



# NATIONAL GRANGE

## OF THE ORDER OF PATRONS OF HUSBANDRY

*American Values. Hometown Roots.*

### *View from the Hill*



## POLICY UPDATES and ISSUE NEWS

### JULY 2021 WRAP-UP

#### WASHINGTON OVERVIEW

##### **Bipartisan Infrastructure Package Moves Forward**

Infrastructure has been the top legislative priority in Washington for the past few months with the odds that a bill will pass having looked at times unlikely. However, this week Democratic and Republican Senators finally made concrete progress on a bipartisan infrastructure package.

For background, Democrats in Congress and the administration have been pursuing infrastructure on two tracks – the first being a bipartisan bill focused on hard infrastructure and valued at around \$1 trillion with no tax increases, and the second being a larger bill filled with various Democratic policy priorities which would require tax increases to be paid for. While the second bill remains largely undefined, the spending amounts of the bipartisan bill have been outlined including \$65 billion for broadband deployment and significant funding for rural roads, bridges, and water infrastructure among other provisions.

This week, in the Senate, by a vote of 67-33 with 17 Republicans joining every Democrat, the bipartisan infrastructure bill passed an early hurdle and was advanced to debate on the floor of the Senate. While details of the bill have not yet been publicly released, they will likely emerge in the coming days and following a round of amendments and debate the bill could pass as soon as the first week of August. Yet more, Democrats are looking to pass a budget resolution next week which would authorize up to \$3.5 trillion in spending with only 50 votes needed to pass. It is important to note that passage of the budget resolution does not guarantee that a final bill will be exactly \$3.5 trillion, but it cannot be more. This is important as many moderate House and Senate Democrats have indicated that they would not want to spend that amount of money.

In the House, action on both the bipartisan bill and the reconciliation bill is not likely to come until they return from their recess in mid-September, leaving the final fate of both bills unknown for the time being.

##### **Biden Signs Executive Order to Promote Competition**

On July 9<sup>th</sup>, President Biden signed an executive order seeking to target anti-competitive practices in a wide variety of industries. Altogether, the order contained 72 distinct initiatives and engaged more than a dozen different federal agencies and bureaus. The most notable parts of the order for the National Grange targeted consolidation in agriculture, meat labeling, and the right to repair.

With regard to agriculture, the executive order specifically targeted consolidation in the meatpacking industry, meat labeling practices, and the creation of new marketing opportunities. Specifically, the order directs the US Department of Agriculture to make it easier for farmers to bring claims against meat packers, to redefine “product of the USA” meat labels to be more transparent for consumers, and to increase access for alternative food distribution systems such as farmers markets and other local food purchasing options.

Beyond the actions at the USDA, President Biden's order directed the Federal Trade Commission to limit equipment manufacturers' ability to restrict consumers from repairing products they have purchased themselves or at independent repair shops. This so-called "right-to-repair" would be particularly impactful in agriculture where many large equipment companies have sought to block farmers from pursuing DIY or independent repair options.

## **AGRICULTURE AND FOOD**

### **New Meat and Poultry Processing Capacity**

USDA says it will allocate \$500 million from the American Rescue Plan to help small processing facilities recover from the pandemic, expand markets for producers and create resilient food supplies. The objective is to create a more competitive environment for meat processing. Small meat processors have seen a surge in demand as farmers and ranchers search for more market alternatives. Another \$55 million in competitive grants has been appropriated by Congress to help small facilities qualify for state or federal inspection programs.

### **Meat Label Language to Get Review**

The USDA plans to conduct a top to bottom review of the "Product of USA" label to determine what that label means to consumers. Under the current label language, an item can be called "Product of the USA" so long as it is processed, not necessarily produced, domestically. The action comes as the Federal Trade Commission announced its intention to strengthen enforcement of the Made in the USA standard.

### **President's Executive Order Targets Ag Consolidation**

A wide-ranging executive order signed by President Biden on July 9 seeks to address consolidation throughout the economy. It includes a special focus on actions the USDA could take to issue new rules under the Packers and Stockyards Act. The new rules proposed by the executive order are meant to strengthen meat and poultry industry oversight and make it easier for farmers and ranchers to bring and win claims against processors.

## **HEALTH CARE**

### **Relief from Surprise Medical Bills**

The Departments of Health and Human Services, Labor, Treasury and the Office of Management and Budget have issued an interim final rule intended to restrict excessive out-of-pocket costs to consumers from surprise billing and balance billing. Surprise billing occurs when patients unknowingly get care from providers who are outside of their health plan's network. Balance billing occurs when a provider charges a patient the remainder of what their insurance does not pay. Balance billing is prohibited by both Medicare and Medicaid. This rule will extend the prohibition to employer-sponsored and commercial health plans. The rule will also ban:

- Surprise billing for emergency services
- High out-of-network cost-sharing; any coinsurance or deductible must be based on in-network provider rates.
- Out-of-network charges for ancillary care (such as an anesthesiologist or assistant surgeon) at an in-network facility

- Health care providers must give patients clear advance notice and get patient consent before higher out-of-network rates can be charged.

Relief from surprise billings has been a National Grange priority for several years, so this is welcome news. These new regulations will take effect on January 1, 2022.

### **Opioid Settlement Reached**

A bipartisan coalition of state attorneys general say they have reached a settlement with Johnson and Johnson and major drug distributors Cardinal Health, McKesson and AmerisourceBergen to pay \$21 billion over 18 years. The agreement will resolve claims of nearly 4,000 state and local governments that have filed claims in federal and state courts. None of the money will go to families or individuals who suffered from opioid addiction, however. It will be spent on opioid treatment, recovery and prevention programs.

## **TELECOMMUNICATIONS**

### **Prioritize New Broadband Funding**

The National Grange continues to urge Congress to prioritize broadband funding. In a letter to 16 senators and representatives negotiating the bipartisan infrastructure package, the Grange:

- Stressed the need to define unserved areas that qualify for priority broadband funding as those without 25 Mbps download and 3 MBPS upload (25/3) speeds.
- Explained that to reach the last mile and last acre in rural America, all available and proven broadband technologies must be eligible for funding.
- Warned that Congress should be prepared to mitigate pole attachment and right-of-way issues that impede deployment progress in a reasonable, equitable and cost-effective manner.

### **Connect the Unserved First**

In letters to 130 targeted members of the Senate and House, the National Grange reiterated the priority for any new broadband deployment must be to first connect the truly unserved areas. Unserved should be defined as those without a broadband connection of 25/3 Mbps. Infrastructure legislative language that weakens this definition of unserved could lead to funds being diverted to areas that already have broadband. Senators and representatives were again reminded that reaching the rural underserved means traversing longer distances to reach fewer people. Therefore, right-of-way and utility pole access are critically important for enabling rural connectivity across the nation.

### **Rural, Urban Face Common Challenge**

National Grange President Betsy Huber coauthored an op ed in Washington's Morning Consult newsletter July 26 emphasizing the need for Congress to provide the necessary resources to expand broadband infrastructure to every American and close the broadband gap. Many urban core areas share a common challenge with many rural areas – they do not have broadband internet access. The coauthors call for a bipartisan infrastructure package that provides the resources necessary to ensure access and affordability for every American in every community.

## Connect All Citizens

In the electronic world of the future, it will be important for everyone to have benefits that come with having a broadband connection no matter where they live or how much money they make. The National Grange wrote the chairs and ranking members of the Senate Commerce, Science and Transportation Committee and the House Energy and Commerce Committee to suggest the bipartisan infrastructure package allot funds to support a sustainable, long-term broadband subsidy, similar to the Emergency Broadband Benefit Program that Congress created last year. It's estimated that 44% of individuals who make less than \$30,000 a year do not have broadband at home.

## Rural America is not Connected

A new digital map from the National Telecommunications and Information Administration (NTIA) shows that most of the rural land mass in America does not have broadband connection speeds of 25/3 or higher. This new tool should help demonstrate the need to connect the truly unserved areas first.

## TRANSPORTATION

### Ag Needs Rail Competition

The National Grange has joined several agricultural groups in calling for the Surface Transportation Board to resume its consideration of a proposal to establish competitive switching in the railroad industry. The group is urging the STB to finalize regulations to provide shippers greater ability to negotiate rates and challenge unreasonable rates and fees. While rail mergers provided financial stability for rail carriers, the mergers created regional monopolies that leave customers little leverage to negotiate shipping terms. Agriculture is also asking the STB to issue and implement a reciprocal switching rule that would allow shippers who are captive to a single railroad to access a competitive railroad at the nearest interchange for a reasonable fee.

## PERPESPECTIVES

- “ A good laugh and a long sleep are the best cures in the doctor's book. ~ *Irish Proverb* ”
- “ Dogs laugh, but they laugh with their tails. What puts man in a higher state of evolution is that he has got his laugh in the right end. ~ *Max Eastman* ”
- “ The kind of humor I like is the thing that makes me laugh for five seconds and think for ten minutes. ~ *William Davis* ”
- “ A good laugh is sunshine in the house. ~ *William Makepeace Thackeray* ”
- “ Laughter is the shortest distance between two people. ~ *Victor Borge* ”
- “ Trouble knocked at the door, but, hearing laughter, hurried away. ~ *Benjamin Franklin* ”