
FEDERAL AFFAIRS

Infrastructure Reform and the Budget

On August 11, 2021, the Senate passed a \$3.5 trillion budget resolution (S.Con.Res.14) as the Democratic party forges ahead with a massive economic agenda. The budget resolution marks the first step in the budget reconciliation process, which allowed Democrats to approve the package with a simple majority. The Democratic-held chamber voted to pass the budget resolution 50-49 along party lines. The measure directs committees to craft a bill that would spend up to \$3.5 trillion on climate initiatives, paid leave, child care, education and healthcare. The vote for the resolution follows Senate passage of a \$1.5 trillion bipartisan infrastructure bill. Democrats see the bipartisan plan and their reconciliation bill as complementary planks of an agenda that aims to create jobs, slow climate change and strengthen the social safety net. Neither bill is likely to get to President Joe Biden's desk for weeks or even months.

The House will also need to approve a budget resolution before Congress can craft and pass final legislation. Senate Majority Leader Chuck Schumer (D-NY) gave committees a September 15, 2021, target to put together their respective portions of the bill. The Senate voted 69-30 on August 10, 2021, to pass the Infrastructure Investment and Jobs Act (H.R. 3684), bipartisan legislation to invest in the nation's infrastructure, including funding for roads and bridges, rail, transit, ports, airports, electric grid, water systems and broadband, among other priorities. The legislation provides \$944 billion in total spending over five years, totaling \$550 billion in new spending. It represents a significant infusion of federal funding for U.S. public works across various industries. This legislation passed in the House without a single Republican supporting it, despite several Republicans having earmarks in the legislation. Senate passage of the bipartisan infrastructure package follows months of negotiations between the White House and a bipartisan cohort of senators on the infrastructure component of President Joe Biden's original American Jobs Plan.

The legislation includes several authorizing bills, including the Surface Transportation Reauthorization Act of 2021 (S. 1931), Surface Transportation Investment Act (S. 2016), Drinking Water and Wastewater Infrastructure Act (S. 914) and the Energy Infrastructure Act (S. 2377), among others. The bill now moves for consideration in the U.S. House of Representatives. The Senate adjourned until mid-September.

The House came back in session to consider the Senate-passed budget resolution (S. Con. Res. 14), the bipartisan infrastructure package (Senate amendment to H.R. 3684) and the John R. Lewis Voting Rights Advancement Act (H.R. 4). Initially, the House leadership's plan was to vote on the rules for floor debate for all three pieces of legislation and then proceed to final passage of the budget resolution and voting rights legislation. House Speaker Nancy Pelosi (D-Calif.) maintained that the House will not vote on the bipartisan infrastructure bill until the Senate passes its reconciliation package. A group of nine centrist Democrats, however, has been at an impasse with Speaker Pelosi over the strategy to tie together the Senate-passed bipartisan infrastructure bill and the reconciliation package, which requires nearly all of

the Democratic caucus on board. The House will not make changes to the budget resolution, and Speaker Pelosi was able to get a rule adopted to get it passed.

By passing the budget resolution, the House formalized instructions to committees in both chambers of Congress to write their sections of the \$3.5 trillion reconciliation bill. September 15, 2021, is the target deadline for committees to submit reconciliation language. However, things are not as fine as they seem. The Infrastructure bill is over 2,700 pages long and includes provisions for improving roads and general infrastructure across the country. Biden had made infrastructure one of his key legislative aims in his presidential campaign. Only \$550 billion of the plan, however, is new investment, to be spent over the next five years.

The document provides a list of planned expenditure, including:

- \$110 billion for roads and bridges;
- \$39 billion for public transport;
- \$66 billion for passenger and freight rail;
- \$7.5 billion for electric vehicle charging stations;
- \$5 billion for electric and hybrid school buses;
- \$42 billion to reduce congestion at ports and airports;
- \$55 billion for water and wastewater infrastructure;
- \$65 billion to expand broadband access;
- \$21 billion to clean up super sites and cap obsolete gas wells and
- \$73 billion to modernize the national grid and further introduce renewable energy.

Even as the Senate left town on Wednesday morning after passing a \$1 trillion bipartisan infrastructure bill and the Democrats' \$3.5 trillion budget resolution, everyone knows what is coming in a few short weeks. Mayhem. The biggest issue, of course, is the growing possibility of a concurrent fight over government funding and the debt limit. Both parties are talking past each other right now, which makes it feel like a replay of the 2011 debt crisis. That episode resulted in the first-ever downgrading of the U.S. credit rating.

President Joe Biden, Speaker Nancy Pelosi and Senate Majority Leader Chuck Schumer all repeated the same line in public and private -- Republicans will not let a default happen. Which is why Senate Democrats did not include language raising the debt limit in the budget resolution they pushed through on Wednesday by 50-49 vote. Instead, Democratic congressional leaders -- with the White House's blessing -- will likely add it to a must-pass continuing resolution to keep the government open. That resolution will be introduced when Congress returns in mid-September. Government funding runs out on September 30, 2021. There is no firm date for when the debt limit will be reached, but CBO has estimated in October or November.

Here are the other deadlines in September:

- September 6: Enhanced federal unemployment benefits approved under the American Rescue Plan expire. A number of states have already begun to withhold them.
- September 11: This is the 20th anniversary of the 9/11 attacks Biden initially ordered an end to the U.S. combat mission in Afghanistan by this date, but the deadline was moved up to August 31, 2021.
- September 15: House and Senate committees must finish drafting their portions of the Democrats' big reconciliation bill. This is going to be particularly difficult to do if there's a debt limit-government funding crisis.
- September 30: Government funding runs out. Remember all the possible options here: a yearlong omnibus (not very likely), a minibus (also not very likely) and then continuing resolutions of various lengths (my prediction).
- September 30: Surface transportation program authorization expires.
- September 30: National flood insurance program authorization expires.
- October 3: Latest federal eviction moratorium expires, which has already been stricken down by a federal court (the Supreme Court already said Congress must come up with a solution, and this was outside the jurisdiction of the Centers for Disease Control).

Voting Rights

The House voted 219 to 212 to pass H.R. 4, the John Lewis Voting Rights Act. The bill has support from more than 190 original cosponsors, including all members of House Democratic leadership. The effort still faces Republican opposition and the prospects of a filibuster in the Senate – not a single Republican in the House voted for the bill on final passage. The bill comes after a series of House committee hearings over the past several months to establish a legislative record for modern efforts to suppress minority groups' voting power.

The bill responds to several U.S. Supreme Court decisions, including the 2013 *Shelby County v. Holder* decision that invalidated the mechanism for the Justice Department to preclear election law changes and the *Brnovich v. DNC* decision from July 2021 that restricts when an election change that causes a disproportionate impact to minority communities violates the law. Essentially, H.R. 4 restores the Voting Rights Act of 1965 to its original status. Senate Minority Leader Mitch McConnell (R-KY) has stated his opposition to the legislation; it is uncertain if Senate Majority Leader Chuck Schumer will be able to garner the votes needed for final passage.

STATE AFFAIRS

Budget Update and Projections

Despite state statute requirements that a completed budget be presented to the Governor by July 1, and early summer indications that July 1 was the anticipated goal, the complete state budget remains unfinished. Currently, only the K-12 budget has been finalized and signed. At this time, the remaining portions of the state budget should be finalized before the start of the new fiscal year on October 1, 2021.

Higher Education Operations:

Governor Whitmer introduced her proposed budget on February 11, 2021. The Executive recommended a one-time 2% increase in the Higher Education budget, coupled with allocation of funds to satisfy federal Maintenance of Effort (MOE) requirements. WSU is supportive of the one-time 2% increase in base funding, but has advocated that investments in higher education should be long term and sustainable. In addition, the Governor did not propose utilizing performance funding metrics but did retain a 4.2% tuition restraint.

The Senate passed SB 93 (S-2) on May 11, 2021. SB 93, initially, was a largely flat budget with some minor alterations to the KCP programs. However, during floor activity and in direct result to the budget produced by the House, the Senate adopted a floor substitute including the 2% one-time funding increase to all 15 public universities. The Senate retains reallocation of KCP funds, reducing 4S and Visiting Professors to create a new KCP Pregnant and Parenting student program. The Senate included the 4.2% tuition restraint and did not utilize performance funding metrics.

The Senate moved to the floor but *did not pass* another iteration of the higher education budget that would erase MPERS debt for those universities that retain costs associated with MPERS, and allocates a 3% increase to the remaining public universities without MPERS obligations. This proposal remains on the Senate floor but could play a part in the finalization of the higher education budget.

The House passed HB 4400 (H-2) on May 12, 2021. HB 4400 reallocates higher education dollars on a Fiscal Year Equated Student (FYES) model. The budget does include an offset for T1 and T2 research universities, like WSU, but that funding falls short of the true costs of conducting Tier 1 research. In addition, the funding method adopted by the House does not capture the nuance of higher education financing especially for public universities like Wayne State. The House did not include a tuition restraint or traditional performance funding metrics. Taken as a whole, HB 4400 results in a 4% or \$8.2 million dollar loss to Wayne State.

Non-Operations Funding:

WSU receives and advocates for state funding for several programs which are outside of traditional higher education operations funding. Those items and their status are included below:

1. National De-Escalation Training Center: The House included \$150,000 in funding to pilot offering free de-escalation training to law enforcement officers through the NDTC headquartered at WSU.

The Senate included \$500,000 for MCOLES to offer de-escalation training.

The Governor did not include funding directed specifically at de-escalation training.

2. Frontline Strong Together: The Governor did not include funding for first responder post-traumatic stress disorder and other mental health conditions. In FY 20-21, \$2.5 million was allocated to support the development of a program to provide care opportunities for first responders. WSU's Frontline Strong program, which is run by the Department of Psychiatry and Behavioral Neurosciences, has been actively involved in the development and use of the prior year's funding.

The House included \$2.5 million for the Frontline Strong Together initiative.

The Senate included this funding as a \$100 placeholder.

3. MiDOCS: The Executive included \$5.1 million GF/GP resulting in a \$20.2 million gross level of support for MiDOCS incoming cohort. This investment proposal is flat, and reflects the same amount as was allocated in FY 20-21. WSU continues to actively advocate for an increase in funding to allow for a more robust cohort and to fulfill our goal of ultimately getting to 50 residents per year being trained.

The House included \$5.1 million for MiDOCS.

The Senate included \$6.4 million for MiDOCS, reflecting the full funding requested by WSU and other MiDOCS partners.

4. Lycaki-Young Funding: Governor Whitmer included \$5.6 million in funding for the Lycaki-Young Program which recognizes the cities need for programming following the closure of the Lafayette Clinic in the early 1990s. These funds, which go to the WSU School of Medicine's Department of Psychiatry, support programming in Substance Abuse & Addiction, Child & Adolescent Treatment, Education and Training (for residents), ER & Hospitalization Diversions, and Clinical Transformational Initiatives.

The House included \$5.6 million for the Lycaki-Young Program.

The Senate included \$5.6 million for the Lycaki-Young Program.

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5. **Poison Center Funding:** The Governor's Budget included \$1,121,400 in funding for the Poison Center. This funding, and its associated federal match money, directly supports the statewide activities of the Poison Center at WSU.

The House included \$1,121,400 in funding for the Poison Center.

The Senate included \$1,121,400 in funding for the Poison Center.

6. **Psychiatric Nurse Practitioners:** The House included \$1.6 million for a 4-year pilot project to increase the number of advanced practice psychiatric-mental health nurse practitioners to expand access to mental health services. This funding is directed to the WSU College of Nursing.

The Governor and Senate did not include funding for psych NPs.

Legislation

WSU DGCA continues to monitor state legislation and regulations that could impact our students, our faculty, our community, and our ability to carry out our mission. When formulating a university position, we work with internal subject matter experts to both craft the best position and to provide feedback to legislators. Further, we work collaboratively with both our URC partners and all 15 public universities to leverage our collective positions and create favorable outcomes as often as possible. We are currently monitoring, and actively engaging, on several pieces of legislation including, but not limited to, the following:

- Senate Bill 93 (LaSata) and House Bill 4400 (Huizenga) proposed higher education budget bills.
- Senate Bill 89 (Barrett) Senate proposed Michigan State Police budget bill.
- Senate Bill 79 (Outman) and House Bill 4399 (Whiteford) proposed Health and Human Services budget bills.
- House Bill 4512 (Hornberger) clarifying the removal procedures for University board members. WSU is monitoring this legislation.
- House Bill 4615 (Marino) requiring candidates for university boards to file a financial disclosure. WSU monitoring.
- Senate Joint Resolution F (McBroom) requiring university board meetings to have open meetings. This is a constitutional amendment proposal requiring a heightened 2/3 vote of both chambers before being put onto the ballot during the next general election for approval by the people. WSU is monitoring this initiative.
- Community College 4-Year Degree Programs. WSU is anticipating the reintroduction of legislation that failed last term that would have allowed a community college to offer a 4-year bachelor of science in nursing degree program. WSU opposed this legislation.

GOVERNMENT HEALTH AFFAIRS

Graduate Medical Education (GME) Reform – MIDOCs

WSU and other members of the MIDOCs consortium had its third cohort of residents start in July. As a reminder, this program is funded through direct state appropriations, which are then leveraged to receive federal dollars. The federal government approved the state's plan of how it will use those funds and how we will flow the money to the residency programs. The first cohort contains 8 residents, the second cohort contains 24, and the third contains 20. Last year, the state appropriated \$5.1 million for the program. MIDOCs leveraged this funding, along with a funds contributed from the consortium, to receive a federal match totaling \$16 million.

This year, we requested \$6.4 million from the legislature for FY22 in order to bring the resident cohort number back up to 24. While there is widespread support of the program, the Governor recommended \$5.1 million in her budget. The House matched the Governor's recommendation and the Senate included \$6.4 million in their recommendation.

Lycaki-Young Fund

The Lycaki-Young fund was first introduced in the mid 1990's. Since that time, WSU has received more than \$100 million in state funds to support care for the mentally ill and those affect by substance abuse. WSU has been a leader in providing critically important services to those affected in Wayne County and beyond. For example, we host one of the largest Methadone clinics in the country.

The Governor and both Chambers recommended \$5.6 million for FY22.

The Michigan Poison Center

The Michigan Poison Center (PC) receives more than 65,000 calls per year related to emergencies (most involving children). Tenet Corporation and DMC hosted the Center for more than 60 years, but it no longer fits into their scope of services plan. This is a significant opportunity for Wayne State to demonstrate our public health mission and expertise across the entire state. The Poison Center serves all counties in Michigan. The PC continues to play an active role in outreach on the COVID-19 pandemic. Additionally, they are focusing educational efforts on opioid overdoses and lead poisoning across the state.

The Legislature is proposing \$1.2 million in state appropriations for FY22. While this is the standard amount requested and awarded each year, the PC is seeking increased funding for future years. The Health Affairs team is strategizing ways to increase the PC's appropriation next year.

American Rescue Plan Proposals from the School of Medicine

Earlier this year, the State requested proposals for ideas to use the Federal American Rescue Plan (ARP) funds from entities across Michigan. WSU submitted several proposals, with a few coming from researchers at the School of Medicine. One proposal expands the mobile clinic program already established at the University. The other SOM proposal addresses mental health care for children and adolescents. The process timeline of these submitted proposals unclear, but the DGCA team is actively monitoring the submissions and strategizing our outreach to the House, Senate, and Administration.

African World Festival:

Health Affairs participated in the 2021 African World Festival August 20-22. We had a strong presence at the festival including the Michigan Poison and Drug Information Center, the Office of Women' Health, student groups from the College of Pharmacy, and students from the School of Medicine. In addition to the groups, the Wayne Health Mobile Unit was at the festival offering basic health screenings each day.

COMMUNITY AFFAIRS

Woodbridge Citizens' Council Meeting

On August 12, 2021, the Division of Government and Community Affairs (DGCA), Office of Economic Development (OED) and WSU Athletics presented to the Woodbridge Citizens' Council's (WCC) monthly meeting via Zoom. The purpose of the presentation was to provide an update to the WCC on the status of the new basketball arena. Questions from the WCC focused on post construction—landscaping, adding a mural on the Trumbull or Warren sides of the arena for beautification, a written parking plan, and community access to the venue. The Director of Community Affairs is coordinating answers from the appropriate entities and will provide a post-construction update at the tentatively scheduled October meeting with the WCC.

African World Festival (photos: <https://flic.kr/s/aHsmWuJWmh>)

For the second year, Wayne State University served as a sponsor of African World Festival, August 20-22, 2021. This year celebrated 38 years and a return to an in-person event with over 100,000 attendees on the grounds of the Charles H. Wright Museum of African American History and Peck Park. Approximately 100,000 people attended over the three days.

Under the leadership of the Director of Community Affairs, who developed and managed all aspects of the sponsorship, Wayne State extended its footprint to cover three areas:

- 1) an array of cultural offerings, including African dancers, musical performances and a spoken-word poetry presentations -- all from the College of Fine, Performing and Communication Arts and the College of Liberal Arts and Sciences;

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- 2) free health services, including COVID-19 testing at Wayne Health’s mobile testing units and blood pressure screenings at WSU’s “Health Is Wealth” area; and
 - 3) 35 WSU staff, faculty and alumni with rotating schedules hosting an informational area with admissions, special financial aid programs and student organization information along with WSU swag.

The health services were sponsored by Health Affairs at Wayne State, along with the School of Medicine, the College of Nursing, the Eugene Applebaum College of Pharmacy and Health Sciences, Wayne Health, Wayne Pediatrics, and the Michigan Poison and Drug Information Center at the WSU School of Medicine.

President’s Community Advisory Group (PCAG)

On Wednesday, September 15, 2021, the Division of Government and Community Affairs hosted the WSU’s President’s Community Advisory Group (PCAG) meeting via Zoom. The PCAG’s purpose is to provide input, feedback, and guidance to the President and the Division of Government and Community Affairs regarding the University’s mission, strategic plan, and priorities. PCAG serves in an advisory capacity, not governance. The first meeting of PCAG occurred on October 16, 2008, and the group traditionally met three to four times a year.

The last meeting was held virtually in 2020. The meeting on September 15 was the first meeting in over a year and the first with Stacie Clayton, the new Director of Community Affairs. This will resume the cadence of quarterly meetings going forward. Ericka Matthews-Jackson, Senior Director of Undergraduate Admissions, and Dr. Darryl Gardner, Director of the Office of Student Success and Operational Excellence made presentations.