

**CITY COUNCIL STUDY SESSION**

Federal Legislative Update

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*City Manager's Office*

**DIRECTION NEEDED FROM COUNCIL****INFORMATION  
ONLY**

No formal action is required; this is an informational briefing. Congress, the Administration, and Federal agencies each year approve actions that impact the City in a broad range of areas. Staff may recommend, and/or Council may wish to direct, communication to the City's congressional delegation on a range of issues throughout the year.

**RECOMMENDATION**

NA

**BACKGROUND & ANALYSIS**

The following summarizes some the federal legislative and regulatory matters that moved in Congress and at federal agencies in the past month, as of February 18. This report also summarizes some the activities the City of Bellevue engaged in with our federal partners to advance matters of interest to the City.

**BUDGET & APPROPRIATIONS****Fiscal Year (FY) 2022**

Until Congress completes work on an FY 2022 spending package, another short-term continuing resolution (CR) is needed to extend funding to avoid a government shut-down. The federal government has been running on temporary spending legislation since FY 2022 began on October 1, 2021. The most current CR (House Bill 6617) continues funding the government at FY 2021 levels until March 11. In addition to extending funding, it also addresses "anomalies" requested by the Administration, including providing up to \$1.6 billion for the Navy's Columbia-class nuclear submarine, a top Pentagon priority, \$350 million to address drinking water contamination at the military's Red Hill fuel storage facility in Hawaii and funds for Interior Department cybersecurity. The bill also continues a temporary designation of fentanyl as a controlled substance.

Congressional appropriators and leadership are reporting that they have reached agreement on a "framework" for a possible agreement on the FY 2022 spending packages. The key challenges have been disagreements on the top-line spending levels and treatment of policy riders. Democrats have been pushing for a 13 percent increase to domestic social spending. Republicans have insisted that an increase in social spending should be matched with equal increases to defense spending. Republicans have also insisted on keeping longstanding policy provisions, such as the Hyde Amendment, intact and that Democrats remove "poison pill" policy riders. Republicans have specifically identified policy riders

such as those related to tax-payer funded abortion services and removal of a ban on politically motivated tax investigations as poison pills that must be removed.

The spending package for FY 2022 is expected to increase funding for many federal budget accounts and mark the return of earmark funding in spending bills. Bellevue has one earmark request in play in the Senate Commerce Justice Appropriations bill for \$915,000 for the Community Crisis Assistance Team (CCAT).

Enactment of a FY 2022 spending package would also unlock billions in transportation, energy and other funding from the Bipartisan Infrastructure Law (BIL) that was passed last year. According to the Congressional Budget Office, \$197 billion from that \$550 billion law cannot be released for use over 10 years unless annual appropriations bills are enacted.

### **COVID-19 Funding**

The Administration is preparing to request that Congress add \$30 billion to the FY 2022 package for new COVID-19 funding. This supplemental funding request would fund requests by the Department of Health and Human Services for \$18 billion for medical countermeasures like antivirals and vaccines, \$5 billion for testing, \$3 billion to treat the uninsured and \$4 billion to prepare for future variants. Another \$500 million could be targeted for Centers for Disease Control and Prevention operations. Additional funding may also be requested for global vaccine distribution, a priority for progressive Democrats. It is unclear how additional COVID-19 funding would be folded into the FY 2022 process already underway or if it will cause further delays towards an agreement with Republicans. Previously, Republican leadership had stated that new COVID-19 funding should be come from re-purposing previously appropriated relief from earlier COVID-19 spending packages.

### **President's Budget Proposal for FY 2023**

While Congress continues to slug away at an agreement for FY 2022 funding, the Administration is getting ready to release a budget proposal for FY 2023. It is expected that the President's FY 2023 budget proposal will be released around the time of the State of the Union, which is scheduled for March 1.

### **INFRASTRUCTURE FUNDING IMPLEMENTATION**

Implementation of programs and funding that were included as part of the BIL are rolling out. A few implementation updates include the following:

#### **Bridge Investment Formula Program**

The U.S. Department of Transportation (USDOT) announced in January the launch of the Bridge Investment Formula Program. The program makes \$27 billion available over five years to states and tribal transportation facilities to fix an estimated 15,000 bridges nationwide. The first tranche of funding released for FY 2022 is \$5.5 billion with Washington state's allocation being approximately \$121 million. Washington's total allocation over the five-year period is approximately \$605 million.

### **Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Notice**

USDOT announced a Notice of Funding Opportunity (NOFO) for \$1.5 billion in grant funding through the RAISE discretionary grant program. The program, formerly known as TIGER and then BUILD, helps communities around the country carry out projects with “significant local or regional impact”. According to USDOT, projects for this round will be evaluated on: safety, environmental sustainability, quality of life, economic competitiveness and opportunity, state of good repair, partnership and innovation. Projects will also be evaluated on the criteria of mobility and community connectivity. At least \$15 million in funding is guaranteed to go towards projects located in “Areas of Persistent Poverty or Historically Disadvantaged Communities.” Grant applications are due April 14.

The **National Electric Vehicle Infrastructure Formula Program** was kicked off on February 15 when USDOT announced that nearly \$5 billion will be made available to states under the new National Electric Vehicle Infrastructure (NEVI) Formula Program to build out a national electric vehicle charging network. The funding will help states to create a network of electric vehicle charging stations along designated alternative fuel corridors, particularly along the interstate highway system. The total amount available to states in FY 2022 under the NEVI Formula Program is \$615 million. States must submit an electric vehicle infrastructure deployment plan before they can access these funds. A second, competitive grant program designed to further increase electric vehicle charging access in locations throughout the country, including in rural and underserved communities, will be announced later this year.

The **Broadband Connectivity Program** was launched by the Federal Communications Commission (FCC) on January 14. This \$14.2 billion federal initiative offers qualifying households discounts on their internet service bills and an opportunity to receive a discount on a computer or tablet from participating providers. Eligible households can apply direct to the FCC for funding. As of February 14, 10 million households had already enrolled in the program, according to the White House. For further information about the program, please see: [FCC Adopts Rules to Implement Affordable Connectivity Program](#).

### **Broadband Competition for Multi-Family Housing**

On February 15, the FCC announced rules intended to reduce costs and increase competition of broadband services for those living and working in apartments, public housing, office buildings, and other multi-tenant buildings. The rules prohibit broadband providers from entering into certain revenue sharing agreements with a building owner that keep competitive providers out of buildings.

### **Wildlife and Sport Fish Restoration Program**

On February 11, the Department of the Interior announced a record [\\$1.5 billion](#) in Wildlife and Sport Fish Restoration (WSFR) Program allocations to state wildlife agencies. The WSFR was reauthorized as part of the BIL. It is a program that supports state and local outdoor recreational opportunities, and wildlife and habitat conservation efforts. The WSFR Program contains two funding sources: the Sport Fish Restoration and Boating Trust Fund, which was reauthorized as part of the BIL, and the Wildlife Restoration Program. Washington state is allocated approximately \$21 million from this fund.

## **OTHER**

### **Water Resources**

Congress began committee work on a water resources reauthorization bill in mid-January. The Water Resources Development Act (WRDA) provides authorization to the U.S. Army Corps of Engineers (USACE) and other federal water programs. The BIL provided more than \$17 billion to the Corps, with \$11 billion targeted specifically for project construction. The House also included \$8.7 billion in FY 2022 spending for the Corps. Together the BIL and FY 2022 funding would represent historic funding levels for USACE. In the BIL, Congress directed the Corps to submit a specific spending plan to the appropriations committees within 60 days of the law's enactment. Congressional members are anxious for the Corps to implement funding and make progress on critical water projects around the country.

### **Federal Gas Tax Holiday**

In an effort to ease rising cost of energy and inflation, some Democrat members introduced legislation (Senate Bill 3609 and a House companion bill) that would pause the 18.4 cent-federal gas tax until January 2023. The proposal received a lukewarm response from members from both sides of the aisle, with House Transportation and Infrastructure Chairman Pete DeFazio (D, OR) opposing the measure.

### **Violence Against Women Act Reauthorization**

A bipartisan agreement was reached to move legislation in the U.S. Senate to reauthorize the Violence Against Women Act (VAWA). The 1994 act was created to combat the abuse of women. The legislation introduced in the Senate (Senate Bill 3623) would reauthorize VAWA through fiscal 2027 with a few changes to current law. Among other things, the measure would support services for young victims of violence, including an extension of the Rape Prevention and Education Grant Program and changes to grants focused on prevention education for students at colleges and universities. The bill also would renew the Justice Department's STOP Violence Against Women program, update the SMART Prevention Program to reduce dating violence, help children who have been exposed to domestic violence, and engage men in preventing violence.

The House passed its VAWA bill (House Resolution 1620) in March 2021 by a 244-172 vote that had the backing of 29 Republicans. That measure would have barred individuals convicted of stalking from possessing firearms. That language is not in the legislation released by Senators.

## **BELLEVUE FEDERAL OUTREACH**

During January and February, Bellevue has had several outreach opportunities with our federal partners. These included:

### **Mountains to Sound Greenway Trail Ribbon Cutting Ceremony**

On January 7, Bellevue hosted a ribbon cutting ceremony to celebrate the opening of two new segments of the Mountains to Sound Greenway Trail. Attending and speaking at the event were Representative Adam Smith and Representative Rick Larsen. Representative Smith has represented Bellevue for many years and Representative Larsen is a senior member of the House Transportation

and Infrastructure Committee. The Mountains to Sound Greenway Trail received federal funding via Puget Sound Regional Council and the City requested federal infrastructure funding for the trail during 2021.

### **Bellevue Vision Zero and Technology Roundtable in Washington, DC**

On January 11, the City of Bellevue hosted a roundtable in Washington, DC, on transportation safety and technology. The roundtable brought together industry, transportation organizations, and state and federal partners to address transportation safety challenges. Speakers at the event included Jennifer Homendy, Chair of the National Transportation Safety Board and Bellevue Councilmember Janice Zahn. Approximately 40 people attended the event including several people from USDOT, Roger Millar from Washington State's Department of Transportation and representatives from the University of Washington, the National League of Cities, Amazon, BEEP, and the Institute of Transportation Engineers.

The roundtable was an opportunity to learn and share common challenges and strategies. It also provided a platform for Bellevue to showcase its safe systems approach that includes better collaboration, improved street design, safe speeds, a culture of safety, and enhanced data collection and analysis.

### **Congresswoman Suzan DelBene**

Mayor Robinson had the opportunity to connect with Representative DelBene whose district now includes parts of Bellevue after redistricting. Bellevue staff followed-up this conversation with additional information to the Congresswoman's office about the new Bridle Trails Park. At the request of Representative DelBene's staff, Bellevue also shared information about some of Bellevue's water resource priorities.

## **POLICY & FISCAL IMPACTS**

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## **OPTIONS**

N/A

## **ATTACHMENTS & AVAILABLE DOCUMENTS**

N/A

## **AVAILABLE IN COUNCIL LIBRARY**

N/A