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MEMORANDUM

TO Legislative Committee

FROM Brent R. Heberlee

DATE February 3, 2021

RE Federal Legislative Update

This memo provides a Federal Legislative Update on the items appearing on the agenda for the February 8, 2021, Legislative Committee meeting.

1. COVID Relief Legislation and Executive Actions

President Biden has promised to get 100 million COVID-19 vaccine doses administered in his first 100 days in office and believes 1.5 million shots per day can be administered across the country in the coming weeks. To achieve this goal, he has proposed \$20 billion for a national COVID-19 vaccine program to speed the distribution and administration of COVID-19 vaccines, including funding for distribution to underserved communities. On January 21, President Biden released a national COVID-19 strategy and issued ten executive orders calling for, among other COVID-19 response priorities, creating a public dashboard with real-time national and state-level COVID-19 data including on vaccinations. The President also invoked the Defense Production Act in an effort to increase the supply of materials necessary for COVID-19 vaccination, such as syringes that can maximize the amount of vaccine extracted from vials. The Administration also announced plans to establish vaccine centers at large venues and mobilize federal personnel to assist with vaccinations.

Additionally, on January 26, the Biden Administration told governors it would begin projecting state allocations of vaccine doses three weeks ahead of shipment and that states' vaccine allocations would increase by 16 percent beginning the following week, totaling 10 million doses each week. Further, President Biden announced that the federal government had purchased an additional 100 million doses each from Pfizer and Moderna, increasing the nation's total vaccine supply from 400 million doses to 600 million doses. The additional 100 million doses of each vaccine are expected to be available later this summer.

In Congress, House and Senate Democrats introduced a joint budget resolution that instructs committees to begin drafting President Biden's \$1.9 trillion COVID relief plan over the next two weeks. Democrats plan to pass the shell budget measure through both chambers in order to avail themselves of the budget reconciliation process, which allows them to evade the legislative filibuster and pass the President's proposal with 51 votes in the Senate in the coming weeks.

2. Immigration Reform Legislation and Executive Actions

On his first day in office, President Biden sent his immigration reform legislation to Congress and released a summary of the proposal that identifies its major components: a pathway to legal status for most of the estimated 11 million undocumented immigrants currently living in the United States, reforming the immigration court system, overhauling management of U.S. borders, and addressing the root causes of undocumented migration to the United States. Senator Bob Menendez (D-NJ) and Rep. Linda Sanchez (D-CA) are expected to be the lead sponsors of the legislation in their respective chambers.

The proposal would grant temporary status to qualifying undocumented immigrants for five years. After this period, people could apply for a green card (permanent residence) if they pass a background check and establish that they have paid all outstanding taxes. Immigrants could then apply for U.S. citizenship three years after receiving their green cards if they pass additional background checks and demonstrate a knowledge of English and U.S. civics. Some people could skip the five years of temporary status and apply for a green card immediately. This includes DACA beneficiaries, Temporary Protected Status holders, and certain undocumented farmworkers. These legalization provisions would apply to any undocumented immigrant who was in the United States as of January 1, 2021.

The bill would also create for the first time a requirement for the government to provide counsel for children placed into immigration proceedings who cannot afford a lawyer. It would emphasize "smart technology" to detect and disrupt unauthorized activity at the border and focus enforcement efforts on the prosecution of criminal organizations. It would allow displaced persons in Central America to apply for refugee resettlement in the United States without first having to leave their home countries. It would also prioritize keeping parents and children together rather than separating them as the Trump administration did. Finally, it would streamline and improve the functioning of the family-based and employment-based immigration systems.

President Biden has also taken the following executive actions related to immigration:

Date	Title	Description
February 2	Executive Order on the Establishment of Interagency Task Force on the Reunification of Families	Revokes Trump’s order justifying separating families at the border and creates a task force that recommends steps to Biden to reunite separated families
February 2	Executive Order on the Southern Border and the Asylum System	Aims to address economic and political causes of migration, works with organizations to provide protection to asylum seekers and ensures Central American asylum seekers have legal access to the United States. Rescinds Trump administration policies and guidelines and also initiates a review of policies “that have effectively closed the U.S. border to asylum seekers”
February 2	Executive Order to Restore Faith in Our Immigration System and Promote Integration of New Americans	Rescinds Trump’s memo requiring immigrants to repay the government if they receive public benefits. Elevates the role of the executive branch in promoting immigrant integration and inclusion, including reestablishing a Task Force on New Americans. Requires agencies to review immigration regulations and policies
January 20	Memorandum on Preserving and Fortifying DACA	Fortifies DACA after Trump’s efforts to undo protections for undocumented people brought into the country as children
January 20	Presidential Proclamation on Ending Discriminatory Bans on Entry to the United States	Reverses the Trump administration’s restrictions on US entry for passport holders from seven Muslim-majority countries
January 20	Executive Order Revising Civil Immigration Enforcement Policies and Priorities	Undoes Trump’s expansion of immigration enforcement within the United States
January 20	Presidential Proclamation Terminating Emergency with Respect to the U.S. Southern Border and Redirecting Funds Diverted to Border Wall Construction	Halts construction of the border wall by terminating the national emergency declaration used to fund it
January 20	Memorandum Reinstating Deferred Enforced Departure for Liberians	Extends deferrals of deportation and work authorizations for Liberians with a safe haven in the United States until June 30, 2022

3. California Central Coast Conservation Act

Congressman Jimmy Panetta (CA-20) reintroduced the California Central Coast Conservation Act, which establishes a moratorium on all new oil and gas leasing on federal public land on the central coast of California. Congressman Panetta originally introduced this legislation in December 2019 in direct response to the Trump Administration's decision to allow for new oil and gas leasing and development on over 720,000 acres of public land in Central California, primarily in Fresno, Monterey, and San Benito counties. The County filed an administrative protest of the decision in June 2019.

The bill prohibits the Bureau of Land Management (BLM) from implementing the decision until it completes and publishes a supplemental environmental impact statement assessing the impacts of oil and gas drilling on the Central Coast. Specifically, the review must consider potential impacts on air quality, greenhouse gas emissions, climate change, groundwater, surface water, seismicity, wildlife and plant species, low-income communities, communities of color, and indigenous communities. If the assessment identifies adverse environmental impacts, the Administration's decision cannot proceed. The County supported similar legislation sponsored by Rep. Panetta in the last Congress.

4. House Committee Framework to Achieve Health and Economic Equity

House Ways and Means Committee Democrats, of which Rep. Panetta is a member, recently released a new legislative framework for how the Committee will address the role that racism, ableism, and other social, structural, and political determinants have in perpetuating health and economic inequity in the United States. The framework is placed into context in a Democratic Committee staff-prepared report that examines the history and intersection of federal policy and inequities in the United States.

The report, entitled "*Something Must Change: Inequities in U.S. Policy and Society*," provides key context on which members' legislative priorities are based, and the framework, entitled "*A Bold Vision for a Legislative Path Toward Health and Economic Equity*," lays out pillars and policy priorities focused on achieving equity in health and the economy that will steer the Committee's work in the 117th Congress and beyond. Many of these policy priorities align closely with the County's Legislative Program and the federal advocacy strategies in the County's COVID-19 pandemic disparate impact report.

5. Legislative Workshop – Delegation Priorities

The County's congressional delegation was represented at the workshop by Rep. Jimmy Panetta and Daniel Chen, Deputy State Director for Senator Alex Padilla. Senator Feinstein's representative was unable to attend.

Rep. Panetta indicated that he is very focused on vaccine distribution and that he appreciates the challenges facing the County. He highlighted the \$45 million in CARES Act

funding that the County received and reassured the Board that he continues to advocate for additional state and local funding in COVID relief legislation. He also expressed support for President Biden's executive actions addressing the pandemic. Daniel Chen with Sen. Padilla's office indicated that the senator is in the process of hiring staff and developing his legislative priorities for the current session. He expressed a willingness to work with the County on our legislative priorities. Subsequent to the workshop, Sen. Padilla was assigned to the following committees: Judiciary, Environment and Public Works, Homeland Security and Governmental Affairs, Budget, and Rules and Administration.

Attachment:

- Federal Bill/Issues Track
- Draft Support Letter: California Central Coast Conservation Act (H.R. 479)