021 enacted level and \$1 million above the President's budget request. Within this amount, the bill includes:
  - \$300 million for the Wage and Hour Division, an increase of \$54 million above the FY 2021 enacted level and \$24 million above the President's budget request.
  - \$692 million for the Occupational Safety and Health Administration, an increase of \$100 million above the FY 2021 enacted level and \$27 million above the President's budget request.
  - \$141 million for the Office of Federal Contract Compliance Programs, an increase of \$35 million above the FY 2021 enacted level and the same as the President's budget request.
  - \$218 million for the Employee Benefits Security Administration, an increase of \$38 million above the FY 2021 enacted level and the same as the President's budget request.
- \$136 million for the Bureau of International Labor Affairs, an increase of \$40 million above the FY 2021 enacted level and \$12 million above the President's budget request.
- \$25 million for the Women's Bureau, an increase of \$10 million above the FY 2021 enacted level and \$5 million above the President's budget request.
- \$68 million for the Homeless Veterans Reintegration Program, an increase of \$10 million above the FY 2021 enacted level and the President's budget request.

Department of Health and Human Services (HHS) – The bill provides a total of \$119.8 billion for HHS, an increase of \$22.9 billion above the FY 2021 enacted level and \$129 million below the President's budget request. Of this amount, the bill includes:

- National Institutes of Health (NIH) – The bill provides a total of \$49 billion for NIH, an increase of \$6.5 billion above the FY 2021 enacted level.
  - The bill includes \$3 billion to establish the Advanced Research Projects Agency for Health (ARPA-H) to accelerate the pace of scientific breakthroughs for diseases such as ALS, Alzheimer's disease, diabetes, and cancer.
  - The bill also includes an increase of \$3.5 billion for existing NIH Institutes and Centers, which supports an increase of no less than 5 percent for each Institute and Center to support a wide range of biomedical and behavioral research, as well as targeted investments in several high-priority areas, including:
    - \$7 billion, an increase of \$432 million above the FY 2021 enacted level, for the National Cancer Institute, including \$194 million for the Cancer Moonshot;
    - \$541 million, an increase of \$41 million above the FY 2021 enacted level, for the All of Us Precision Medicine Initiative;

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- \$612 million, an increase of \$52 million above the FY 2021 enacted level, for the BRAIN Initiative;
  - An increase of \$627 million for research related to opioids, stimulants, and pain/pain management;
  - An increase of \$330 million for health disparities research;
  - An increase of \$30 million for the Implementing a Maternal Health and Pregnancy Outcomes Vision for Everyone (IMPROVE) initiative, to support research on maternal morbidity and mortality;
  - \$25 million, an increase of \$12.5 million above the FY 2021 enacted level, for firearm injury and mortality prevention research;
  - \$250 million, an increase of \$30 million above the FY 2021 enacted level, for Universal Flu Vaccine Research;
  - \$3.3 billion, an increase of \$200 million above the FY 2021 enacted level, for HIV/AIDS research, including an increase of \$10 million for the Centers for AIDS Research as part of the Ending the HIV Epidemic Initiative;
  - \$3.4 billion, an increase of \$200 million above the FY 2021 enacted level for Alzheimer’s disease and related dementias research;
  - \$110 million, an increase of \$100 million above the FY 2021 enacted level, for research on the impacts of climate change on human health;
  - \$80 million, an increase of \$15 million above the FY 2021 enacted level, for the INCLUDE Down syndrome research initiative;
  - \$61 million, an increase of \$18 million above the FY 2021 enacted level, for the Office of Research on Women’s Health;
  - \$50 million, an increase of \$20 million above the FY 2021 enacted level, for the Office of Behavioral and Social Science Research;
  - Increased investments in increasing diversity in the biomedical research workforce, including \$88 million, an increase of \$8 million above the FY 2021 enacted level, for Research Centers in Minority Institutions, an increase of \$20 million for research workforce programs, and an increase of \$16 million to strengthen the Office of the CIO for Scientific Workforce Diversity;
  - \$616 million, an increase of \$29 million above the FY 2021 enacted level, for Clinical and Translational Science Awards;
  - \$415 million, an increase of \$18 million above the FY 2021 enacted level, for Institutional Development Awards;
  - An increase of \$40 million for targeted research related to the impact of COVID-19 on children and on mental health;
  - \$50 million to support rapid vaccine development platforms for emerging infectious diseases;
  - \$12 million, an increase of \$6 million above the FY 2021 enacted level, for the Consortium of Food Allergy Research; and
  - An increase of \$100 million to strengthen cybersecurity at NIH.
- Centers for Disease Control and Prevention (CDC) – The bill includes a total of \$10.6 billion for CDC, an increase of \$2.7 billion above the FY 2021 enacted level and \$1

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billion above the President's budget request. This includes \$903 million in transfers from the Prevention and Public Health Fund.

- The bill includes significant investments in our nation's public health infrastructure including:
  - \$1 billion in a new, flexible funding stream for public health infrastructure and capacity nationwide.
  - \$150 million, an increase of \$100 million above the FY 2021 enacted level, to modernize public health data surveillance and analytics at CDC and State and local health departments.
  - \$106 million, an increase of \$50 million above the FY 2021 enacted level, in public health workforce initiatives.
  - \$843 million, an increase of \$250 million above the FY 2021 enacted level, for global health.
  - \$190 million, an increase of \$15 million above the FY 2021 enacted level, for the National Center for Health Statistics.
  - \$715 million, an increase of \$20 million above the FY 2021 enacted level, for public health emergency preparedness cooperative agreements.
  
- The bill provides increases for numerous public health efforts, including:
  - \$25 million, an increase of \$12.5 million above the FY 2021 enacted level, for firearm injury and mortality prevention research.
  - \$74 million, an increase of \$10 million above the FY 2021 enacted level, for the only Federal program addressing the nation's racial and ethnic health disparities, Racial and Ethnic Approach to Community Health (REACH), including \$27 million, an increase of \$5 million, for Good Health and Wellness in Indian Country.
  - \$119 million, an increase \$56 million above the FY 2021 enacted level, for safe motherhood.
  - \$110 million, an increase of \$100 million above the FY 2021 enacted level, for the health impacts of climate change.
  - \$153 million, an increase of \$150 million above the FY 2021 enacted level, for social determinates of health.
  - \$275 million, an increase of \$100 million above the FY 2021 enacted level, for the Ending the HIV Initiative.
  - \$115 million, an increase of \$100 million above the FY 2021 enacted level, for community and youth violence prevention.
  - \$663 million, an increase of \$188 million above the FY 2021 enacted level, for opioid overdose prevention and surveillance.
  - \$75 million, an increase of \$10 million above the FY 2020 enacted level, for food safety.
  - \$250 million, an increase of \$12.5 million above the FY 2021 enacted level, to address tobacco and e-cigarettes.

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- Substance Abuse and Mental Health Services Administration (SAMHSA) – The bill funds SAMHSA at \$9.16 billion – an increase of \$3.14 billion above the FY 2021 enacted level. SAMHSA funding includes:
  - Mental Health: \$3.16 billion, an increase of \$1.36 billion over the FY 2021 enacted level, including an \$825 million increase to the Mental Health Block Grant (MHBG), making investments across the behavioral health continuum to support prevention, screening, treatment, and other services.
  - Mental health resources for children and youth: \$155 million for Project AWARE, an increase of \$48.5 million above the FY 2021 enacted level; \$100 million for the National Child Traumatic Stress Initiative, an increase of \$28 million above the FY 2021 enacted level; \$25 million for Infant and Early Childhood Mental Health, an increase of \$17 million above the FY 2021 enacted level; and \$150 million for the Children’s Mental Health program, an increase of \$25 million over the FY 2021 enacted level.
  - Suicide prevention: \$26.2 million for the Zero Suicide program, an increase of \$5 million above the FY 2021 enacted level; and \$113.6 million for the Suicide Lifeline, an increase of \$89.6 million above the FY 2021 enacted level to support the implementation of the Lifeline’s new 988 number.
  - Increases the mental health crisis systems set-aside in the MHBG to 10 percent.
  - Creates a new 10 percent set-aside within the MHBG to support prevention and early intervention.
  - Creates a new Mental Health Crisis Response Partnership Pilot Program, which will provide \$100 million to help communities create mobile crisis response teams.
  - Substance use treatment: \$5.5 billion, an increase of \$1.6 billion above the FY 2021 enacted level, including continued funding for opioid prevention and treatment, recovery, and tribal-focused treatment efforts. This includes \$2.8 billion, an increase of \$1 billion over the FY 2021 enacted level, for the Substance Abuse Prevention and Treatment Block Grant (SABG); \$2 billion for State Opioid Response Grants, an increase of \$500 million over the FY 2021 enacted level; and \$136.5 million, an increase of \$56.5 million, for Medication Assisted Treatment.
  - Creates a new 10 percent set-aside within the SABG to support recovery services.
  - Substance abuse prevention: \$243.5 million, an increase of \$35 million above the FY 2021 enacted level.
- Health Resources and Services Administration (HRSA) – The bill includes \$7.5 billion for HRSA, an increase of \$1.6 billion above the 2021 enacted level and \$910 million above the President’s budget request. The amount includes:
  - \$1.8 billion, an increase of \$148 million above the FY 2021 enacted level, for the Health Centers program, including \$50 million, an increase of \$45 million, to support school-based health centers, and \$25 million to establish the Alcee Hastings Cancer Screening Program;
  - \$2.7 billion, an increase of \$231 million above the FY 2021 enacted level, for the Ryan White HIV/AIDS program;



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- \$152 million, an increase of \$50 million, in Health Centers and \$190 million, an increase of \$85 million, in the Ryan White HIV/AIDS program for the Ending the HIV Epidemic Initiative;
  - \$1.6 billion, an increase of \$341 million above the FY 2021 enacted level, for HRSA’s Bureau of Health Professions programs to support health workforce development;
  - \$1.2 billion, an increase of \$214 million above the FY 2021 enacted level, for programs to improve maternal and child health, including:
    - \$869 million, an increase of \$156 million above the FY 2021 enacted level, for the Maternal and Child Health Block Grant;
    - \$14 million, an increase of \$5 million above the FY 2021 enacted level, for Alliance for Maternal Health Safety Bundles;
    - \$53 million, an increase of \$30 million above the FY 2021 enacted level, for State Maternal Health Innovation Grants;
    - \$5 million, an increase of \$2 million above the FY 2021 enacted level, for the Maternal Mental Health Hotline;
    - \$25 million in new funding for the Pregnancy Medical Home Demonstration; and
    - \$10 million, an increase of \$5 million above the FY 2021 enacted level, for Screening and Treatment for Maternal Depression and Related Disorders.
  - \$400 million, an increase of \$214 million above the FY 2021 enacted level, for Rural Health Programs, including \$79 million, an increase of \$23 million, to support rural hospitals and \$10 million, an increase of \$5 million for the Rural Maternity and Obstetrics Management Strategies (RMOMS) program; and
  - \$400 million, an increase of \$113.5 million above the FY 2021 enacted level and \$60 million above the President’s budget request, for the Title X Family Planning program.
- Agency for Healthcare Research and Quality (AHRQ) – The bill provides \$380 million for AHRQ, an increase of \$42 million above the FY 2021 enacted level.
  - Centers for Medicare & Medicaid Services (CMS) – The bill provides \$4.3 billion for CMS administrative expenses, an increase of \$646 million above the FY 2021 enacted level and equal to the President’s budget request. This funding level includes an increase of \$74.8 million above the FY 2021 enacted level for State Survey and Certification activities to strengthen improvement efforts, increase health and safety inspections of nursing home facilities, and ensure that long-term care and other facilities have proper infection controls in place.
  - Administration for Children and Families (ACF) – The bill provides \$31.3 billion in discretionary funding for ACF, an increase of \$6.6 billion above the FY 2021 enacted level and \$680 million above the President’s budget request.
    - Early childhood education programs receive an increase of \$3.1 billion above the FY 2021 enacted level:

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- \$7.4 billion for the Child Care and Development Block Grant, an increase of \$1.5 billion above the FY 2021 enacted level;
- \$12.2 billion for Head Start, an increase of \$1.4 billion above the FY 2021 enacted level; and
- \$450 million for Preschool Development Grants, an increase of \$175 million above the FY 2021 enacted level.
  - \$3.9 billion for the Low Income Home Energy Assistance Program, an increase of \$150 million above the FY 2021 enacted level.
  - \$800 million for the Community Services Block Grant, an increase of \$55 million above the FY 2021 enacted level.
  - \$257 million for Child Abuse Prevention and Treatment Act (CAPTA) programs, an increase of \$71 million above the FY 2021 enacted level.
  - \$463 million for Family Violence and Prevention Services Act (FVPSA) programs, an increase of \$281 million above the FY 2021 enacted level.
  - \$26 million for the Domestic Violence Hotline, an increase of \$13 million above the FY 2021 enacted level.
  
- Administration for Community Living (ACL) – The bill funds ACL at \$3.1 billion, an increase of \$846 million above the FY 2021 enacted level and \$96 million above the President’s budget request. This amount includes:
  - \$1.4 billion for Senior Nutrition programs, an increase of \$436 million above the FY 2021 enacted level;
  - \$551 million for Home and Community-based Supportive Services, an increase of \$158 million above the FY 2021 enacted level;
  - \$266 million for Family and Native American Caregivers Services, an increase of \$66 million above the FY 2021 enacted level;
  - \$70 million for Grants for Native Americans, an increase of \$35 million above the FY 2021 enacted level; and
  - \$14.2 million for the Lifespan Respite Program, an increase of \$7.1 million above the FY 2021 enacted level.
  
- Office of the Secretary—General Departmental Management – The bill provides \$658 million, an increase of \$106 million above the FY 2020 enacted level. The amount includes:
  - \$130 million for the Teen Pregnancy Prevention program, an increase of \$29 million above the FY 2021 enacted level.
  - \$76 million for the Office of Minority Health, an increase of \$14 million above the FY 2021 enacted level and \$14 million above the President’s budget request.
  - \$58 million for the Minority HIV/AIDS Initiative, an increase of \$3 million above the FY 2021 enacted level and \$3 million above the President’s budget request.
  - \$42 million for the Office on Women’s Health, an increase of \$7 million above the FY 2021 enacted level and \$7 million above the President’s budget request.
  - \$5 million for KidneyX, equal to the FY 2021 enacted level, for a public-private partnership to accelerate the development and adoption of novel therapies and technologies to improve the diagnosis and treatment of kidney diseases.
  - No funding for abstinence-only education.

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- Office of the Secretary—Public Health and Social Services Emergency Fund (PHSSEF)
  - The bill provides \$3.5 billion for PHSSEF, an increase of \$671 million above the FY 2020 level and \$5 million below the President’s budget request.
- The bill provides funding to improve the nation’s preparedness for public health emergencies, including:
  - \$335 million, an increase of \$48 million above the FY 2021 enacted level, for pandemic influenza.
  - \$823 million, an increase of \$227 million above the FY 2021 enacted level, for the Biomedical Advanced Research and Development Authority (BARDA).
  - \$770 million, equal to the President’s budget request, for Project BioShield.
  - \$905 million, an increase of \$200 million above the FY 2021 enacted level, for the Strategic National Stockpile.
  - \$240 million, an increase of \$8.5 million above the FY 2021 enacted level, for Hospital Preparedness Program formula grants.
  - \$31 million, an increase of \$25 million above the FY 2021 enacted level, to expand the number of Regional Ebola and Other Special Pathogen Treatment Centers.

Department of Education (ED) – The bill provides a total of \$102.8 billion in discretionary appropriations for ED, an increase of \$29.3 billion above the FY 2021 enacted level and the same as the President’s budget request. Of this amount, the bill includes:

- K-12 Education, including Individuals with Disabilities Education Act programs—The bill provides \$65.6 billion, an increase of \$25 billion over the fiscal year 2021 enacted level and the same as the President’s budget request. Within this amount, the bill provides:
  - \$36 billion for Title I Grants to Local Educational Agencies, an increase of \$19.5 billion above the FY 2021 enacted level.
  - \$17.2 billion for Special Education, an increase of \$3.1 billion above the FY 2021 enacted level and \$7 million above the President’s budget request. The amount includes:
    - \$15.5 billion for Part B Grants to States, an increase of \$2.6 billion above the FY 2020 enacted level and the same as the President’s budget request, and
    - \$29 million for Special Olympics education programs, an increase of \$5 million above the FY 2021 enacted level and the President’s budget request.
  - \$1 billion for English Language Acquisition, an increase of \$203 million above the FY 2021 enacted level and \$83 million above the President’s budget request.
  - \$2.3 billion for Supporting Effective Instruction State Grants (Title II-A), an increase of \$150 million above the FY 2021 enacted level and \$145 million above the President’s budget request.
  - \$1.3 billion for Student Support and Academic Enrichment State Grants, an increase of \$85 million above the FY 2021 enacted level and the President’s budget request.
  - \$1.4 billion for Nita M. Lowey 21st Century Community Learning Centers, an increase of \$100 million above the FY 2021 enacted level and \$50 million above the President’s budget request.
- Continued support for a Social and Emotional Learning (SEL) Initiative to support SEL and “whole child” approaches to education. Within this amount, the bill provides:

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- \$112 million, an increase of \$45 million over the FY 2021 enacted level, for grants for evidence-based, field-initiated innovations that address student social, emotional, and cognitive needs within the Education Innovation and Research program;
- \$90 million, an increase of \$10 million over the FY21 enacted level, for the Supporting Effective Educator Development (SEED) program with a priority for teacher professional development and pathways into teaching that provide a strong foundation in child development and learning, including skills for implementing SEL strategies;
- \$1 billion within School Safety National Activities for Mental Health Services Professional Demonstration Grants and School-Based Mental Health Services Grants to help LEAs directly increase the number of mental health and child development experts in schools; and
- \$443 million, an increase of \$413 million over the FY 2021 enacted level, for Full-Service Community Schools to provide comprehensive services and expand evidence-based models that meet the holistic needs of children, families, and communities.
- Career, Technical and Adult Education—The bill provides \$2.2 billion for Career, Technical and Adult Education, an increase of \$208 million above the FY 2021 enacted level and \$55 million above the President’s budget request. This amount includes:
  - \$1.38 billion for CTE State Grants, an increase of \$50 million above the FY 2021 enacted level and \$30 million above the President’s budget request, and
  - \$738.7 million for Adult Education State Grants, an increase of \$50 million above the FY 2021 enacted level and \$25 million above the President’s budget request.
- Student Financial Assistance— The bill provides \$27.2 billion for Federal student aid programs, an increase of \$2.64 billion above the FY 2021 enacted level and \$358 million below the President’s budget request. Within this amount, the bill provides:
  - \$6,895 for the maximum Pell Grant, an increase of \$400 above the FY 2021 enacted level and the same as the President’s discretionary budget request.
  - \$1.03 billion for the Federal Supplemental Educational Opportunity Grant program, an increase of \$148 million above the FY 2021 enacted level and the President’s budget request.
  - \$1.43 billion for Federal Work Study, an increase of \$244 million above the FY 2021 enacted level and the President’s budget request.
- Higher Education— The bill provides \$3.43 billion for higher education programs, an increase of \$889 million above the FY 2021 enacted level and \$122 million above the President’s budget request.
  - Within this amount, the bill provides \$1.13 billion, an increase of \$345 million over the FY 2021 enacted level and the same as the President’s budget request, to assist primarily Minority Serving Institutions (MSIs) in the Aid for Institutional Development account, including:
    - \$402.6 million for Historically Black Colleges and Universities, an increase of \$65 million above the FY 2021 enacted level and the same as the President’s budget request.

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- \$236.7 million for Hispanic Serving Institutions, an increase of \$88 million above the FY 2021 enacted level and the same as the President's budget.
- \$53 million for Tribally Controlled Colleges and Universities, an increase of \$15 million above the FY 2021 enacted level and the same as the President's budget request.
- The bill also provides investments in the following higher education programs:
  - \$1.3 billion for Federal TRIO programs, an increase of \$200.8 million above the FY 2021 enacted level and the same as the President's budget request.
  - \$408 million for GEAR UP, an increase of \$40 million above the FY 2021 enacted level and the same as the President's budget request.
  - \$132 million for Teacher Quality Partnerships, an increase of \$80 million above the FY 2021 enacted level and the same as the President's budget request.
  - \$95 million for the Child Care Access Means Parents in School, an increase of \$40 million above the FY 2021 enacted level and the same as the President's budget request.
  - \$168 million for the Fund for the Improvement of Postsecondary Education, an increase of \$127 million above the FY 2021 enacted level and \$92 million above the President's budget request. This amount includes:
    - \$15 million to continue the Centers of Excellence for Veteran Student Success Program to provide student veterans a one-stop-shop for academic support, networking opportunities, peer mentorship, financing assistance, counseling, and career services.
    - \$12 million to continue the Open Textbook Pilot program to support the creation and expand the sustainable use of quality open college textbooks.
    - \$10 million to promote the study of modeling and simulation at institutions of higher education, specifically to promote the use of technology in such study through the creation of accurate models that can simulate processes or recreate real life.
    - \$8 million for a Basic Needs Grants pilot to help support college students achieve academic success by meeting their basic needs, such as housing, food, transportation, and access to physical and mental health.
    - \$5 million for Menstrual Products Programs to support the students and provide free menstrual products on college campuses.
    - \$5 million for the Center of Excellence in Spatial Computing program to help meet the growing need for a spatial computing workforce.
    - \$5 million for the Distributed Higher Education Digital Infrastructure Pilot to establish a pilot program supporting a collaboration between colleges with established remote learning infrastructure and Minority Serving Institutions.

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- \$1 million for Transitioning Gang-Involved Youth to Higher Education to help gang-involved youth pursue higher education.

### Related Agencies –

- \$1.3 billion for the Corporation for National and Community Service (CNCS), an increase of \$194 million above the FY 2021 enacted level and \$105 million above the President’s budget request.
- Within the total amount, the bill includes:
  - \$601 million for AmeriCorps State and National Grants, an increase of \$146 million over the FY 2021 enacted level.
  - \$245 million for SeniorCorps programs, an increase of \$20 million over the FY 2021 enacted level.
- \$565 million for the Corporation for Public Broadcasting (CPB), in 2024 advance funding, an increase of \$90 million above the FY 2023 enacted level and the President’s budget request. In addition, the bill includes \$20 million for the interconnection system and system wide infrastructure, equal to the FY 2021 enacted level and the President’s budget request.
- \$282 million for the Institute of Museum and Library Services, an increase of \$25 million above the FY 2021 enacted level and \$17 million above the President’s budget request.
- \$317 million for the National Labor Relations Board (NLRB), an increase of \$43 million above the FY 2021 enacted level and \$15 million above the President’s budget request. Within this amount, the bill includes \$1 million and new bill language for the NLRB to establish and administer a process for electronic voting.
- \$14.1 billion for the Social Security Administration’s (SSA) operating expenses, an increase of \$1.1 billion above the FY 2021 enacted level.

### Policy Provisions

#### *Defending Reproductive Health Care*

- *Access to Reproductive Health Care*—The bill eliminates the Hyde and Weldon amendments, long-standing discriminatory policy which denied low-income women their legal right to an abortion.
- *Title X Family Planning*—The bill includes language consistent with the Administration’s proposed new Title X rule, which will help restore grant funding to Planned Parenthood and other health clinics that offer the full range of reproductive health services.

#### *Protecting Migrants*

- *Influx Shelters*—The bill limits funds from being used to house unaccompanied children in the custody of the Office of Refugee Resettlement in unlicensed facilities that do not come into compliance with Flores Settlement Agreement requirements and meet monitoring and compliance requirements.
- *Congressional Oversight*—The bill includes a modification of the FY 2021 enacted provision relating to Members of Congress and oversight of facilities responsible for the care of unaccompanied children.
- *Confidentiality of Information and Counseling Sessions*—The bill protects the confidentiality of information collected from unaccompanied children during case management, clinical or counselling sessions, and prohibits the sharing of information

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provided by unaccompanied children for use in immigration enforcement or removal proceedings.

### *Protecting Workers Rights*

- *Merit Staffing*—The bill includes a new provision prohibiting the use of funds to implement a final rule that would privatize job search functions and other essential services offered through the Employment Service system.
- *Apprenticeships*—The bill includes a new provision prohibiting implementation of the IRAP final rule
- *H-2B*—The bill includes new provisions related to the H-2B program intended to protect American and temporary workers and hold bad actors accountable.

### *Protecting Civil Rights*

- *Preventing Discrimination in Foster Care*—The bill includes a new provision prohibiting funds from being awarded to a foster care organization that does not comply with nondiscrimination regulations related to age, disability, sex, race, color, national origin, religion, gender identity, or sexual orientation.

### *Expanding Opportunity and Ensuring Accountability in Education*

- *Pell for Dreamers*—The bill includes new language allowing DREAMERS and students with temporary protected status to be eligible for Pell Grants, as well as other categories of student financial assistance, including Federal student loans.
- *For-Profit College Accountability*—The bill includes new language requiring for-profit colleges to derive more of their revenue from non-Federal sources.
- *For-Profit Entities*—The bill includes new language preventing Federal funds from being awarded to charter schools run by for-profit entities.

### *Supporting People with Disabilities*

- *Administrative Law Judges*—The bill includes a provision prohibiting the Social Security Administration from implementing or enforcing a rule that replaces an individual's right to appeal their denied application for Social Security or SSI benefits before an independent administrative law judge at a hearing with an appeal before an SSA staff attorney.

### *Helping Reduce Injection-Related Infections to Save Lives*

- *Syringe Exchange*—The bill removes a longstanding general provision that prohibited federal funds from being used to purchase syringes as part of a public health campaign to provide services to individuals involved in injection drug use.

## **Legislative Branch**

House of Representatives – The bill provides a total of \$1.715 billion in discretionary appropriations for the House of Representatives, an increase of \$238 million above the FY 2021 enacted level.

- \$744.4 million for the Members Representational Allowance (MRA), the basic office budgets of House Members, an increase of \$134.4 million above the FY 2021 level.
- \$34.95 million for the offices of the Majority and Minority Leadership, an increase of \$6 million above the FY 2021 level.

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- \$15.9 million in funding for paid interns for Member and Leadership offices. This allowance helps extend internship opportunities to people who may not be financially able to take an unpaid position.
- \$197 million for the operations of House committees, an increase of \$34.2 million above the FY 2021 level. This appropriation will cover the funding allocated to committees for 2021 by the biennial funding resolution adopted by the House in the 1st session of the 117th Congress (H. Res. 316).
- \$2.3 million in funding for newly created accounts to compensate 106 paid interns for House Committees.
  
- \$288.5 million for the salaries and expenses of House officers and employees, including the offices of the Clerk of the House, Sergeant at Arms, Chief Administrative Officer (CAO), Parliamentarian, and Legislative Counsel, among others. This is an increase of \$27.7 million above the FY 2021 level and \$7.1 million above the request.
  - Within this funding, \$27.7 million is provided for the Sergeant at Arms, \$4.4 million above the FY 2021 level; \$12.6 million for the Office of Legislative Counsel, \$688,000 above the FY 2021 level; and \$3 million for the Office of Diversity and Inclusion, \$1.5 million above the FY 2021 level.
- \$2 million for the House Modernization Initiatives Account to make Congress more effective, efficient, and transparent on behalf of the American people.
- \$9.294 million for Wounded Warrior Program/Gold Star Families, an increase of \$5.3 million above the FY 2021 level.

### Other Agencies

- \$60.9 million for the Congressional Budget Office (CBO), an increase of \$3.7 million above the FY 2021 level. This funding level will allow CBO to be responsive to Committees, Leadership and Members to the greatest extent practicable and to modestly increase its efforts to improve modeling and analytical capability in key areas and to make its work as transparent and accessible as possible.
- \$125.6 million for the Government Publishing Office, an increase of \$8.6 million above the FY 2021 level. This funding allows for the publishing of Congressional information in both digital and print formats.
- \$8 million for the Office of Congressional Workplace Rights, an increase of \$500,000 above the FY 2021 level to fulfill the Office's responsibilities to implement the Congressional Accountability Reform Act, including enforcing laws against discrimination and sexual harassment.
- \$729.3 million for the Government Accountability Office (GAO), an increase of \$68.1 million above the FY 2021 level. This funding should allow the GAO to bring on 190 additional staff, including for the Science, Technology Assessment and Analytics Team, to handle its large workload, and to begin to address its information technology and building renovation needs.
- \$794.4 million, an increase of \$37 million above the FY 2021 level, for the Library of Congress, including the Copyright Office, Congressional Research Service, and National Library Service for the Blind and Print Disabled. This funding level will allow continued progress on urgent information technology needs and on modernization of systems for copyright registration and recordation and support ongoing Library initiatives such as the Veterans' History Project.



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- The bill includes \$131.8 million for Congressional Research Service, an increase of \$6.3 million above FY 2021 level.
- The bill includes \$10 million for the third, and final installment of funding for the Library’s Visitor Experience initiative, subject to the Appropriations Committees’ review of the specific plans, cost estimates, and schedules for the initiative. It also includes \$7.4 million for modernizing the infrastructure that handles distribution of audio and Braille reading materials at the National Library Service for the Blind and for purchase of braille e-readers.
- \$738.3 million for the Architect of the Capitol, an increase of \$152.8 million above the FY 2021 level. (These totals do not include appropriations for Senate Office Buildings, which as is customary are left to the sole consideration of the Senate.) Funding includes \$93 million to continue restoration of the Cannon House Office Building. The report directs the Architect to prioritize removal of accessibility barriers and increase of number of single-stall public washroom facilities on the Capitol campus.
- \$603.9 million for the Capitol Police, an increase of \$88.4 million above the FY 2021 level and \$15.3 million below the request. Funding will allow for the hiring of up to 2,112 sworn officers and 450 civilian members of the Capitol Police. The Committee report includes several significant measures to help bring more transparency, diversity, and leadership training, and standardize vetting and routinely review staff for employment suitability with the Capitol Police.

### Important Policy Changes:

- Fostering equity and inclusion:
  - *Employment of DACA Recipients* – The bill includes language permitting the Legislative Branch agencies it funds to employ Dreamers— residents of the United States brought to this country as children without proper immigration status—who hold employment authorization under the Deferred Action for Childhood Arrivals (DACA) program.
  - *Removes Offensive Statues and Busts* – The bill recognizes the need to confront the crisis of systemic racism. The bill includes language directing the Architect of the Capitol to remove statues or busts in the United States Capitol that represent figures who participated in the Confederate Army or government, as well as the statues of white supremacists Charles Aycock, John C. Calhoun, and James Paul Clarke and the bust of Roger B. Taney.
- Member Cost of Living Adjustment (COLA) – The bill also includes a provision to prevent the automatic increase in the Cost of Living Increase for Members of Congress for fiscal year 2022.

### **Military Construction and Veterans Affairs**

Military Construction – The bill provides a total of \$10.9 billion for military construction – \$2.9 billion above the 2021 enacted level and \$1.07 billion above the President’s budget request. Of this amount, the bill includes:

- \$213 million for Child Development Centers, of which \$33 million is for planning and design for future facilities, and in total is \$193 million above the FY 2022 budget request.

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The funds will support increased capacity and better facilities for the 1.2 million children of active duty servicemembers worldwide.

- \$1.423 billion for Family Housing, an increase of \$87 million above the 2021 enacted level and the same as the budget request. Within this amount, Family Housing Support and Management is funded at \$116.2 million to address issues such as mold, vermin, and lead in military family housing.
- \$849.2 million for construction or alteration of Guard and Reserve facilities in states and territories, an increase of \$253 million above the 2021 enacted level and \$179.2 million above the FY 2022 budget request.
- \$205.8 million for the NATO Security Investment Program, an increase of \$32.8 million above the 2021 enacted level and equal to the FY 2022 budget request, for infrastructure necessary for wartime, crisis, and peace support and deterrence operations, and training requirements. The funds will support responses to the challenges posed by Russian aggression as well as the risks and threats emanating from the Middle East and North Africa.
- \$564.6 million for Base Realignment and Closure, an increase of \$84.1 million above the 2021 enacted level and \$280 million above the FY 2022 budget request. Within this amount, cleanup of Perfluorooctane Sulfonate and Perfluorooctanoic Acid contamination is funded at \$150 million.
- \$149.8 million for Cost to Complete Projects, which includes \$31.5 million for family housing construction.
- \$162.9 million for Natural Disaster Recovery Construction, to be distributed amongst the Air Force and Navy & Marine Corps.
- \$100 million for the Army National Guard transformation plan to accelerate construction of facilities and \$50 million for planning and design towards future facilities.
- \$550 million for Barracks for Unaccompanied Soldiers at various locations, \$237.2 million above the FY 2022 budget request.
- \$100 million for Climate Change and Resiliency Projects, which is \$86 million above the FY 2021 enacted level, and \$100 million above the FY 2022 budget request.
- \$475 million for Shipyard Infrastructure Optimization Plan (SIOP) projects, which is \$379 million above the FY 2021 enacted level, and \$225 million above the FY 2022 budget request.

Department of Veterans Affairs (VA) – The bill provides a total of \$113.1 billion in discretionary appropriations for VA, an increase of \$8.7 billion above the 2021 enacted level and \$176.4 million above the President’s budget request. These resources will serve to expand access to services for Veterans and will boost oversight and accountability across the department. Of this amount, the bill includes:

- \$97.6 billion for Veterans Medical Care, an increase of \$7.6 billion above the 2021 enacted level and \$100 million above the President’s budget request. This will provide care for 7.1 million patients expected to be treated by VA in FY 2022. Of this amount:
- \$13.2 billion for Mental Healthcare, an increase of \$2.9 billion above the 2021 enacted level and \$1 million above the President’s budget request, including \$599 million for suicide prevention outreach. This will support the nearly 2 million Veterans who receive mental health services in a VA specialty mental health setting, as well as support suicide

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prevention services like the Veterans Crisis Line, which saw an increase in demand by over 59% in the last year.

- \$778.5 million for Gender-specific Care for Women, an increase of \$117.8 million above the 2021 enacted level and \$73 million above the President's budget request. Women are the fastest growing cohort within the Veteran community, with nearly 561,000 women Veterans using VA health services.
- \$2.2 billion for Homeless Assistance Programs, an increase of \$246 million above the 2021 enacted level and equal to the President's budget request. This funding will enhance VA's ability to reach homeless Veterans, which is particularly crucial as the most recent homelessness survey showed that on a given night in January 2020, an estimated 37,252 Veterans were experiencing homelessness.
- \$621 million for Opioid Abuse Prevention, an increase of \$149 million above the 2021 enacted level and equal to the President's budget request. This funding will allow for more targeted funding of pain management and opioid safety programs primarily at the facility level.
- \$307 million for Rural Health Initiatives, an increase of \$7 million above the 2021 enacted level and equal to the President's budget request. This will build upon VA's success in having served 2.9 million Veterans at 600 rural serving sites.
- \$84 million for Whole Health Initiatives, an increase of \$10 million above the 2021 enacted level and \$10 million above the President's budget request. This will enable VA to build upon the success of this program that focuses on Veterans' overall health and well-being, which has already reached 346,629 Veterans, or 7.41% of active VA users.
- Additionally, the bill includes \$111.3 billion in advance fiscal year 2023 funding for Veterans' medical care – equal to the President's budget request. This funding will provide for medical services, medical community care, medical support and compliance, and medical facilities, and ensure that our Veterans have continued, full access to their medical care needs.
- \$902 million for Medical and Prosthetic Research, an increase of \$87 million above the 2021 enacted level and \$20 million above the President's budget request. This funding will allow VA to exceed the budget request's target of funding approximately 2,563 total projects, supporting more than 1,700 researchers, and partnering with more than 200 medical schools and other academic institutions.
- \$2.6 billion to continue implementation of the VA Electronic Health Record System, an increase of \$10 million above the 2021 enacted level and \$26 million below the President's budget request. These funds will allow VA to support continued, robust deployment of the new electronic health record system at VA medical centers and allow for intensive staff training, critical to the success of the effort. The bill also continues GAO oversight of this program to ensure that the EHR system is implemented in a timely manner.
- \$2.2 billion for VA Construction, an increase of \$458 million above the 2021 enacted level and equal to the President's budget request. Within this amount, \$1.6 billion is for Major Construction and \$553 million is for Minor Construction. This increase will support VA's highest priority projects and correct critical seismic and safety deficiencies and address other performance gaps at VA facilities to ensure that Veterans can access care in modern facilities that are safe, secure, sustainable, and accessible.

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- \$3.4 billion for operating expenses of the Veterans Benefits Administration, an increase of \$239 million above the 2021 enacted level, to ensure the prompt processing of disability claims. This increase will allow VA to complete an estimated 1.7 million disability compensation claims in 2022 and support service-connected compensation payments to an estimated 5.5 million Veterans, 500,000 survivors and dependents. In addition, pension payments will be funded for more than 350,000 Veterans and their survivors. The bill also continues rigorous reporting requirements to track each regional office's performance on claims processing and appeals backlogs.
  - Additionally, the bill includes \$156.6 billion in advance mandatory funding for VA benefit programs, equal to the President's budget request.

Related Agencies – The bill provides a total of \$434.8 million in discretionary appropriations for related agencies, an increase of \$156.5 million above the 2021 enacted level and \$5 million above the President's budget request. Of this amount, the bill includes:

- \$228 million for Arlington National Cemetery, including \$141 million to complete the urgently needed Southern Expansion project that will create 80,000 additional burial spaces. This is an increase of \$146.2 million above the 2021 enacted level and equal to the President's budget request.
- \$88.1 million for the American Battle Monuments Commission, \$4 million above the fiscal year 2021 enacted level and \$3.3 million more than the President's budget request. This will support continued maintenance of the graves of 124,000 American war dead in overseas cemeteries, as well as visitor and education services for the more than 3 million visitors expected to visit these sites in FY 2022.
- \$77 million for the Armed Forces Retirement Home, \$1.7 million above the 2021 enacted level and \$1.7 million above the President's budget request. This will support the needs of the over 800 residents at the two retirement home campuses and invest in critical life and safety infrastructure improvements.

### **State, Foreign Operations**

State Department Operations and Related Agencies – The bill contains a total of \$18.2 billion for the operational costs of the State Department and related agencies, as well as diplomacy efforts to enhance peace and stability around the globe and provides the authority for the State Department to exceed the cap on U.S. peacekeeping contributions. The bill also includes a total of \$325 million to pay arrears from prior year peacekeeping assessments.

Within this amount, the legislation provides \$6.1 billion for embassy security, the same as the fiscal year 2021 enacted level. These funds will address needs at more than 275 diplomatic facilities overseas, including facility upgrades and security personnel.

United States Agency for International Development (USAID) Operations – The bill contains \$1.79 billion for USAID and the USAID Office of Inspector General – an increase of \$79 million from the fiscal year 2021 enacted level. The legislation increases diversity and inclusion initiatives in addition to supporting increased personnel on global health security.

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Bilateral Economic and Global Health Assistance – The bill contains a total of \$29.625 billion for bilateral economic assistance to foreign countries – an increase of \$3.14 billion from the fiscal year 2021 enacted level. Within this amount, programs that support development assistance, global health, and humanitarian assistance are prioritized. In addition, the bill includes \$6.410 billion to fight HIV/AIDS around the globe.

International Security Assistance – The bill provides a total of \$9.034 billion for international security assistance – an increase of \$30 million from the fiscal year 2021 enacted level. Funds are included for international narcotics control and law enforcement activities, antiterrorism programs, nonproliferation programs, peacekeeping operations, and other critical international security efforts. The bill also provides funding to fight terrorist financing networks and bolsters border and airport security.

In addition, the legislation provides security assistance to key allies and partners. The bill fully funds the \$3.3 billion commitment to Israel’s security, and it maintains strong support for Foreign Military Financing Program assistance for Ukraine, Georgia, Egypt, Jordan, and Tunisia.

Multilateral Assistance – The bill provides \$4.1 billion for assistance to foreign countries through international organizations and banks – an increase of \$2.06 billion from the fiscal year 2021 enacted level. The bill fully provides for our assessed Contributions to International Organizations and continues our contributions to international financial institutions such as the World Bank’s International Development Association as well as to other multilateral institutions, including the Global Environment Facility and the International Fund for Agricultural Development, which promote environment and food security initiatives respectively. Further, the bill provides a new contribution to the International Monetary Fund for the Poverty Reduction and Growth Trust to help low-income countries respond to the economic impacts from the COVID-19 pandemic.

Export and Investment Assistance – The bill provides \$805.8 million in new budget authority between Export-Import Bank (EXIM) and the United States International Development Finance Corporation (DFC). The bill provides \$114 million for administrative expenses for the EXIM, an increase of \$4 million above FY 2021 enacted, and an additional \$5 million for the Program Budget Appropriations account, an increase of \$5 million above the FY 2021 enacted level, to cover subsidy costs to better position American companies to compete globally. \$6.5 million is also provided for the EXIM Office of Inspector General.

The bill also provides \$598 million for the DFC, an increase of \$29 million above the fiscal year 2021 enacted level, to support administrative expenses to meet the DFC’s expanding portfolio and monitoring and evaluation requirements. In addition, \$2.8 million is provided for the DFC Office of Inspector General, an increase of \$800,000 above the fiscal year 2021 enacted level. The bill also provides \$79.5 million for the United States Trade and Development Agency, same as the fiscal year 2021 enacted level.

### **Transportation, Housing and Urban Development, and Related Agencies**

Department of Transportation (DOT)—For fiscal year 2022, the bill provides a total of \$105.7 billion in budgetary resources for DOT – an increase of \$19 billion above the fiscal year 2021 enacted level and \$18.7 billion above the President’s 2022 budget request. The legislation:

- Creates and leverages more than 150 million additional jobs in construction and related industries.
- Invests more than \$250 million to reduce transportation emissions, increase resiliency, and address historical inequities.
- Improves the safety of our highways, aviation, transit, rail, and port systems.
- Fixes roads and highways, expands bicycle and pedestrian infrastructure, supports Federal auto safety programs, and invests in the transit state of good repair, consistent with the INVEST in America Act.
- Funds more than 300 zero emission buses, 400 diesel buses, and constructs more than 23 new, fixed-route transit projects nationwide.
- Nearly doubles investments in passenger and freight rail and expands port infrastructure programs by nearly a third.

The bill includes:

- \$1.2 billion for National Infrastructure Investments (RAISE/TIGER/BUILD), an increase of \$200 million from fiscal year 2021, including \$20 million for Transportation Planning Grants to assist areas of persistent poverty, \$10 million above fiscal year 2021. An additional \$100 million is included for a new grant program to spur Thriving Communities nationwide.
- Robust increases for Research and Technology to expand research on ways to create more equitable access to transportation systems, combat climate change, and reduce greenhouse gas emissions, as well as a 79 percent increase in cybersecurity initiatives to safeguard our transportation systems. An additional \$5 million to support the Highly Automated Systems Safety Center of Excellence to coordinate DOT’s technical expertise around automated systems.
- Improvements to our aviation system by providing \$18.9 billion for the Federal Aviation Administration (FAA), \$896 million above fiscal year 2021, including \$1.5 billion for Aviation Safety and \$400 million for discretionary Airport Improvement Grants and projects.
- \$61.9 billion for the Federal Highway Administration for formula programs funded from the Highway Trust Fund that improve the safety and long-term viability of our nation’s highway systems.
- \$886 million for the Federal Motor Carrier Safety Administration and \$1.3 billion for the National Highway Traffic Safety Administration to make trucks, cars, and the nation’s roads safer, consistent with the INVEST in America Act.
- Advances the safety and reliability of our passenger and freight rail systems by providing \$4.1 billion for the Federal Railroad Administration, an increase of \$1.3 billion above fiscal year 2021. This includes:
  - \$625 million for the new Passenger Rail Improvement, Modernization, and Expansion (PRIME) grant program, to support projects that improve, expand, or establish passenger rail service.

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- \$500 million for the Consolidated Rail Infrastructure and Safety Improvements grant program, \$125 million above fiscal year 2021.
- \$2.7 billion for Amtrak, \$700 million above fiscal year 2021, including \$1.2 billion for Northeast Corridor Grants and \$1.5 billion for National Network Grants.
- \$15.5 billion for the Federal Transit Administration, including \$12.2 billion for Transit Formula Grants to expand bus fleets and increase the transit state of good repair; \$2.5 billion for Capital Investment Grants, to construct more than 23 new transit routes nationwide, an increase of \$459 million above the fiscal year fiscal year 2021 enacted level, and equal to the President's budget request; and \$580 million for Transit Infrastructure Grants, to purchase more than 300 zero emission buses, 400 diesel buses, and to support transformative research for transit systems, an increase of \$64 million above the fiscal year 2021.
- \$1.3 billion for the Maritime Administration, \$84 million above fiscal year 2021, including \$318 million for the Maritime Security Program, \$60 million to establish the Tanker Security Fleet program, \$300 million for the Port Infrastructure Development Program, an increase of \$70 million above fiscal year 2021 enacted level, and \$320.6 million for schoolship construction and related shore-side infrastructure, which fully funds the fifth and final schoolship.
- Community projects identified by 145 Members of Congress on both sides of the aisle that increase the safety and viability of our airports, highways, and transit systems.

Department of Housing and Urban Development (HUD)—For fiscal year 2022, the bill provides a total of \$56.5 billion for HUD – an increase of \$6.8 billion above fiscal year 2021 and \$314 million below the President's 2022 budget request. The legislation:

- Expands housing choice vouchers to more than 125,000 low-income individuals and families experiencing or at risk of homelessness, including survivors of domestic violence and veterans.
- Protects housing assistance for more than 4.8 million individuals and families to ensure they continue to remain in safe, stable, and affordable housing.
- Includes over \$11.3 billion in funding for new affordable housing, critical health, safety, and maintenance improvements to ensure the safety and quality of public and low-income housing, and community development activities, including \$365 million to construct over 4,000 new affordable housing units for seniors and persons with disabilities, \$1.85 billion in direct funding to states and local governments through the HOME Investment Partnerships Program, and doubles the number of distressed neighborhoods that could be revitalized through the Choice Neighborhoods Initiative program.
- Reduces the carbon footprint by investing more than \$205 million across the Department to improve energy and water efficiency and increase resiliency in public and low-income housing.

The bill includes:

- \$29.2 billion for Tenant-based Rental Assistance to continue to serve more than 2.3 million very low- and extremely low-income households nationwide. This level of funding also includes \$1 billion to expand housing assistance to more than 125,000 low-income families, including individuals and families experiencing or at risk of

homelessness, including survivors of domestic violence and veterans. A combined \$25 million is provided for the HUD/VA Supportive Housing for Homeless Veterans and Native American Veterans programs.

- \$8.64 billion for Public Housing, \$834 million above fiscal year 2021, including \$3.4 billion to meet the full annual capital accrual need in order to improve the quality and safety of public housing for more than 2 million residents.
- \$600 million for Housing Opportunities for Persons with AIDS, to protect housing and services for more than 75,000 low-income people living with HIV, an increase of \$170 million above the fiscal year 2021 and \$150 million above the President's budget request.
- Increased investments to revitalize low-income housing and distressed communities by doubling the Choice Neighborhoods Initiative to \$400 million, an increase of \$200 million above fiscal year 2021.
- An increase in supportive services for HUD-assisted households to improve their connections to jobs, healthcare, and educational opportunities by providing \$200 million for Self-Sufficiency Programs, an increase of \$45 million above the fiscal year 2021.
- Expanded housing options and improved living conditions for tribal communities by providing \$950 million for Native American Programs, an increase of \$125 million above fiscal year 2021 and an additional \$4 million for the Native Hawaiian Housing Block Grant program.
- \$10.6 billion for Community Planning and Development, an increase of \$2.3 billion above fiscal year 2021, including \$3.7 billion for Community Development Block Grants, an increase of \$265 million above fiscal year 2021. This also includes \$1.85 billion for the HOME Investment Partnerships Program which has helped preserve approximately 1.33 million affordable homes, an increase of \$500 million above fiscal year 2021, and includes \$50 million for a new down payment assistance program to help first-time, first-generation home buyers purchase a home.
- More than 18,000 new housing options for people at risk of or experiencing homelessness while also continuing assistance to over 750,000 people experiencing homelessness and more than 350,000 individuals in emergency shelters, by including \$3.4 billion for Homeless Assistance Grants, an increase of \$420 million above fiscal year 2021.
- \$14 billion for Project-based Rental Assistance to continue to house more than 1.2 million very low- and low-income households nationwide, an increase of \$545 million above fiscal year 2021. An additional \$1 billion is provided for Housing for the Elderly to build approximately 2,200 new affordable housing units for low-income seniors and \$352 million for Housing for Persons with Disabilities to construct approximately 1,800 new affordable housing units for persons with disabilities.
- \$100 million for Housing Counseling assistance for renters, homeowners, and those considering homeownership and \$185 million for Policy Development and Research, including \$20 million to continue legal aid assistance for eviction prevention, a combined increase of \$102.5 million above fiscal year 2021.
- Increased enforcement in fair housing by providing \$85 million for Fair Housing and Equal Opportunity, an increase of \$12 million above the fiscal year 2021 and equal to the President's budget request.
- \$460 million for the Office of Lead Hazard Control and Healthy Homes, an increase of \$100 million above fiscal year 2021, including \$60 million to conduct lead inspections in



## *Innovative Federal Strategies LLC*

Section 8 voucher units to improve the health and condition of housing where nearly 229,000 children reside.

- Community projects identified by more than 250 Members of Congress on both sides of the aisle to support a variety of targeted housing, economic, and community development investments.

**Related Agencies**—The bill provides \$416.2 million for the related agencies in the bill, including \$185 million for NeighborWorks to support unique solutions to expand affordable housing options, increase housing counseling assistance, and strengthen economic development. To strengthen the Federal coordination of assistance to people experiencing or at risk of homelessness, the bill includes \$4 million for the U.S. Interagency Council on Homelessness.



Item # 2

## Community Water Systems Alliance Update





## **MINUTES**

Joint meeting of CWSA Steering Committee and Policy Committee, July 14, 2021.

### **Call to Order**

Dan Ferons called the meeting to order.

### **Roll Call**

#### Committee Members Present

Dan Ferons, Santa Margarita Water District,  
Steering Committee Chair

Marina West, Bighorn-Desert View Water  
Agency, Policy Com. Chair

Jim Leach, Santa Margarita Water District

Ray Kolisz, Twentynine Palms Water  
District

Horacio Gonzalez, City of Coachella

Mark Grajeda, Pico Water District

Doug Nunneley, Oildale Mutual Water  
Company

Jackie McCloud, City of Watsonville David  
Pedersen, Las Virgenes Municipal Water  
District

Jim Byerrum, Hi Desert Water District

Nick Schneider, Mojave Water Agency

Kathy Cortner, Mojave Water Agency

Ryan Hutchins, Hi-Desert Water District

#### Staff Present

Jim Ciampa, Lagerlof, Senegal, Gosney &  
Kruse

Tim Worley, CWSA Managing Director

Adán Ortega, CalMutuals Exec. Director

Logan Largent, OSG Public Affairs  
Associate

Madeline Chen, OSG Public Affairs  
Associate

Susan Allen, Admin. and Org. Devel.  
Director

Jesus Silva, Regional Issues and Policy  
Director

#### Others Present

Cindy Byerrum, Eide Bailly

### **Changes or Additions to the Agenda**

CWSA updated the board packet with an alteration to the previous minutes; the demand sheet.

### **Approval of Minutes of July 14 Meeting**

Motion by Marina West and seconded by Jim Leach.

### **Steering Committee Business**

- a. *Demand sheet.* Susan Allen presented the demand sheet as well as the financial statement. Demand sheet totals \$10,200 including \$2,177 in legal fees for Lagerlof and \$8,155 for OSG for coordination, analysis and lobbying by OSG, as well as a subscription to Wild Apricot, our software for managing clientele information and billing. The demand sheet was approved on a motion by Mark Grajeda, seconded by Marina West.
- b. *Financial Statement* –This month saw 25,000 in income, largely from our anchor members and charter levels sponsors, as well as payments from Joshua Basin and Cabazon Water District, and an early payment from Mesa Water District. Expenses for the month included OSG and Lagerlof support, administrative fees to CalMutuals, and a small amount for

newsletter consulting. Right now there is just under \$60,000 in the bank. Current estimates indicate that CWSA will end the year with \$35,885. The financial statement was approved by unanimous consent.

- c. *Membership Report.* Tim Worley introduced a new member this month whose acceptance we have been expecting. Hi-Desert Water District has joined CWSA, and staff members Paul Peschel and Ryan Hutchins attended and were able to get acquainted with the group. Also, in attendance by special request were Nick Schneider and Kathy Cortner of Mojave Water Agency. CWSA is pleased to have MWA, as a regional leader, to look out for the interests of smaller local agencies. Worley noted that we do expect the City of San Fernando to join shortly, as well as San Diego-area additions.

### **Policy Committee Business**

- a. *Illegal Cannabis Updates.*

Ms. West reported that she is looking to set a meeting with a local legislator to discuss the problem. Sean Maguire, SWRCB board member, has noted that the Board is looking for ways to tackle it. The group discussed a list of items to address with the SWRCB, and added well permitting. CWSA has identified key targets for outreach, and it is important that the group stay involved.

*Regulator Comment Letter.* Worley mentioned the draft letter to state agency leaders has been circulated for signatures. West noted that the legislators that she has spoken to were not aware of what is happening, and MWA offered to provide tours to visiting officials. Marina has garnered support from community organizations, and we need similar support from all types of organizations and individuals.

*Highway 62-247 Forum.* Worley advised that a meeting is scheduled for our local initiative to develop a coordinated message on cannabis and drought. A wider community meeting could follow this initial coordinating meeting. Message points were distributed in advance of the coming meetings. Ms. West added that she and Ray Kolisz met, and discussed actions that can be taken by a water district. Comments reinforced the need to remain safe.

*Outreach and Allies.* Nick Schneider advocated cooperation with ACWA's working group, which will consider legislation in the fall, likely utilizing well permitting and illegal drilling as a focus to gain support from the industry for water theft. Ortega offered to set up a meeting with MWA and Metropolitan if water is being stolen from the California aqueduct. Schneider also recommended the Southern California Water Coalition as a viable partner and resource, and it was agreed to contact them. Directors discussed Los Angeles County involvement, and the committee agreed to reach out to Russ Bryden of the county's Dept. of Public Works, and to Adam Ariki, the overseer for county's water systems. Additionally, upcoming media coverage will support the effort. Policy Committee Chair West indicated a contact, Byrhonda Lyons, is doing a story on this problem for PBS. CWSA will begin organizing lists of various allies in the media, within community organizations and various special interest groups such as environmentalists. Solutions will require the assembly of allies and supporters including water systems, law enforcement, elected officials, environmental groups and community assistance groups and as well as the neutralization of concerns from civil rights organizations. Several directors noted that they have connections to ACWA and CMUA, and will spread the word to other associations.

- b. *CWSA Local Empowerment Initiative.* CWSA has demonstrated what can be done at the state level, but many times issues need to be addressed locally in order to promote small and

disadvantaged water systems and communities. The San Diego County Water Authority has expressed interest in the Alliance for regional integrated resources planning aimed at lifting up struggling systems. Other areas may focus on the new groundwater sustainability agencies, which may not consistently reach out to DACs. In representing the City of San Fernando on the MWD Board, Ortega added that he has observed their lack of capacity to complete an analysis in order to assist impacted communities. Jesus Silva will work with the local initiatives and is engaged in various regional entities as a director for the Orange County Sanitation District.

Ortega pointed out that we will monitor meetings and submit comments to create partnerships. Ms. Kortner mentioned their close work with CalRural and Dustin Hardwick could be beneficial.

The Committees were informed that their approval will be needed for the roughly \$2,500 per month increase in funding to support this action. There is a general agreement to start now, and simultaneously expand outreach and funding. Motion to initiate the local program with this budget was made by Pedersen, seconded by Ferons and passed.

*c. Legislative Update*

*Bill Roster.* Only two bills for which CWSA has taken an active posture are still active: SB 222 and AB 1138. SB 222 has passed out of the Senate and appears headed to pass the Assembly. Members stated plans to comment in support of AB 1138 in the committee hearing July 14. A budget was passed but trailer bills are in development for specific fund allocations and planning. Committee members have spoken to advocates and developed an understanding that there is not much regionality, and a lot of allocation authority will be left to the SWRCB.

- d. Operator Training.* Inland Empire Works: Introductory Meeting Report. Susan Allen reported on CalMutuals/JPRIMA's efforts to address operator training. Underrepresented populations suffer disproportionately from an inability to retain competent system operators. Also, young operators may have difficulty landing a position. CWSA has been searching for a way to get involved with this effort, and is interested in an Inland Empire Works (IEWorks) program to equip young people with information about joining the industry, water agency internships and pre-internship education. They have received grant funding to operate the program and JPRIMA is considering partnering for career outreach efforts, facilitation of tours and education, and informal advising to the program. The internships are provided to members of their program and part of their salaries are covered by IEWorks. Community college students are pre-screened by IEWorks and top applicant information forwarded to agencies interested in adding to their staff as part of the initiative. CWSA members in the Inland Empire region should consider reaching out to CWSA or CalMutuals staff if they wish to get involved. One consideration is allowing a membership fee split for several small water purveyors in the same area.

**Other Business**

No other business was brought before the Committees.

**Meeting Adjournment**

The meeting adjourned at 9:28.



DATE: August 11, 2021  
TO: CWSA Policy Committee  
FROM: Tim Worley, Managing Director  
RE: Update on Cannabis Campaign

This is a brief update on the status of CWSA's campaign to address impacts of illegal cannabis.

**ACTIONS COMPLETED BY CWSA** (more actions are being pursued by others)

Communication and Outreach

- Communicated with ACWA, League of California Cities, and Calif-Nevada Section AWWA re: State Agencies letter
  - Interest expressed, but none signed the letter; CA-NV AWWA will write its own letter
  - ACWA expressed interest in legislation, response from Water Board
- Outreach to other possible partners
  - Contacted Don Bartz to seek action by Calif Special Districts Assn; they supported AB 1138
  - Contacted representative of Southern California Coalition, a trade organization for regulated cannabis industry
- Submitting article for *Desert Report* (may be held to December issue)
  - Cited MWA research, interviewed Mojave Desert Land Trust, Pat Flanagan
- Conducted meeting of Highway 62/247 Initiative
- Email communication with Van Butsic, Co-Director, Cannabis Research Center, UC Berkeley
- Email and phone communication with Gabriel Ortiz, PhD student researcher, UC Riverside

Increase Enforcement

- Finalized state agency heads letter with six signatory organizations
- Scheduled meeting with Water Board Member Sean Maguire
- Sent email (unanswered) to Director of newly organized Dept. of Cannabis Control

Legislative Reform

- Sent ideas on legislative approach to ACWA and LCC
- Inquired with staff for Assemblymember Smith of draft bill (no reply)



## **FUTURE ACTIONS BY CWSA**

### Communication and Outreach

- Follow up with related organizations: ACWA, CA-NV AWWA, CSDA, LCC, CSAC
  - Draft AWWA letter
- Continue to identify and outreach to regional water associations
- Begin outreach to labor organizations
- Continue communication with San Bernardino, LA Counties
- Follow up with LA Times re: news article
- Submit op-ed to another media outlet
- Continue communication with academic researchers

### Increase Enforcement

- Research federal enforcement responsibility
  - Environmental issues
  - DEA responsibilities on organized crime
- Follow up letter to state agency heads
  - Contact Dept. of Cannabis Control
- Follow up meeting with Sean Maguire

### Legislative Reform

- Convene work group to define legislative framework
  - Invite water and local government associations
- Prioritize legislative authors – bipartisan approach
  - Input from lobbyists
- Learn strategy of special legislative session advocates
  - Follow up with Assm. Smith (Dillon Lesovsky)
  - Reach out to other desert region legislators
- Identify advocates for possible coalition partners
  - Labor
  - Environmental
  - Regulated cannabis
- Identify likely opponents of Prop 64 reform legislation
  - Opponents of AB 1138, other current bills

## **CWSA / Highway 62-247 Kick-off Meeting with Special Guest Roger Gorke, US EPA**

July 22, 2021 @ 3 pm

### **Participants:**

Marina West—Bighorn-Desert View Water Agency  
Jim Byerrum—CalMutuals  
Cindy Byerrum—Eide-Bailly, LLP (Finance manager for various water providers)  
Kimberly Cox—Helendale Community Services District  
Paul Peschel + Asst. GMs—Hi-Desert Water District  
Mark Ban, Stacy Doolittle—Joshua Basin Water District  
Nicholas Schneider—Mojave Water Agency  
Ray Kolisz—Twentynine Palms Water District  
Roger Gorke—US Environmental Protection Agency  
Adán Ortega, Tim Worley, Logan Largent, Susan Allen, Madeline Chen—CWSA

### **Purpose/Goals:**

The “Highway 62-247 Initiative” is for the water providers of this corridor to work in unison to address their needs. Early identified priorities include action on illegal cannabis grows; drought and conservation messaging and support; and potential project funding for increased resilience.

### **Introductions:**

Participants all made self-introductions.

Roger Gorke serves within US EPA as coordinator of a federal consortium of groups looking to proactively build resilience to drought and other challenging conditions. He has been with the EPA’s Office of Water in DC for the last 22 years and in SoCal for the last 5 years to bring a local perspective to DC headquarters. Reports to the new Assistant Administrator, Radhika Fox and works with Western States Water Council, a federal support team. Participating to see how to help remove federal barriers. He also works with a national drought resilience partnership focusing on ways to build long term resilience; there is also an interagency working group for short term drought response. Entities include USDA Rural Development, BLM, NASA, Forest Service, and more; their work is just beginning.

### **1. Illegal Cannabis Campaign**

- Accepted draft platform presented in “Coordinated message” document
  - More coordination and communication at state, federal, and local levels
  - Need better notice from counties prior to issuing well permits
- Request increased state enforcement
  - Finalizing letter to state agencies (Atty. General, Secretaries of Env. Protection (CalEPA), Natural Resources, and Food & Ag, plus Dir, Dept. of Cannabis Control
  - Schedule follow-up meeting with State Water Board member Sean Maguire
  - Water agencies cannot be the investigators and enforcers; partner with law enforcement
  - See if federal agencies will engage; issues of long-term water security, reliability, species protection: USFWS, DEA? Environmental crimes?

- Media Strategy: Keep it in news
  - Submit op-ed to LA Times; signatures from diverse regions, show range of concerns
    - Consider Las Virgenes Mun. Water District as second signer
  - Article drafted for the Desert Report from Sierra Club Desert Chapter
  - PBS was filming there on Monday and Tuesday
- Legislative strategy: Build broad bipartisan coalition, define reform needed
  - Reforming Prop 64 requires 2/3 majority in Legislature, Governor to sign
  - Determine support/opposition and what can get passed
    - Stiffen criminal penalties
    - Water theft, siphoned from the aqueduct
    - Hauled water: stop trucks to show a receipt for the water; fire hydrant locks
    - Lock off or remove meters to illegal grows
    - Assm. Thurston “Smitty” Smith may have a bill ready (confirm)
    - Assm. Chad Mayes offered to consult CWSA on water issues
  - Join the call for special legislative session
    - Marina’s community is getting papers written and sent outExpand coalition
- Strengthen coalition with targeted messages
  - Support Mojave Water Agency task force, use their research to quantify water
  - Problem affects disadvantaged communities
  - Keep exploring new partners from different industries and interests
  - Concerns about the chemicals – pesticide, rodenticide, fuel for generators
  - Communicate (carefully) the water connection to the Bay-Delta
  - To present it to MWD it must not only be a small system desert issue
    - AO is at MWD discussing it to highlight the issue but needs other angles
    - Adel Hagekalil is going to contact Kathy Cortner about taking action

## 2. Drought and Conservation

- Coordinate a drought message for all these communities
- Nick Schneider can use his position with AWAC: Alliance for Water Awareness and Conservation: loose group of local agencies, NGOs, colleges, to make connections
  - AWAC resources – available to all MWA retail agencies
  - A lot of what they have to offer is various perspectives. It’s not new but they think there is definitely more they can do.
  - We could host events: giveaways, tours, community outreach
  - Participate in any kind of public gatherings (ie farmers market ) to educate people.
  - Promote AWAC education program for professional landscaping efficiency called “Water WELL”
- Roger recommends joining working with “[WaterSense](#)”
  - Nice to have another resource; AWAC is already recognized by WaterSense

## 3. Project Funding

- Roger: 15% (240M) of FEMA money can be used anywhere in the state to build climate resilient projects; the climate office has been reaching out to FEMA to find project shovel ready drought resilience projects, recycling, stormwater capture etc.
  - Want projects by September 7th total funding of 50M  
<https://www.fema.gov/grants/mitigation/hazard-mitigation>
  - Gorke wants to have meetings about how to find grant funding
  - Unlike WIFIA or SRF, this can be coupled with federal funds

- He suggests combining projects, e.g.: if you are putting in a recycled water project, you are likely refurbishing or building a new well
- Need to get our applications out ASAP
- Development of a list of projects
  - Proposing projects that are shovel-ready is crucial
  - The federal agencies will meet and define shovel ready requirements
    - Hazard mitigation grant program
    - And BRIC program
    - This is all to push FEMA's message of preparation/resilience instead of reaction to natural disasters
  - Peschel -- Wastewater reclamation project
    - The water quality was deteriorating with nitrates, and has still impacted Hi-Desert Water District wells
    - Cleaning up as well as replenishing the water are critical elements
    - Multi-phase project: could have some ready by the time they open RFPs
  - As they are already putting projects together we just need to stay on the same page regarding activities and coordination
  - Since this is our first meeting we will circle back, create a master list, group them by plausible funding sources.
  - Timing: probably within the next 2 weeks where we bring ideas to the table.
  - Information needed:
    - Where is it in planning? What engineering has been done? Is CEQA done? Is there a cost estimate
- Prop 1 round 2 is coming soon and systems are getting ready to compete
- MWA has a tentative agreement in place with the funding agency for IRWM
  - Potentially many projects could use IRWM to fund if is on the list
  - Will be doing an all call at the next meeting - if you want to put your project up for funding report it to us and they will meet to prioritize and allocate
  - After Marina's next IRWM let's regroup and see how to move forward to increase support for agencies of our group



## Lucerne Valley Economic Development Association

August 9, 2021

Honorable Rob Bonta  
Attorney General  
Department of Justice

Honorable Jared Blumenfeld  
Secretary  
Environmental Protection Agency

Honorable Karen Ross  
Secretary  
Department of Food and Agriculture

Honorable Wade Crowfoot  
Secretary  
Natural Resources Agency

Honorable Lourdes Castro Ramírez  
Secretary  
Business, Consumer Services & Housing Agency

Honorable Nicole Elliott  
Director  
Department of Cannabis Control

### Re: **Illegal Cannabis Cultivation**

Dear Attorney General Bonta, Secretaries Blumenfeld, Crowfoot, and Ross, and Director Elliott:

The undersigned organizations urgently request that you prioritize increased, coordinated enforcement of the laws and regulations to protect water resources, water quality, public safety, and the environment from impacts of illegal cannabis cultivation. Illegal cannabis grows presently harm the environment and quality of life in many disadvantaged communities across California and their proliferation exceeds the capacity of local law enforcement. We believe this problem requires a much stronger, coordinated response by state agencies that share responsibility for cannabis regulation, environmental protection, and law enforcement.

We understand that responsibilities for enforcing cannabis laws and regulations touch several state agencies and departments, as well as county and local governments. The San Bernardino County Sheriff’s Department recently reported to the Board of Supervisors that 861 illegal grows are known to exist, but their resources are insufficient to keep up. Recent reporting and an [editorial](#) in the Los Angeles [Times](#) and [CalMatters](#) point to the scale of the problem, the theft of water and danger of drinking water contamination, and the threat posed to water agency employees as well as local residents.

Some counties, including Los Angeles, San Bernardino, and Siskiyou, are taking actions to address the impacts within their jurisdictions; however, the state interest in this exploding problem demands a much stronger response. Water theft harms groundwater resources, legitimate well operators, and retail water systems—and all of this during the current drought is a grave concern. Additional problems include: rapid increases of indoor (greenhouses) and outdoor grows correlated with unreported new wells; rampant hauling of water, both purchased and stolen; and dumping of chemical wastes and raw sewage from workers camping on-site. Beyond the direct effects on water supplies, illegal grows damage other environmental resources, including land, habitat, and air quality. The pressure on retail water providers is intense, yet local agencies have limited authority and cannot put their employees in danger.

Our coalition respectfully asks you, as the heads of your respective agencies and organizations, to elevate this issue on your agendas. We seek a coordinated task force involving all state agencies with responsibilities for protecting water and other environmental resources, for enforcement of cannabis regulations, and enforcement of state laws. We also ask for coordination of your agencies with our representatives, to share information and ideas for a more effective response. We respectfully request to meet with you to explain the current situation and our concerns in greater detail. Dr. Tim Worley, Managing Director of the Community Water Systems Alliance, will coordinate a meeting and may be reached at [tim@ostrategiesgroup.com](mailto:tim@ostrategiesgroup.com).

Sincerely,

**Marina West**  
*Chair, Policy Committee*  
*Community Water Systems Alliance*

**Adán Ortega**  
*Executive Director*  
*CalMutuals*

**Charley Wilson**  
*Executive Director*  
*Southern California Water Coalition*

**Steve Bardwell**  
*President*  
*Morongo Basin Conservation Association*

**Jim Harvey**  
*President*  
*Homestead Valley Community Council*

**Chuck Bell**  
*President*  
*Lucerne Valley Economic Development Assoc.*

cc: Honorable Gavin Newsom

## Special State Legislative Committee Meeting

### Bill Packet 1

August 16, 2021

#### SB 222: Water rate assistance program

**Author:** Dodd (D-Napa),  
Coauthors: Senators  
Gonzalez and Wiener;  
Assembly Members  
Bloom, L. Gonzalez,  
Mathis, and R. Rivas

**Introduced:** 1-14-21

**Amended:** 7-15-21 plus  
Negotiated Amendments

**Sponsors:** Clean Water  
Action, Community Water  
Center, Leadership  
Counsel for Justice and  
Accountability

**Current Position:** Oppose  
Unless Amended

**Recommended Position:**  
Watch

**Assigned to:** Cindy Tuck and Meghan Cook

#### Existing Law

California's "Human Right to Water" policy declares it the established policy of the State that every human being has the right to safe, clean, **affordable**, and accessible water adequate for human consumption, cooking, and sanitary purposes. AB 401 (Dodd, Statutes of 2015, Chapter 662) required the State Water Board, by January 1, 2018, to develop a plan for the funding and implementation of a Low-Income Water Rate Assistance (LIRA) Program. This law required the State Water Board, by February 1, 2018, to report to the Legislature on its findings regarding the feasibility, financial stability, and desired structure of the program, including any recommendations for legislative action.

#### Bill Summary

##### I. Water Rate Assistance Program and Fund

SB 222 would direct the Department of Community Services and Development (Department) to develop and administer the Water Rate Assistance Program. The bill would establish the Water Rate Assistance Fund (Fund) in the State Treasury. The Fund would provide water affordability assistance for both **drinking water and wastewater** services to low-income ratepayers and

ratepayers experiencing economic hardship. Money in the Fund would be made available upon appropriation by the Legislature for **three purposes**:

- A) Direct water bill assistance;
- B) Water bill credits to renters, individuals, or households that pay other amounts, fees, or charges related to residential water and wastewater service; and
- C) Water crisis assistance.

SB 222 would define “low-income” as an annual household income that is equal to or no greater than 200 percent of the federal poverty guideline level (FPL) and consistent with the guidelines established for the California Alternative Rates for Energy (CARE) program.

#### A. Fund Administration

The operation of this program would be contingent on an appropriation in the annual Budget Act or another statute. SB 222 would require the Department to develop and implement a process for disbursing funds to public water systems, sewer systems or third-party providers for direct application to households, including controls to prevent fraud, waste and abuse. Services could include **technical assistance** to public water systems, or sewer systems, serving fewer than 3,330 connections, to administer the application of funds to low-income households. The bill would authorize the Department to contract with a third party fund administrator for work such as eligibility determinations, call center services, and document intake and processing. SB 222 would authorize the Department to use up to 10 percent of the annual deposits into the Fund for reasonable costs associated with the administration of the Fund. The costs would include State Water Board administrative costs.

#### B. Eligibility

SB 222 would require the Department to verify (or have the third-party administrator) verify the eligibility of each recipient and establish a process to regularly confirm the eligibility of recipients. The bill would require the Department to consider:

- 1) If any member of the customer’s household is a current enrollee in or recipient of CalWORKS, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children; or,
- 2) If the customer is a utility customer enrolled in the California Alternate Rates for Energy (CARE) program or the Family Electric Rate Assistance (FERA) Program.

## II. Program Implementation

#### A. Guidelines, Oversight Procedures and Stakeholder Advisory Group

The Department, in consultation with the State Water Board, would be required to develop guidelines and oversight procedures for implementation of this program by January 1, 2023. In developing these guidelines, SB 222 would require the Department to consult with an advisory group that includes representatives of the following:



- 1) Public water systems;
- 2) Technical assistance providers;
- 3) Local agencies, including those that manage multi-family housing for low-income residents;
- 4) Nongovernmental organizations that work with residents of disadvantaged communities (DACs); and,
- 5) Representatives from the public, including, but not limited to, low-income residents, low-income residents who live in multi-family housing, and residents served by tribal water systems.

B. Annual Fund Expenditure Plan

SB 222 would require the Department, in consultation with the State Water Board, following a public hearing, and in consultation with the advisory group described above, to adopt an annual fund expenditure plan (FEP). The bill would require that the SB 222 FEP contain (partial list):

- 1) Identification of key terms, criteria, and metrics;
- 2) A report of expenditures from the Fund for the prior fiscal year and planned spending for the current year;
- 3) An estimate of the number of households eligible for assistance, including those that do not receive a direct water bill;
- 4) A section that discusses water affordability challenges and proposed solutions for reducing water debt for eligible Californians served by state small water systems, local small water systems, and domestic wells. An evaluation of solutions would be required to include, but would not be limited to, the following:
  - a) Amortization of an unpaid balance;
  - b) Participation in an alternative payment schedule;
  - c) Partial or full reduction of the unpaid balance financed without additional charges to ratepayers;
  - d) Temporary deferral of payment;
  - e) An arrearage management plan;
  - f) Percentage of income payment plan;
- 5) Methods to ensure timely and meaningful public participation and encourage enrolment in the program.
- 6) An estimate of the funding available for the next fiscal year based on the amount available in the Fund, anticipated funding needs, other existing funding sources, and other relevant data and information;
- 7) An identification of the funding need of DACs and low-income households whose water bill charges pose affordability challenges based on metrics developed by the Department, State Water Board and the California Public Utilities Commission (CPUC); and,
- 8) An analysis with metrics to evaluate how expenditures from prior fiscal years improved affordability.

C. Electrical and Gas Customer Data

SB 222 would require the CPUC to establish by July 1, 2022, a mechanism for electrical and gas corporations to share data with the Department regarding customers enrolled in, or eligible to be enrolled in, CARE and FERA. SB 222 would require those corporations to share their data with the Department. SB 222 would also authorize the Department to enter into agreements with local publicly owned electric or gas corporations, including, but not limited to, municipal utility districts and irrigation districts, for the purpose of regularly sharing customer data for customers enrolled in, or eligible to be enrolled in, affordability programs benefiting low-income customers. The data sharing summarized here would be subject to confidentiality and security provisions as specified.

### III. “Early” Fund Expenditures

The bill would require the Department, if funds were deposited into the Fund before the adoption of an FEP, to use those funds for the following:

- A) Provision of water crisis assistance to low-income households through direct assistance to the low-income households;
- B) Forgiveness of delinquency by the public water system **and reimbursement** by the Department, State Water Board or some other disbursement mechanism.

For these provisions, the Department would be authorized to use up to 10 percent of the early funds for administrative purposes. The bill would authorize the Department to adopt emergency regulations in relation to the early funds.

### IV. Program Administration

In administering this program, the bill would require the Department to do all of the following (partial list from Article 4):

- A) Coordinate with the Public Utilities Commission to cease existing rate assistance programs offered by investor-owned water utilities and transition the customers to the program through a process established by the Commission;
- B) Consult with the State Water Board on options to provide oversight of public water agencies’ implementation of the program to ensure effectiveness and prevent fraud, waste, and abuse;
- C) In consultation with the State Water Board and the CPUC, develop and publish performance metrics for the program, including, but not limited to, enrollment levels, total water shutoffs for inability to pay, and on-time payment levels;
- D) Identify alternative entities to distribute and track benefits if a public water system is unwilling to do so or if the Department, in consultation with the State Water Board, has determined a public water system is incapable of administering the program.

The bill states explicitly that it does not prohibit a public water system not regulated by the CPUC from offering assistance to ratepayers that is in addition to the assistance provided through this program.

## Amendment History

### 4-5-21 Amendments

- 1) Title/Fund Name – Changed the program title from “Water Affordability Assistance Program” to “the “Water Rate Assistance Program” and the Fund name from the “Water Affordability Assistance Fund” to the “Water Rate Assistance Fund.”
- 2) Implementing Agency – Changed the implementing agency from the State Water Resources Control Board (State Water Board) to the “Department of Community Services and Development” (Department).
- 3) Fund Purposes
  - A) Deleted the Fund purpose of short-term assistance to public water systems to administer program component, including initial startup costs; and,
  - B) Added new purpose of technical assistance for small public water systems.
- 4) Third-Party Administrators - Added that the Department could identify and contract with a third-party fund administrator.
- 5) Cost Cap – Increased the proposed administrative costs cap (now for the Department) from five to ten percent of the annual deposits.
- 6) Funding Distribution – Added that the process that the Department would develop for disbursing funds could include third-party providers making direct payments to community water systems.
- 7) Recipient Eligibility – Added that the Department would be required to:
  - A) Verify (or have the third-party administrator) verify the eligibility of each recipient and establish a process to regularly confirm the eligibility of recipients.
  - B) Consider: 1) if any member of the customer’s household is a current enrollee in or recipient of CalWORKS, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children; or 2) if the customer is a utility customer enrolled in the California Alternate Rates for Energy (CARE) program or the Family Electric Rate Assistance Program.
- 8) State Water Board Role – The amendments would result in the State Water Board having the following roles:
  - A) **A JOINT role with the Department in the adoption of the annual Fund Expenditure Plan (FEP);**
  - B) A consultative role relative to the Department’s development of guidelines and fund oversight procedures;
  - C) A joint role with the Department and CPUC in development of water bill affordability challenge metrics;
  - D) A consultative role relative to the Department’s expenditure of early (pre-Fund Expenditure Plan) deposits;
  - E) An unclear role related to collection of public water system rate and system boundary data (i.e., “**Department shall coordinate with the state board to collect and ensure the accuracy of water rate data and water system boundary data from each public water system**”);

- F) A consultative role relative to the Department's oversight of the public water system's implementation of the program;
  - G) A consultative role (together with the CPUC) for the Department's development of performance metrics for the program; and;
  - H) A consultative role relative to the Department's identification of alternative entities to distribute and track benefits if a public water system is unwilling to do so, or if the Department has determined that the system is incapable of administering the program.
- 9) FEP – In addition to the proposal for joint Department and State Water Board adoption:
- A) Deleted the proposal to authorize the SB 222 FEP to be incorporated into the SB 200 FEP.**
  - B) Clarified that the “proposed solutions” in the FEP would be for reducing water debt for eligible Californians.
  - C) Deleted the proposal that tiered water rates be one of the solution types under the FEP.**
  - D) Changed inclusion of estimate of funding “needed” for the next fiscal year to funding “available.”
- 10) Use of Electrical/Gas Corporation, Municipal Utility District and Irrigation District Utility Customer Data – Added provision to require the Department to protect that information under reasonable security procedures.
- 11) CPUC-Regulated Systems – Added that once the FEP is adopted, the existing assistance programs at investor-owned water utilities would cease.

#### 4-20-21 Amendments

- 1) Water Rate Assistance Fund Uses – Removed the following proposed authorized uses:
  - 1) Affordability assistance to low income households served by domestic wells.
  - 2) Water efficiency measures for low-income households.
  - 3) Technical assistance for small public water systems (this was moved to a different section and limited to assistance for administration of program components and start-up costs).
- 2) Public Utilities Commission/Changes to Rate Assistance Programs – Added proposed requirement that that the FEP would have to include funding for a low-income rate assistance program before the existing rate assistance programs for investor-owned water utilities cease and customers are transitioned to the new program.
- 3) State Mandate – Removed stipulation that no state reimbursement would be required by this bill.

#### 5-3-21 Amendments

- 1) Water Rate Data – **Removed the proposed requirement that the Department coordinate with the State Water Board to collect and ensure the accuracy of water rate data and water system boundary data from each public water system.**

#### 5-20-21 Amendments

- 1) Budget Appropriation – Specified that the operation of the chapter would be contingent upon an appropriation in the Budget Act or another statute for that purpose.

#### 6-17-21 Amendments

- 1) Administrative Cost Cap – Added that “reasonable costs associated with the administration of this chapter” would include associated State Water Board administrative costs.
- 2) Sewer Systems – Added that the process that the Department would develop for disbursing program funds would also cover sewer systems (not just public water systems).
- 3) Technical Assistance – Instead of authorizing use of funding for technical systems to small water systems, proposes technical assistance for public water systems or sewer systems serving fewer than 3,300 connections.
- 4) **FEP Adoption – Instead of proposing that the Department and the State Water Board both adopt the FEP, would have the Department adopt the FEP in consultation with the State Water Board.**

#### 7-5-21 Amendments

- 1) Customer Data – Removed the proposed requirement that the Department ensure that the confidentiality of the contact information is protected under reasonable security procedures. Added proposed requirement that the shared data would be subject to the Information Practices Act of 1977. Removed the proposed provision stating that a local publicly owned electric or gas utility is not subject to civil or criminal liability for the accuracy of, or any use, nonuse or improper release of the shared contact information.

#### 7-15-21 Amendments

- 1) LIRA - Added a proposed requirement that once a FEP is adopted and includes funding for a LIRA program, the Department must provide low-income rate assistance for customers of public water systems and eligible households that do not receive a direct water bill.
- 2) Existing Programs – Provides that this law does not prohibit a public water system not regulated by the CPUC from offering assistance to ratepayers that is in addition to, or on top of, the assistance provide through the program.
- 3) “Low Income” – Changes the proposed definition to “an annual household income that is not greater than 200 percent of the federal poverty guideline level” and consistent with the CARE program.

### **Staff Comments**

#### **I. Legislative and Regulatory History**

SB 222 is the “son of” AB 401 (Dodd, 2015). (Please see above regarding existing law.) When AB 401 went through the Legislature, ACWA worked with the Author on the bill and maintained a “Watch” position. In taking the “Watch” position on AB 401, ACWA recognized that there could be a reasonable statewide water LIRA program.

AB 401 required a “collaborative” process, and ACWA had to lobby aggressively in its implementation for such a process. ACWA developed and submitted detailed comment letters that addressed many aspects of the program and led an ACWA team that actively participated in stakeholder meetings. ACWA’s AB 401 Implementation Working Group guided that advocacy.

Early in the process, State Water Board staff proposed a water tax as the funding source. ACWA advocated for progressive funding sources. Ultimately, the State Water Board submitted its *Recommendations for Implementation of a Statewide Low-Income Water Rate Assistance Program* (“AB 401 Report”) to the Legislature in February of 2020 (two years late). Please see [https://www.waterboards.ca.gov/water\\_issues/programs/conservation\\_portal/assistance/docs/ab401\\_report.pdf](https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/assistance/docs/ab401_report.pdf).

In the AB 401 Report, the State Water Board envisioned most of the distribution of program benefits through water bills, crisis assistance for water ratepayers, and a renter’s water credit for residents who pay for water service indirectly through rent. For the funding source, the State Water Board ultimately recommended progressive revenue sources and a bottled water tax. [AB 401 Report, Page 9.] This was major progress relative to where the discussion started. It should be noted, however, that the AB 401 Report does include discussion and tables with funding options that include a “water user surcharge” (i.e., a water tax). [Pages 46-48.] ACWA opposes a water tax for funding this program for multiple reasons, including that it would be regressive and work against water affordability.

## **II. ACWA’s Advocacy on SB 222**

The State Legislative Committee’s COVID-19 Relief Funding and LIRA Working Group has guided ACWA’s advocacy on SB 222. (The Working Group dealt with both SB 222 and SB 223 (Dodd) and devoted many hours to its work.) From the beginning, ACWA has advocated for a reasonable and efficient Water LIRA program. The introduced version of SB 222 was highly problematic. ACWA sent an eight-page paper to the Author and first policy committee in February with concerns. Over several months, ACWA lobbied four policy committees (and two appropriations committees), and that advocacy led to policy committee and appropriations committee amendments that much improved the bill. Other water organizations also worked on SB 222. Following are key examples (not a complete list) of amendments that ACWA advocated for that have improved SB 222.

### **Example of Key Amendments Incorporated**

- A) **Changed the Implementing Agency** – The Water Community successfully pushed for a change in the proposed implementing agency from the State Water Board to an agency that has experience implementing a social safety net program. The Department has experience from its implementation of the federally funded Low Income Home Energy Assistance Program (LIHEAP).

- B) **Narrowed the Scope** – ACWA argued that the initial scope was overly broad. Senator Dodd narrowed the scope of the program by deleting two originally proposed authorized uses of the funding:
  - 1) Affordability assistance to low income households served by private domestic wells.
  - 2) Water efficiency measures for low-income households.
- C) **Deleted Tiered Rate Evaluation** – As advocated by ACWA, Senator Dodd deleted the proposal that the State Water Board evaluate whether local tiered water rates are a solution for affordability challenges. This proposal would have inserted the State Water Board into policy on local water agency rate decisions.
- D) **Deleted SB 200 FEP Merger** – As advocated by ACWA, Senator Dodd deleted the proposed authority to allow the State to merge the SB 222 Fund Expenditure Plan (FEP) into the SB 200 (Monning, 2019) FEP. This proposal would have combined the funding plans for two very different, complex and expensive programs and likely unnecessarily increased the costs for both programs.
- E) **Deleted Two-Agency FEP Adoption** – As advocated by ACWA, Senator Dodd changed the proposal that would have had both the Department **and** the State Water Board approve the FEP to the proposal for the Department to adopt the FEP in consultation with the State Water Board.
- F) **Deleted Rate and Boundary Data Collection** – As advocated by ACWA, Senator Dodd deleted the proposed requirement for the State to collect rate data and system boundary data from every public water agency.

### **III. Funding Source Issue and Possible Letter to the Senate Daily Journal**

To date, Senator Dodd has not included a funding source for the Water Rate Assistance Fund in SB 222. He has indicated in more than one of the four policy committee hearings that he is creating the framework for the program. ACWA’s and the ACWA-led oppose-unless-amended coalition’s position letters have raised the lack of funding source and have noted that the funding source should be progressive and not be a water tax (which would be regressive and would work against water affordability). Based in part on this advocacy, the Senate Appropriations Committee had the bill amended to provide that operation of the chapter is contingent on an appropriation in the annual Budget Act (which did not happen this year) or another statute. On June 11, 2021, the Assembly Environmental Safety and Toxic Materials Committee discussed this issue briefly, and Senator Dodd said “no water tax.” That Committee made it clear that an amendment providing intent regarding a future funding source would not be accepted.

At the June 30, 2021, Assembly Utilities and Energy Committee hearing, Senator Dodd indicated that he was having discussions with the Newsom Administration about the funding issue, but to date ACWA has not seen a proposal (such as in a budget trailer bill). ACWA staff is discussing the possibility of a Letter to the Senate Daily Journal with the Author’s staff that would state that it is the Author’s intent that the funding source be progressive. The Author’s staff has stated that the possibility of a letter to the Journal is a separate issue from the amendments regarding the SB 222 needs analysis that ACWA has developed with the bill sponsors (see

below). In other words, trying to link the two would make it unlikely that Senator Dodd will make the amendments or agree to the letter. Staff suggests that ACWA continue to pursue a letter to the Daily Journal but not link that to the position change as that approach is unacceptable to the Author.

#### **IV. Possible Amendments Based on ACWA Meeting with Author's Staff and Sponsors**

ACWA met with Senator Dodd's staff and the bill sponsors on June 24 and August 5 regarding the needs analysis part the bill to see if clarifying amendments could be added that would help keep the costs down for that part of the program. Based on those discussions, Senator Dodd is willing to incorporate the following amendments if ACWA moves to a "Watch" position. ACWA must get back to the Author's Office and the Assembly Appropriations Committee staff on August 16 regarding the amendments and ACWA's position.

##### **Possible Amendments to Proposed Health and Safety Code Section 116931.1**

(...) (c) The annual fund expenditure plan shall ~~identify~~ estimate the funding need of disadvantaged communities and low-income households whose water and wastewater bill charges pose affordability challenges based on metrics developed by the department in consultation with the state board and Public Utilities Commission. The estimate shall not be based on a household-by-household assessment.

##### **Recommended Position: Watch**

ACWA and others in the water community have obtained significant amendments that improve SB 222. The possible amendments discussed above would help keep costs down for the needs analysis. Senator Dodd will only incorporate these amendments if ACWA agrees to move to a "Watch" position. ACWA should communicate to Senator Dodd that the organization will change its position to "Watch" if he accepts the amendments.



**Support:** Avocado Green Brands  
Burton Snowboard  
California Apartment Association  
California Catholic Conference  
California Water Association  
California Water Service  
Dignity Health  
Dolores Huerta Foundation  
Drug Policy Alliance  
Ecos  
Gap, INC.  
Impossible Foods  
League of Women Voters of California  
National Association of Social Workers,  
California Chapter  
Numi Organic Tea  
Sierra Nevada Brewing Company

**Opposition:** Amador Water Agency  
Association of California Water Agencies  
(ACWA)  
Brooktrails Township Community Services  
District  
California Special Districts Association  
City of Oceanside  
City of Roseville  
City of Shasta Lake  
Cucamonga Valley Water District  
Desert Water Agency  
East Valley Water District  
El Dorado Irrigation District  
Elsinore Valley Municipal Water District  
Hidden Valley Lake Community Services District  
Irvine Ranch Water District  
Mesa Water District  
Mid-peninsula Water District  
North Coast County Water District  
Padre Dam Municipal Water District  
Palmdale Water District  
Panoche Water District  
Rancho California Water District  
Regional Water Authority  
Rio Alto Water District  
San Juan Water District  
Santa Margarita Water District  
Scotts Valley Water District  
Tahoe City Public Utility District  
Tuolumne Utilities District  
Valley Center Municipal Water District  
Vista Irrigation District  
Walnut Valley Water District

AMENDED IN ASSEMBLY JULY 15, 2021  
AMENDED IN ASSEMBLY JULY 5, 2021  
AMENDED IN ASSEMBLY JUNE 17, 2021  
AMENDED IN SENATE MAY 20, 2021  
AMENDED IN SENATE MAY 3, 2021  
AMENDED IN SENATE APRIL 20, 2021  
AMENDED IN SENATE APRIL 5, 2021

**SENATE BILL**

**No. 222**

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**Introduced by Senator Dodd**

**(Coauthors: Senators Gonzalez, Hurtado, and Wiener)**

(Coauthors: Assembly Members Bloom, Lorena Gonzalez, Mathis, and Robert Rivas)

January 14, 2021

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An act to add Section 12087.8 to the Government Code, and to add Chapter 6.5 (commencing with Section 116930) to Part 12 of Division 104 of the Health and Safety Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 222, as amended, Dodd. Water Rate Assistance Program.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

Existing law requires the state board, by January 1, 2018, to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program, as prescribed. Existing law requires the state board, by February 1, 2018, to report to the Legislature on its findings regarding the feasibility, financial stability, and desired structure of the program, including any recommendations for legislative action that may need to be taken.

This bill would establish the Water Rate Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income ratepayers and ratepayers experiencing economic hardship in California. The bill would require the Department of Community Services and Development to develop and administer the Water Rate Assistance Program established by the bill. The bill would make moneys in the fund available upon appropriation by the Legislature to the department to provide, in consultation with the state board, direct water bill assistance, water bill credits, and water crisis assistance. The bill would authorize the department to identify and contract with a third-party fund administrator. The bill would impose requirements on the department, in consultation with the state board, in connection with the program, including, among others, developing guidelines and fund oversight procedures for implementation of the program by January 1, 2023, consulting with an advisory group, and adopting an annual fund expenditure plan.

The bill would require, by July 1, 2022, the Public Utilities Commission to establish a mechanism for electrical corporations and gas corporations to, and would authorize the department to enter into agreements with local publicly owned electric utilities and local publicly owned gas utilities to, regularly share specified customer data with the department, subject to certain protections. *The bill would require the department to, among other things, coordinate with the commission to cease existing rate assistance programs offered by investor-owned water utilities and transition the customers to the program through a process established by the commission.*

The bill would make the operation of these provisions contingent on an appropriation in the annual Budget Act or another statute for these purposes.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 12087.8 is added to the Government  
2 Code, to read:

3 12087.8. Subject to Section 116931.3 of the Health and Safety  
4 Code, the department shall develop and administer the Water Rate  
5 Assistance Program established pursuant to Chapter 6.5  
6 (commencing with Section 116930) of Part 12 of Division 104 of  
7 the Health and Safety Code and expend moneys appropriated by  
8 the Legislature for the purposes of the program.

9 SEC. 2. Chapter 6.5 (commencing with Section 116930) is  
10 added to Part 12 of Division 104 of the Health and Safety Code,  
11 to read:

12  
13 CHAPTER 6.5. WATER RATE ASSISTANCE PROGRAM

14  
15 Article 1. Water Rate Assistance Fund

16  
17 116930. (a) The Water Rate Assistance Fund is hereby  
18 established in the State Treasury to provide water affordability  
19 assistance, for both drinking water and wastewater services, to  
20 low-income ratepayers and ratepayers experiencing economic  
21 hardship in California. Moneys in the fund shall be available upon  
22 appropriation by the Legislature to the department to provide, in  
23 consultation with the state board, all of the following:

24 (1) Direct water bill assistance.

25 (2) Water bill credits to renters and individuals or households  
26 that pay other amounts, fees, or charges related to residential water  
27 or wastewater service.

28 (3) Water crisis assistance.

29 (b) The department may, upon appropriation by the Legislature,  
30 expend moneys from the fund for reasonable costs associated with  
31 the administration of this chapter, not to exceed 10 percent of the  
32 annual deposits into the fund. "Reasonable costs associated with  
33 the administration of this chapter" includes state board  
34 administrative costs associated with this chapter.

35 116930.1. The department shall do all of the following in  
36 administering the fund:

37 (a) Track and manage revenue in the fund separately from all  
38 other revenue.

- 1 (b) Develop and implement a process for ~~disbursing the~~  
 2 *department to disburse* program funds to public water systems,  
 3 sewer systems, or third-party providers for direct ~~payments to~~  
 4 ~~community water systems or sewer systems~~; *application to*  
 5 *households*, including controls to prevent fraud, waste, and abuse.
- 6 (c) Manage and maintain fund balances in conjunction with the  
 7 Controller, the Treasurer, the California State Auditor’s Office,  
 8 and the Department of Finance, as appropriate.
- 9 (d) (1) Expend, upon appropriation by the Legislature, moneys  
 10 in the fund for grants, contracts, direct monetary assistance, or  
 11 services to assist eligible recipients.
- 12 (2) Services may include technical assistance to public water  
 13 systems, or sewer systems, serving fewer than 3,300 connections  
 14 to administer ~~program components~~; *the application of funds to*  
 15 *low-income households*, including initial startup costs.
- 16 (3) The department may identify and contract with a third-party  
 17 fund administrator. The scope of work for the fund administrator  
 18 may include, but is not limited to, eligibility determination, call  
 19 center services, internet-based enrollments, and document intake  
 20 and processing.
- 21 (e) (1) Verify the eligibility of each recipient, based upon  
 22 eligibility pursuant to Section 116931.1.
- 23 (2) Establish a process to regularly confirm the eligibility of  
 24 recipients, based upon eligibility pursuant to Section 116931.1.
- 25 (3) The verification requirements in paragraphs (1) and (2) may  
 26 be carried out by the third-party fund administrator described in  
 27 paragraph (3) of subdivision (d).

28  
 29 Article 2. Program Implementation  
 30

- 31 116931. (a) The department, in consultation with the state  
 32 board, shall, by January 1, 2023, develop guidelines and fund  
 33 oversight procedures for implementation of the program.
- 34 (b) In developing the guidelines, the department shall consult  
 35 with an advisory group that includes representatives of all of the  
 36 following:
- 37 (1) Public water systems.  
 38 (2) Sewer systems.  
 39 (3) Technical assistance providers, including organizations that  
 40 support the federal Low-Income Home Energy Assistance Program.

- 1 (4) Local agencies, including agencies that manage multifamily  
2 housing serving low-income residents.
- 3 (5) Nongovernmental organizations that work with residents of  
4 disadvantaged communities.
- 5 (6) Representatives from the public, including, but not limited  
6 to, low-income residents, low-income residents who live in  
7 multifamily housing, and residents served by tribal water systems.
- 8 116931.1. (a) The department shall, in consultation with the  
9 state board and advisory group described in subdivision (b) of  
10 Section 116931 and after a public hearing, adopt an annual fund  
11 expenditure plan.
- 12 (b) The annual fund expenditure plan shall contain all of the  
13 following:
- 14 (1) Identification of key terms, criteria, and metrics, and their  
15 definitions related to implementation of this section.
- 16 (2) A description of how proposed remedies related to this  
17 section will be identified, evaluated, prioritized, and included in  
18 the annual fund expenditure plan.
- 19 (3) A report of expenditures from the fund for the prior fiscal  
20 year, including how many households were served, and planned  
21 expenditures for the current fiscal year.
- 22 (4) (A) An estimate of the number of households eligible for  
23 assistance, including those that do not receive a direct bill for water  
24 or wastewater.
- 25 (B) In identifying household eligibility, the department shall  
26 consider both of the following:
- 27 (i) If any member of the customer's household is a current  
28 enrollee in, or recipient of, CalWORKs, CalFresh, general  
29 assistance, Medi-Cal, Supplemental Security Income or State  
30 Supplementary Payment Program, or California Special  
31 Supplemental Nutrition Program for Women, Infants, and Children.
- 32 (ii) Utility customers enrolled in the California Alternate Rates  
33 for Energy (CARE) program established pursuant to Section 739.1  
34 of the Public Utilities Code and the Family Electric Rate Assistance  
35 program established pursuant to Section 739.12 of the Public  
36 Utilities Code.
- 37 (5) A section that discusses water and wastewater affordability  
38 challenges and proposed solutions for reducing water debt for  
39 eligible Californians served by public water systems, sewer  
40 systems, state small water systems, local small water systems, and

1 domestic wells. An evaluation of solutions shall include, but not  
 2 be limited to, all of the following:

- 3 (A) Amortization of an unpaid balance.
- 4 (B) Participation in an alternative payment schedule.
- 5 (C) Partial or full reduction of the unpaid balance financed  
 6 without additional charges to other ratepayers.
- 7 (D) Temporary deferral of payment.
- 8 (E) An arrearage management plan.
- 9 (F) Percentage of income payment plan.

10 (6) Methods to ensure timely and meaningful public participation  
 11 and encourage enrollment in the program.

12 (7) An estimate of the funding available for the next fiscal year  
 13 based on the amount available in the fund, anticipated funding  
 14 needs, other existing funding sources, and other relevant data and  
 15 information.

16 (c) The annual fund expenditure plan shall identify the funding  
 17 need of disadvantaged communities and low-income households  
 18 whose water and wastewater bill charges pose affordability  
 19 challenges based on metrics developed by the department in  
 20 consultation with the state board and Public Utilities Commission.

21 (d) The annual fund expenditure plan shall include analysis with  
 22 metrics to evaluate how expenditures from prior fiscal years  
 23 improved affordability.

24 (e) Within one year of an appropriation in the annual Budget  
 25 Act or another statute for purposes of this chapter, and every March  
 26 1 thereafter, the department shall provide to the Joint Legislative  
 27 Budget Committee and the chairpersons of the fiscal committees  
 28 in each house of the Legislature the most recently adopted fund  
 29 expenditure plan. The department may submit the fund expenditure  
 30 plan as required by this subdivision either in the Governor’s Budget  
 31 or as a separate report.

32 116931.2. (a) By July 1, 2022, the Public Utilities Commission  
 33 shall establish a mechanism for electrical corporations and gas  
 34 corporations to regularly share data with the department regarding  
 35 the utility customers enrolled in, or eligible to be enrolled in, the  
 36 California Alternate Rates for Energy (CARE) program established  
 37 pursuant to Section 739.1 of the Public Utilities Code and the  
 38 Family Electric Rate Assistance program established pursuant to  
 39 Section 739.12 of the Public Utilities Code. Electrical corporations

1 and gas corporations shall regularly share that data with the  
2 department through the mechanism.

3 (b) (1) The department may enter into agreements with local  
4 publicly owned electric utilities and local publicly owned gas  
5 utilities, including, but not limited to, municipal utility districts  
6 and irrigation districts, for the purpose of regularly sharing data  
7 with the department regarding utility customers enrolled in, or  
8 eligible to be enrolled in, affordability programs benefiting  
9 low-income customers.

10 (2) The agreements may authorize the department to provide  
11 data pursuant to this subdivision to local water agencies for the  
12 sole purpose of assisting with the administration of the program.

13 (c) Data shared pursuant to subdivision (a) or (b) is subject to  
14 Section 6254.16 of the Government Code and the Information  
15 Practices Act of 1977 (Chapter 1 (commencing with Section 1798)  
16 of Title 1.8 of Part 4 of Division 3 of the Civil Code).

17 116931.3. The operation of this chapter is contingent on an  
18 appropriation in the annual Budget Act or another statute for  
19 purposes of this chapter.

20

21

### Article 3. Fund Expenditures

22

23 116932. (a) If moneys are deposited into the fund before the  
24 adoption of an annual fund expenditure plan, the department, in  
25 consultation with the state board, shall, upon appropriation by the  
26 Legislature, expend those moneys from the fund to provide water  
27 crisis assistance to low-income households through direct  
28 assistance to the low-income households, forgiveness of  
29 delinquency by the public water system and reimbursement by the  
30 department or state board, or some other disbursement mechanism.  
31 The department may use up to 10 percent of those moneys for  
32 administrative purposes. "Administrative purposes" includes state  
33 board administrative costs associated with this chapter.

34 (b) The department may adopt emergency regulations pursuant  
35 to the Administrative Procedure Act (Chapter 3.5 (commencing  
36 with Section 11340) of Part 1 of Division 3 of Title 2 of the  
37 Government Code) to implement this section.



Article 4. Program Administration

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116933. (a) The department shall do all of the following in administering the program:

~~(a) Coordinate with the Public Utilities Commission regarding existing rate assistance programs for investor-owned water utilities.~~

~~(1) Once an annual funding expenditure plan is adopted and includes funding for a low-income rate assistance program, the existing rate assistance programs for investor-owned water utilities shall cease and customers shall be transitioned to the new program through a process established by the Public Utilities Commission. provide low-income rate assistance for customers of public water systems and eligible households that do not receive a direct bill for water.~~

~~(2) Coordinate with the Public Utilities Commission to cease existing rate assistance programs offered by investor-owned water utilities and transition the customers to the program through a process established by the commission.~~

~~(b)~~

(3) For a public water system or sewer system that is not regulated by the Public Utilities Commission, consult with the state board on options to provide oversight of the public water system’s implementation of the program to ensure effectiveness and prevent fraud, waste, and abuse.

~~(c)~~

(4) In consultation with the state board and the Public Utilities Commission, develop and publish performance metrics for the program, including, but not limited to, enrollment levels, total water shutoffs for inability to pay, and on-time payment levels.

~~(d)~~

(5) Coordinate with other state agencies and resolve disputes as necessary.

~~(e)~~

(6) Identify alternative entities to distribute and track benefits if a public water system is unwilling to do so or if the department, in consultation with the state board, has determined a public water system is incapable of administering the program.

*(b) This chapter does not prohibit a public water system not regulated by the Public Utilities Commission from offering*

1 *assistance to ratepayers that is in addition to, or on top of, the*  
2 *assistance provided through the program.*

3  
4 Article 5. Definitions

5  
6 116934. For purposes of this chapter, the following definitions  
7 apply:

8 (a) "Department" means the Department of Community Services  
9 and Development.

10 (b) "Fund" means the Water Rate Assistance Fund created  
11 pursuant to Section 116930.

12 (c) "Low income" means ~~a an annual household income, or a~~  
13 ~~community annual median household income, that is equal to or~~  
14 ~~income that is~~ no greater than 200 percent of the federal poverty  
15 guideline ~~level. level and consistent with the guidelines established~~  
16 ~~for the California Alternative Rates for Energy (CARE) program~~  
17 ~~pursuant to subdivision (a) of Section 739.1 of the Public Utilities~~  
18 ~~Code.~~

19 (d) "Program" means the Water Rate Assistance Program  
20 established pursuant to this chapter.

21 (e) "Public water system" has the same meaning as defined in  
22 Section 116275.

23 (f) "Sewer system" means a city, county, special district, or  
24 investor owned utility that provides sanitary sewer service,  
25 including the collection or treatment of sewage.

26 (g) "State board" means the State Water Resources Control  
27 Board.

28 (h) "State small water system" has the same meaning as defined  
29 in Section 116275.

O

SB427, Eggman. Water Theft: enhanced penalties



**Senate Bill No. 427**

CHAPTER 137

An act to add Section 53069.45 to the Government Code, relating to local government.

[Approved by Governor July 23, 2021. Filed with Secretary of State July 23, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

SB 427, Eggman. Water theft: enhanced penalties.

Existing law authorizes the legislative body of a city or a county to make, by ordinance, any violation of an ordinance subject to an administrative fine or penalty and limits the maximum fine or penalty amounts for infractions, to \$100 for the first violation, \$200 for a 2nd violation of the same ordinance within one year of the first violation, and \$500 for each additional violation of the same ordinance within one year of the first violation.

This bill would authorize the legislative body of a local agency, as defined, that provides water service to adopt an ordinance that prohibits water theft, as defined, subject to an administrative fine or penalty in excess of the limitations above, as specified. The bill would require the local agency to adopt an ordinance that sets forth the administrative procedures governing the imposition, enforcement, collection, and administrative review of the administrative fines or penalties for water theft and to establish a process for granting a hardship waiver to reduce the amount of the fine, as specified.

*The people of the State of California do enact as follows:*

SECTION 1. Section 53069.45 is added to the Government Code, immediately following Section 53069.4, to read:

53069.45. (a) (1) Notwithstanding any other law, the legislative body of a "local agency," as defined in Section 54951, that provides water services, may adopt an ordinance that prohibits water theft and makes a violation of an ordinance enacted by the local agency regarding water theft subject to an administrative fine or penalty, as provided in this section.

(2) The local agency shall adopt an ordinance that sets forth the administrative procedure that shall govern the imposition, enforcement, collection, and administrative review by the local agency of the administrative fines or penalties for water theft.

(3) The local agency shall establish a process for granting a hardship waiver to reduce the amount of the fine imposed for water theft upon a

showing by the responsible party that payment of the full amount of the fine would impose an undue financial burden on the responsible party.

(b) If the water theft is committed via meter tampering in violation of an ordinance adopted under this section, it is punishable as follows:

(1) A fine not exceeding one hundred thirty dollars (\$130) for a first violation.

(2) A fine not exceeding seven hundred dollars (\$700) for a second violation of the same ordinance within one year of the first violation.

(3) A fine not exceeding one thousand three hundred dollars (\$1,300) for the third violation and each additional violation of the same ordinance within one year of the first violation.

(c) All other forms of water theft in violation of an ordinance adopted under this section are punishable as follows:

(1) A fine not exceeding one thousand dollars (\$1,000) for a first violation.

(2) A fine not exceeding two thousand dollars (\$2,000) for a second violation of the same ordinance within one year.

(3) A fine not exceeding three thousand dollars (\$3,000) for each additional violation of the same ordinance within one year.

(d) "Water theft" means an action to divert, tamper, or reconnect water utility services, as defined in Section 498 of the Penal Code.

Item # 3

Status Update Proposition 1 Planning  
Grant





# QUARTERLY STATUS REPORT

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**To:** SWRCB/Division of Financial Assistance      **Date:** July 7, 2021  
Lawrence Sanchez

**From:** Bighorn-Desert View Water Agency      **FA No.:** D17-02022  
Marina West, General Manager

**CC:** NV5 / James F. Owens

**Subject:** Quarterly Reporting      Project Status as of 30 June 2021

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## Summary of Progress to Date

Bighorn-Desert View Water Agency (BDVWA) resubmitted a draft preliminary engineering report (PER) to DFA for review in early January 2019, following receipt of review comments on a previous version of the PER from the SWRCB and BDVWA. The revised PER groups proposed projects into construction phases. Some projects are noted to be completed near term directly by BDVWA (without DFA financing). Some proposed projects that are a lower priority and require extensive environmental documentation and permitting efforts were deferred indefinitely. The draft PER proposes that all other project alternatives be advanced through the environmental documentation phase (CEQA and NEPA compliance) and through various levels of design completion utilizing planning phase funding assistance from DFA (the funding agreement noted above). The environmental documentation efforts' expenditures to date, including associated biological, cultural resources, and paleontological studies, exceed the budget line item in the executed funding agreement. Therefore, a budget rebalance may be required and requested in the future.

BDVWA requests that DFA formally approve the draft PER. The draft PER prioritizes the proposed projects and BDVWA is evaluating how to finance construction of the improvements, as DFA grant funding may be limited or unavailable. The draft PER has been submitted to USDA Rural Development (USDA) for review. USDA is a potential funding agency for improvements to BDVWA's water system. See additional information below on potential USDA funding. No comments on the PER have been received from USDA.

BDVWA identified a property in a tax sale that could be used as part of interconnection and system reliability improvements. BDVWA purchased that property (APN 0631-041-25), and anticipates utilizing the property for the B Booster Station and second interconnection with Hi-Desert Water District. BDVWA will not seek reimbursement for the purchase of that property under the planning funding agreement.

BDVWA signed Amendment No. 1 to the Funding Agreement in August 2019.

## Environmental Documentation

As noted in the draft PER, BDVWA has selected projects to advance with DFA planning phase funding. BDVWA has prepared separate CEQA and NEPA submissions for the proposed improvements. NEPA compliance is required due to some work (portion of transmission pipeline) taking place on federal properties (Bureau of Land Management, BLM). Completing NEPA documentation may also enable BDVWA to solicit funds from federal agencies to assist with construction of the improvements, e.g. U.S. Department of Agriculture Rural Development, Bureau of Reclamation.

BDVWA completed the AB52 consultation process in late 2020. BLM approved BDVWA's request to submit AB52 consultation letters to tribes. On May 29, 2020, BDVWA sent letters offering consultation to the Morongo Band of Mission Indians, San Manuel Band of Mission Indians (San Manuel), and the Twenty-nine Palms Band of Mission Indians. Only San Manuel requested consultation with BDVWA. On July 1, 2020, BDVWA sent a second letter offering consultation to the Morongo Band of Mission Indians and to the

Twenty-nine Palms Band of Mission Indians, extending the consultation offer to August 3, 2020. Neither the Morongo Band of Mission Indians nor the Twenty-nine Palms Band of Mission Indians responded to BDVWA's follow-up correspondence to offer consultation on the project.

BDVWA, San Manuel, and BDVWA's consultants (PaleoWest and NV5) had several discussions related to the proposed project. BDVWA provided design documents, cultural resources report, and geotechnical investigation's report to San Manuel. San Manuel's principal area of concern was near BDVWA's office/B Reservoir Zone/A Booster Station site. Due to San Manuel's concerns in the area, BDVWA's archeologist (PaleoWest) prepared an archeological testing plan that included proposed shovel test pit excavations (STP) in this area to further detail the presence or absence of cultural resources in this area. San Manuel agreed to the archeological testing plan. PaleoWest completed the STPs in November 2020. No resources were encountered. BDVWA and San Manuel reviewed the results of the STPs. BDVWA presented a proposed mitigation measure (CR-01) in the event of unexpected cultural resource discovery during construction of the project. San Manuel provided a modified mitigation measure, to which BDVWA agreed. San Manuel emailed BDVWA on December 2, 2020 to close the consultation process.

The CEQA documentation efforts are complete (SCH No. 2021020354). BDVWA was the lead agency for CEQA. BDVWA provided DFA an internal/non-publicly circulated draft CEQA document (IS/MND) in early January 2021 for review. DFA did not request changes to the draft/uncirculated CEQA document. BDVWA circulated the IS/MND on February 11, 2021, including filing a Notice of Intent to Adopt the IS/MND with the County and State OPR. BDVWA conducted two workshops on the CEQA document during its regular board meetings on March 9, 2021, and conducted a second workshop on April 13, 2021. The deadline for public comments was April 20, 2021; no comments were received. BDVWA had a public hearing and may approve filing a Notice of Determination at its May 11, 2021 Board of Directors meeting. BLM and USDA are anticipated to take separate actions for NEPA compliance, both resulting in findings that the project is categorically excluded from NEPA (CatEx). BDVWA submitted Form 299 to BLM in October 2019 to formally initiate environmental process with BLM. BLM gave approval to BDVWA's environmental consultant, PaleoWest, to conduct the cultural, paleontological, and biological resources studies on the public lands. PaleoWest submitted the cultural resources study to BLM in April 2020. Since no resources were found, BLM released the draft cultural resources study for distribution to BDVWA, USDA, Native American tribes, and other parties. BLM has indicated that the proposed action on federal lands (construction of transmission pipeline across Pipes Wash) meets the Department of Interior criteria for actions that are categorically excluded from NEPA (CatEx). This is because the proposed transmission pipeline would be within a disturbed right of way previously issued by BLM to Frontier Communications. BDVWA and NV5 have been in discussions with Frontier Communications to allow BDVWA to construct facilities within this right of way. Frontier has verbally indicated that they would approve the joint use of the right-of-way, under certain restrictions acceptable to BDVWA.

In January 2020, BDVWA, NV5, and USDA discussed potential participation by USDA in funding construction of some improvements. USDA advised BDVWA to prepare an Environmental Report (ER) following completion of the biological, cultural, and paleontological resources studies. BDVWA has prepared the ER for USDA's review. The ER evaluates whether the project meets the USDA criteria for projects categorically exempt from NEPA. The ER will help determine which improvements may be funded by USDA and which by DFA. BDVWA welcomes DFA's participation in the development and review of the construction phase financing plan and ER. Following review of the ER, BDVWA/NV5 anticipate that USDA will find the project categorically excluded (CatEx) from NEPA.

In early April 2020, the California Department of Water Resources (DWR) notified BDVWA that it had included \$500,000 in award to BDVWA for the replacement of GM Well No. 2 in its Round I Recommended Funding list for the Mojave Region of the Integrated Regional Water Management Plan. In anticipation of this award, BDVWA filed a CEQA Notice of Exemption with the County of San Bernardino and the Governor's Office of Planning and Research on April 28, 2020 for the destruction of GM Well No. 2 and

construction of a replacement well (SCH No. 2020050052). The GM Well No. 2 replacement and destruction efforts were included in the priority projects noted in the draft PER and are currently under design using DFA planning funds. BDVWA anticipates advertising the project for bidding in late summer 2021.

BDVWA submitted a Jurisdictional Request to the Army Corps of Engineers for streambed crossing (Pipes Wash). The USACE determined this portion of Pipes Wash is not a Waters of the United States (File No. SPL-2010-00824-VN).

BDVWA is completing DFA's Environmental Application Package and anticipates submitting it to FAAST in summer 2021.

#### Design Efforts

BDVWA completed a blending and facility sizing technical memorandum that outlined sizes of transmission/blending pipeline, well pumps/motors, and booster station improvements. BDVWA completed an alignment analysis for the Zone B Blending Pipeline and Transmission Pipeline. The proposed alignment traverses Pipes Wash along Winters Road/Tracy Boulevard.

50% design drawings have been prepared for the consolidation pipelines. 75% design drawings have been prepared for the GM Well No. 2 destruction and replacement well. The design drawings for the consolidation pipelines, and well replacement are at approximately 90%. The transmission/blending pipeline design drawings are currently at approximately 50%.

The Zone D Booster Station improvements are reduced in scope from what is presented in the PER. BDVWA proposes to utilize an existing, empty vertical turbine pump can within the existing booster station, with a separate discharge pipeline. BDVWA merged the Zone B Booster Station and Zone D Booster Station improvements into a single drawing set. 60% design drawings have been prepared for the Zones B and D Pump Station Improvements. DWR selected BDVWA GM Well No. 2 replacement for funding through the IRWM program (Recommended Funding List for Round I funding). That project is anticipated to be advertised for public bidding in late summer 2021.

BDVWA has reduced its design efforts in recent months to ensure that sufficient funds in the planning phase funding agreement to complete the environmental documentation. BDVWA may increase design efforts as the environmental documents are completed and adopted. For most improvements, significant advancement of the design efforts is generally limited to electrical design and to the GM well improvements.

#### Geotechnical Investigation

BDVWA completed field investigation and laboratory testing for the project. The geotechnical report was completed in November 2019. Additional investigations and testing may be warranted under a construction funding agreement prior to the start of construction.

#### Land Surveying Efforts

BDVWA has completed site surveys for the project's booster stations, storage tank, and well site improvement areas. BDVWA has mapped section lines, rights of way, easements, and other items for pipeline corridors, focusing on areas west of SR247 and areas near the Zone B Pump Station.

Schedule and Costs

A summary of BDVWA’s overall schedule, costs, and progress is shown in the table below.

Date of FA Execution	October 2017
Date of FA Comp	March 31, 2023
Amount of FA Funds	\$500,000
Funds Claimed Through Claim 16	\$474,789
% of Funds Claimed	95%

Additional costs have been incurred since the submittal of Claim 16 (June 2021). These costs will be included in an upcoming claim.

Upcoming Project Activities

Through September 30, 2021, project activities are anticipated to focus on right of way acquisition, design development, and construction application assistance. Design efforts for all improvements are in a sufficient stage for planning purposes. For most improvements, significant advancement of the design efforts is generally limited to electrical design and to the GM well improvements. The overall project activities through September 30, 2021 are anticipated to include:

- Submit the Environmental Application Package to FFAST.
- BDVWA’s archeologist submits the cultural report’s confidential appendix to DFA’s archeologist.
- Submit a Technical Assistance request for submittal of other application items to FFAST.
- Complete the final cultural resources report following trinomial assignments (SCCIC); the Information Center has not provided trinomial assignments due to Covid-19 induced backlog.
- Receive a FONSI from the BLM on the NEPA documents.
- Review the NEPA Environmental Report and the proposed improvements with USDA Rural Development.
- Review construction financing plan and review with DFA and USDA.
- Work to secure easements along some pipeline segments.
- Submit GM Well No. 2 replacement and destruction drilling application (San Bernardino County DEH) and DWSAP document (DDW District 13).
- Advance electrical engineering for well and booster station improvement sites.

Problems Encountered

Problems noted in previous quarterly reports appear to have been addressed: DFA’s pauses in reimbursement processing and need for funding agreement extension.

\* \* \* \* \*

Item # 4

Status Update Goat Mountain  
Replacement Well, Destruction of GM  
Well 2 and Up to Three Additional  
Borings/Monitoring Wells

No Staff Report/No Attachments



Item # 5

Consent Item a.







# BIGHORN-DESERT VIEW WATER AGENCY

*Our Mission - "To provide a high quality supply of water and reliable service to all customers at a fair and reasonable rate."*

## Planning/Legislative/Engineering Grant & Security Standing Committee Meeting Minutes

Committee Members: President Burkhart & Director Close-Dees

BOARD MEETING OFFICE  
1720 N. CHEROKEE TR.  
LANDERS, CALIFORNIA 92285

June 15, 2021  
Time – 9:15 A.M.

PUBLIC AND BOARD WISHING TO PARTICIPATE REMOTELY  
\*\*TELECONFERENCE LINE THRU ZOOM 669-900-6833\*\*  
OR

Join Zoom Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88302729955?pwd=eWFkZWU1NXdSQUVyQINhc244aINHdz09>

Passcode: 517717

Or Dial:

1-669-900-6833

Webinar ID: 883 0272 9955

Passcode: 517717

Please note that all requirements of the Brown Act requiring the physical presence of the board or staff have been waived per Executive Order N-29-20

### CALL TO ORDER

Chairman Burkhart called the meeting to order at 9:45 am – Following public participation by BDVWA in the June 15, 2021 State Water Resources Control Board regular meeting at 9 am.

### PLEDGE OF ALLEGIANCE

Led by Chairman Burkhart

### ROLL CALL

Directors: John Burkhart  
Megan Close-Dees

Staff: Marina West

Public present via teleconference - 0. There were 0 members of the public present in the Boardroom.

### APPROVAL OF AGENDA

The Committee members approved the agenda as presented.

## Discussion and Action Items -

### 1. Conference Call with Mojave Water Agency's Legal/Legislative and Public Information Committee

Committee participated via teleconference for an update by the State Advocate of Issues at the State Level, as well as an update by the Federal Advocate of Issues at the Federal Level.

No public comments.

### 2. Community Water Systems Alliance Update: Proposed Legislation Which Could Affect Agency Operations

GM West gave the staff report noting the status of some of the bills moving through the legislature. Of particular interest is the push on illegal Cannabis and absent emergency legislation to modify Prop. 64 the CWSA is requesting meetings with the authors of AB 1138, as amended, Blanca Rubio. Unlawful cannabis activity: *civil* enforcement and SB 427, as amended, Eggman. Water theft: enhanced penalties. We are focused on two amendments, one which would force discontinuation of service at the time of eradication and two, water hauling as a crime of "aiding and abetting". SB 427 was just discovered last week and staff would be asking for the same amendments.

She noted that she signed a letter as Chair of the Policy Committee for the CWSA addressing the Cannabis issue, a draft letter is in the agenda packet but the final letter took on a different approach. She also mentioned that was the purpose of speaking live to the State Water Resources Control Board to relay our concerns.

GM West reviewed the state bills that the CWSA is following.

GM West discussed the inclusion of some larger regional water agencies that are engaging on behalf of their disadvantaged communities within their sphere. One is Central Basin Municipal Water District. This agency has been plagued with problems – all that fascinating dialogue can be found on a Google search but what is interesting is that CBMWD and other large systems are finding ways to fund needs of their DAC's. For instance, CBMWD's new general manager has pledged resources to help with grant writing for small water systems within their purview. Orange County Water District is a member and San Diego County Water Authority is considering joining. These memberships help fund the CWSA and reduce the financial burden on the small DAC members. With this there is a Small Water Systems Regional Empowerment Program Proposal for these larger entities.

Regarding illegal Cannabis, staff is evaluating usage at Johnson Valley Well 10 as the well is being overtaxed at this time and we are not at summer yet. To start this process, staff is obtaining property information from every hauler. This was mentioned at the last Board meeting. Bulk haulers were never asked to provide proof of property connection to the water as there had never been this kind of usage. GM West found three customers at the cash station that provided properties outside the Agency boundaries. These accounts were closed

yesterday. It was found that these three accounts have hauled out over an Acre-Foot since August. She also discovered approximately 6 accounts on 1-inch meters that are “taking too much water for hauled living”. She will investigate these more. Lastly, the commercial water haulers have an increased demand. However, GM West also came across a customer who lives outside the boundaries but not growing Cannabis. This customer claimed to have had access to an actual 1-inch meter at JV for 18 years but he was “kicked off” due to low usage because this is a vacation property not a permanent residence. At this time, GM West is inclined to allow this customer to purchase water but is considering limits on purchases to control “take” from the station. GM West will be meeting with the Ad Hoc Committee on June 30, 2021 to present additional ideas to deal with this issue.

GM West showed the NBC4 I-Team newscast from last week and discussed recent criminal activity.

No public comments.

**3. Review Engineering/Hydrogeological Services Proposal for GM Replacement Well, Destruction of GM Well 2 and Up to Three Additional Borings/Monitoring Wells**

GM West reviewed the staff report as provided in the Agenda packet noting the change in concept from single data point borings to permanent monitoring wells. She intends to work with Mojave Water Agency staff on which sites should be pursued.

No public comments.

**4. Consent Items**

**a. PLEGS Committee Meeting Minutes, April 20, 2021**

Recommended Action:

Approve as presented (Item a):

No Public Comment.

The Committee members approved the minutes as presented.

**5. Public Comment Period**

No Public Comment.

**6. Verbal Reports - Including Reports on Courses/Conferences/Meetings**

1. Committee Members’ Comments/Reports – Director Burkhart asked about the property location for the monitoring well for Johnson Valley. He also asked about building permits for expanding cabins on hauled water. He reported \$36 per foot to drill a well.

2. General Manager's Report – Reported on the AWAC Grant for current year that went to fund the Yucca Valley Elementary School "Outdoor Learning Program".

**7. Adjournment** – Chairman Burkhart adjourned the meeting at 12:07 pm

Approved by:

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John R. Burkhart, Committee Chair

Official Seal