



DATE: February 27, 2023
TO: Mayor Robinson and City Councilmembers
FROM: Genesee Adkins, Chief of External Affairs, 452-7849
Nina Collier, Jeff Bjornstad, Tony Williams – W2A (federal affairs consultants)
SUBJECT: Federal Legislative Update

Federal Legislative Summary

This month's federal affairs update includes a summary of the Washington congressional delegation's committee assignments, which have just recently been confirmed. It also provides a preview of the Administration's priorities, as outlined by the president in his annual State of the Union address and recent executive actions. The budget priorities of House Republicans are also becoming clearer. What remains to be seen is what policies and priorities can actually garner the support needed by members of both parties to advance in a divided Congress in the coming months. This update also provides a summary of grant funding opportunities and Bellevue's federal affairs activities.

118th Washington Delegation Committee Assignments

The 118th Congress spent much of the last month on organizational procedures. After a drawn-out process to confirm the House Speaker, committee assignments and organizational rules are now largely set and committee hearings and legislative work are proceeding forward.

For the most part, Washington state's congressional delegation remained on the committees they have served on in the past. The most significant changes were the ascensions of Senator Murray to the chair position of the Senate Appropriations Committee, Rep. Rick Larsen to ranking member position of the House Transportation and Infrastructure Committee and Rep. Cathy McMorris Rodger to chair of the House Energy and Natural Resources Committee. Senator Cantwell will continue to hold the gavel of the Senate Commerce Committee and Bellevue's Rep. Adam Smith will be ranking on the House Armed Services Committee. He served as chair when Democrats held control of the House. Washington's newest congressional member, Marie Gluesenkamp Perez (D, WA-3), acquired seats on the Small Business Committee and Agriculture Committee.

A complete list of Washington's delegation leadership and committee assignments is below:

WASHINGTON STATE CONGRESSIONAL DELEGATION Committee Assignments	
Sen. Patty Murray	Senate Pro Tempore Appropriations Committee, Chair Chair of Subcommittee Military Construction & Veterans Affairs



	<ul style="list-style-type: none"> • Energy and Water Development • Defense • Homeland Security • Labor, Health and Human Services, Education, and Related Agencies • Transportation, Housing and Urban Development, and Related Agencies <p>Health, Education, Labor & Pensions Committee Budget Committee Veteran's Affairs Committee</p>
Sen. Maria Cantwell	<p>Commerce, Science and Transportation, Chair Energy and Natural Resources Finance Indian Affairs Small Business and Entrepreneurship</p>
Bellevue's House Members	
Rep. Suzan DelBene (D, WA-1)	<p>Ways & Means New Democrat Coalition, Chair Women's High-Tech Coalition, Co-Chair</p>
Rep. Adam Smith (D, WA-9)	<p>House Committee on Armed Services, Ranking Member</p>
Other WA state House Members	
Rep. Rick Larsen (D, WA-2)	<p>Transportation and Infrastructure, Ranking Member</p>
Rep. Marie Gluesenkamp Perez (D, WA-3)	<p>Small Business Agriculture</p>
Rep. Dan Newhouse (R, WA-4)	<p>Appropriations Select Committee on Strategic Competition between the US and China</p>
Rep. Cathy McMorris Rodgers (R, WA-5)	<p>Energy and Commerce, Chair</p>
Rep. Derek Kilmer (D, WA-6)	<p>Appropriations House Administration</p>
Rep. Pramila Jayapal (D, WA-7)	<p>Education & Workforce Judiciary</p>
Rep. Kim Schrier (D, WA-8)	<p>Energy & Commerce</p>



Rep. Marilyn Strickland (D, WA-10)	Transportation & Infrastructure Armed Services
------------------------------------	---------------------------------------------------

State of the Union

President Biden delivered his second State of the Union address on February 7th. The speech addressed a wide-range of policy priorities, many of which will face an uphill battle in a divided Congress. A few items, however, have bipartisan support and, therefore some potential for movement. A few key themes from the speech, which provide a glimpse into the Administration's legislative priorities for the year include:

- Debt ceiling increase – the Administration and congressional democrats want a “clean” debt increase bill, without budgetary policy riders. Republicans want to use the debt increase to seek spending reductions or limits. The debate on this has already heated up and will impact the ability to move debt limit and spending bills this year.

Administration priorities with potential for bipartisan support include:

- Online privacy and protection, especially with regards to kids. The Senate Judiciary Committee already has plans for a bipartisan hearing on the “Kids Online Safety Act”
- Reauthorization and updates to the National Cancer Act
- Permanent ban on fentanyl

Administration priorities around taxes, gun control, immigration, etc. are not likely to gain the support of Republicans and are not expected to advance. However, narrow proposals around immigration and a tax bill that includes bipartisan priorities may see movement.

Budget and Appropriations

The president's budget proposal for FY 2024 is expected to be released on March 9th. The official release of the Administration's budget proposal normally kicks off the congressional appropriations process. This year, however, budget and fiscal discussions have heated up early around the debate surrounding the debt limit.

National Debt and Debt Limit

The Congressional Budget Office (CBO) released new projections estimating the nation's debt is over \$31 trillion, nearly doubling in the last 11 years. CBO also estimates the current debt limit will be reached sometime between July through September verses sometime in June as was previously projected.



Republican Budget Priorities

In response to the latest CBO estimates, House Republican Majority Leader Kevin McCarthy (R, CA) vowed to put the US “on a path to a balanced budget within 10 years.” House Budget Committee Chairman, Jodey Arrington (R, TX) outlined spending cut priorities, including: recapturing unobligated COVID money; reinstating work requirements in welfare programs (like TANF and SNAP); reducing fraud in the Child Tax Credit (CTC) and SNAP (Food Stamp) Program; capping Obamacare subsidies at 400 percent of poverty and recovering overpayments; rescinding certain EPA Programs from the Inflation Reduction Act “with no specific purpose or for environmental justice programs”; ending President Biden’s student loan bailouts; etc. All of these Republican “priorities” face uphill political battles and are likely to hit a brick wall in the Democrat-controlled Senate and with the Administration.

Appropriations & Earmark Spending

The congressional Appropriations Committees are not waiting for the president’s budget to kick-start the process to gather and consider proposals for congressionally direct spending/community project funding (a.k.a., earmarks). The Senate Appropriations Committee has already released guidance outlining eligibility and consideration requirements of potential earmarks. As in years past, Senate earmarks will be limited to 1% of total discretionary funding. Senators Murray and Cantwell’s offices have already released their solicitation forms and Bellevue has been preparing since January to submit funding requests for several priority projects (see Federal Affairs Activities below for more details).

House members are expected to receive guidance from the House Appropriations Committee soon and application forms will likely be released soon after.

Grant Funding

The Administration continues to slowly roll out funding opportunities from its signature climate action legislation, the Inflation Reduction Act (IRA), and the infrastructure package, the Bipartisan Infrastructure Law (BIL). A few current and up and coming programs to watch include:

WaterSMART competitive grants for water recycling and desalination projects. Deadline for applications is 2/28/2023. Funding notice: [WaterSMART NOFO](#)

Charging and Fueling Infrastructure (CFI) Discretionary Grant program will provide \$700 million from FY 2022 and FY 2023 for competitive grants for EV charging stations. The [first round of funding will open soon](#) program.

Clean Heavy-Duty Vehicle program will make \$1 billion in grants and/or rebates available over the next five years. Administered through EPA, the program will provide funding to offset the costs of replacing heavy-duty Class 6 and 7 commercial vehicles with clean, zero-emission vehicles, deploy infrastructure needed to charge, fuel, and maintain these zero-emission vehicles, and develop and train the necessary workforce. EPA anticipates this new funding opportunity may begin later in 2023.



EV Charging

USDOT this month published further guidance, plans and a temporary rule to help in the deployment of a national electric vehicle infrastructure network. These include:

- The final [minimum standards for federally funded EV charging infrastructure projects](#);
- The [implementation plan for President Biden's EV charging Build America, Buy America requirements](#); and
- A [temporary rule waiving Buy America requirements](#), effective retroactively to March 23. The short-term, temporary rule is expected to be phased out over time. It waives Buy America requirements for steel, iron, manufactured products, and construction materials in electric vehicle (EV) chargers to allow for the immediate investment in EV charger acquisition and installation.

As noted above, the new Charging and Fueling Infrastructure Discretionary Grant program that cities and local governments can apply for is expected to be available soon. The BIL provided \$2.5 billion over five years for this competitive grant program. FHWA announced this first round of funding will make \$700 million from Fiscal Years 2022 and 2023 funding available, "to strategically deploy EV charging infrastructure and other fueling infrastructure projects in urban and rural communities in publicly accessible locations, including downtown areas and local neighborhoods, particularly in underserved and disadvantaged communities."

Last September FHWA announced the approval of state plans, including that of WA state, for the National Electric Vehicle Infrastructure program. WA state's allocation over the next five years for this program is estimated by FHWA to be a total of \$70.8 million. A link to WA state's plan here: [WA State NEVI deployment plan](#)

Equity & Social Justice

In its latest effort to "embed a focus on equity into the fabric of Federal policymaking and service delivery," the Biden administration unveiled a new [Executive Order](#) this month that launches the White House Steering Committee on Equity and directs the Office of Management and Budget to consider updating government-wide guidance, directives and other internal processes to move agencies towards more equitable decisions "wherever possible". It also directs all key agencies to establish new Agency Equity Teams within 30 days to coordinate efforts and ensure they are delivering "equitable outcomes" across programs.

The Administration action builds on a January 2021 [order](#) on advancing racial equity that called for a "whole of government" approach to respond to economic, health, and climate change impacts, which it said have only worsened historic inequities. This latest Executive Order is broader by "extending and strengthening equity-advancing requirements for all agencies".



The Administration's focus on racial equity comes as strides have been made on its environmental justice goals. The Bipartisan Infrastructure Law and Inflation Reduction Act added billions in funding toward climate change efforts. Hundreds of programs overseen by the Energy Department, the EPA, USDOT and other agencies are also now considered covered by President Biden's [Justice40](#) effort, which pledges to steer 40% of federal investment benefits toward poorer and marginalized populations disproportionately affected by pollution.

Bellevue Federal Affairs Activities

The Bellevue team has been actively engaged in federal affairs on several fronts.

Unfortunately, Bellevue did not receive a USDOT Safe Streets 4 All (SS4A) grant award for its B-Safe proposal. Only three programs in WA state received an implementation grant, the City of Seattle (\$25.6M), the Puget Sound Regional Council (\$4.8M) and King County (\$800,000). Bellevue's mobility and external affairs team is scheduling a debrief with USDOT to discuss our grant application and will determine from this meeting if the City should apply again in the next round of SS4A grants.

The City's policy and external affairs team has been working with city departments since January to identify priority city projects for submission for federal funding consideration via the congressional earmark process. Five projects will likely go forward and be submitted to Bellevue's congressional delegation – Senators Murray and Cantwell and Reps. Adam Smith and DelBene.

Federal outreach this month included a visit with Rep. DelBene and Chief Shirley of Bellevue Police to discuss the City's public safety needs. Bellevue is also planning to send Council Members Zahn and Lee to the National League of Cities' Annual Congressional City Conference in Washington, DC, at the end of March.