

## CITY COUNCIL STUDY SESSION

### Federal Legislative Update

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## 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

Despite the distraction of the mid-term election primaries, inflation, war in Ukraine and the January 6<sup>th</sup> hearings, Congress and the Administration have been able to grind ahead to advance some legislative work and advance a few key bills and initiatives. Below is a summary of some of the progress made in May and June.

## BUDGET AND APPROPRIATIONS

The congressional appropriations process is slowly getting underway. This week the House Appropriations Committee released the proposed allocation amounts for each of the 12 annual spending bills. These allocations cap the amount that can be spent in each of the appropriations bills and establishes an overall, proposed discretionary spending limit of \$1.6 trillion for FY 2023.

### House Appropriators Divvy Up \$1.6 Trillion for Fiscal 2023

302(b) allocations cap amount in each bill

Subcommittee	Allocation
Agriculture-FDA	\$27,200M
Commerce-Justice-Science	85,546
Defense	761,681
Energy and Water	56,275
Financial Services	29,762
Homeland Security	60,300
Interior-Environment	44,775
Labor-HHS-Education	224,399
Legislative Branch	7,000
Military Construction-VA	150,500
State-Foreign Operations	64,575
Transportation-HUD	90,888
Total	1,602,901

Source: House Appropriations Committee

Bloomberg Government

With these numbers now available, House appropriators have begun to release bills and the legislative “markup” (or review/amendment) process. Several appropriations subcommittees marked up bills this week, including Commerce-Justice-Science Subcommittee, Defense, Agriculture and others. The House Transportation-HUD Subcommittee and Labor Health and Human Services Subcommittee released initial proposals, which propose increases for both bills (\$2.4 billion increase over FY 2022 for Transportation and HUD agencies and a \$15.6 billion increase over FY 2022 for the Department of Health and Human Services). The House Subcommittees will continue working through the 12 bills when Congress returns from its July 4<sup>th</sup> recess. The House will shoot to have most of its appropriations work done by the August recess or soon thereafter.

Delays are almost inevitable, however, once the appropriations process gets underway in the closely divided Senate. One issue that has already sparked controversy in the House and will heat up further in the Senate is disagreement over the allocation for Defense. The House allocation proposal tracks closely to the President’s proposal for discretionary defense spending, a number that Republicans (and some Democrats) have said is far too low. With several controversial social issues before the Supreme Court this fall, it’s more likely than ever that policy riders will also make their way into the appropriations process and cause further debate and delays.

#### Bellevue FY 2023 Earmark Requests

The City of Bellevue put forward 10 congressionally directed spending requests to the federal delegation for their consideration via the appropriations process. Two requests have been selected for submission to the Appropriations Committee.

Senator Murray has included Bellevue’s **\$1 million request for the NE 21<sup>st</sup> Street Flood Control Culvert Project** to her request list and Senator Cantwell has included Bellevue’s **\$1 million request for Lake Washington Lake Line Management Plan** to her list. The next step will be to see if the Appropriations Committee will accept these requests and include them in the final spending packages.

#### BIPARTISAN GUN-CONTROL PROPOSAL

Following recent mass shootings in Buffalo, NY and Uvalde, TX, among others, the Senate is poised to pass the Bipartisan Safer Communities Act (S.2938) before Congress recesses for the July 4<sup>th</sup> holiday. The bipartisan agreement would, among other things:

- Expand background checks for individuals under 21.
- Clarify licensing requirements for firearms dealers.
- Provide incentives for states and local jurisdictions to enact “red flag” programs. JAG grants would expand to allow state and local jurisdictions to use funds for crisis intervention programs such as extreme risk protection orders under “red flag” laws.
- Gun trafficking and “straw purchases” (purchases for a 3<sup>rd</sup> party) would become federal crimes and guns purchased illegally for trafficking or profit would be covered by criminal forfeiture. The DOJ would receive \$1 million for efforts to combat illegal straw purchases.

- Restrict certain individuals from owning firearms, including closing the “boyfriend loophole” by prohibiting individuals convicted of a misdemeanor crime of domestic violence from purchasing or possessing firearms for five years.
- Provide assistance for health and mental health services, especially for youth, including:
  - Grants to states for Medicaid or Children’s Health Insurance Program (CHIP) assistance through school-based entities.
  - \$40 million for additional grants and demonstration programs under the certified community behavior health clinics program. Existing programs would be provided additional time.
  - \$31 million annually from FY 23-27 is authorized for the Pediatric Mental Health Care Access program and allows programs to provide training and assistance to emergency departments, educational agencies, and schools.
  - Improve and expand early childhood screening by providing \$5 million for FY 23 & 24 and \$1 million annually afterwards for HHS to review states’ progress in implementing Medicaid requirements for early and periodic screening, diagnostic, and treatment benefits for children under 21.
  - Provide \$1 billion over 5 years to increase the number of qualified school-based mental health service providers in local educational agencies and to support partnerships to train providers.
  - \$800 million in emergency funding over four years for the Substance Abuse and Mental Health Services Administration, of which \$250 million would be for community mental health services block grants.
  - \$190 million over 5 years for the Public Health and Social Services Emergency Fund. Funds can be used to provide mental and behavior health-care training to pediatricians and primary care providers.
- Create a clearing house at the Homeland Security Department on evidence-based practices and recommendations to improve school safety.

According to backers of the bill, this is the most significant bipartisan breakthrough on gun control legislation in decades.

### **HUD HOMELESSNESS INITIATIVE – HOUSE AMERICA**

Last September the Department of Housing and Urban Development (HUD) kicked off a national initiative, “House America”, aimed at helping state and local governments combat the rising homelessness problem in the United States. Local governments were encouraged to make a public pledge and commit to policies to reduce homelessness. In return, the federal government would commit funding, guidance and support to achieve two goals: 1) provide permanent housing for people experiencing homelessness; and 2) build new affordable units for those at risk of homelessness.

Recently, HUD announced a package of funding focused on reducing the unsheltered population. The package includes \$43 million worth of housing choice vouchers, which provides recipients with

permanent subsidized housing, and \$322 million in Continuum of Care homelessness grants. Most of the grant funding will go to urban areas that have the most visible and acute homeless problems. \$54.4 million will be set aside for rural communities, which have seen a sharp rise in homeless population.

For more information see the following: [HUD Media Advisory: Funding Opportunity for Coordinated Approaches to Address Unsheltered Homelessness, Including Resources for Rural Communities](#)

## **INFRASTRUCTURE**

### **Bridge Funding**

The first round of funding for the Bipartisan Infrastructure Law (BIL) competitive Bridge Investment Program was launched on June 10. The Notice of Funding Opportunity (NOFO) makes \$2.4 billion available in FY 2022 to help, “plan, replace, rehabilitate, protect and preserve some of the nation’s largest bridges.” This competitive program is in addition to the \$27 billion state formula bridge program the US Department of Transportation (USDOT) announced earlier this year. [Bridget Investment Grant Opportunity NOFO](#)

### **Complete Trip – ITS4US Deployment Program**

During June the USDOT awarded \$27 million in grant funding to four projects, including almost \$9.7 million to the University of Washington. The funding is part of the [Complete Trip - ITS4US Deployment Program](#), a program that seeks to, “incorporate innovative business partnerships, technologies, and practices to promote independent mobility.” Information about the UW’s project is below:

#### **\$9,659,000 for the University of Washington (UW) - Transportation Data Equity Initiative**

This project aims to create the foundational data tools necessary for both public and private entities to collect, share, manage, and use transportation data that provide equitable outcomes to all travelers regardless of location, income, or disability. This effort includes: 1) working with existing standards committees to extend and update three existing, early-stage international data standards: OpenSidewalks, General Transit Feed Specification (GTFS)-Flex, and GTFS-Pathways; 2) developing a series of tools that help agencies, jurisdictions, and other stakeholders collect the data that can be stored with these refined data standards; and 3) using three unique accessible mobility applications to demonstrate these three very different uses of the data.

### **National EV Network Minimum Standards Announced**

On June 9<sup>th</sup>, USDOT released a Notice of Proposed Rulemaking outlining minimum standards and requirements for the National Electric Vehicle Infrastructure Formula Program. Earlier this year, states were provided their allocation amount from this new \$5 billion formula program, which seeks to develop a uniform national network of EV charging stations along the country’s major roadways. Comments to the proposed rule are due within 60 days of the announcement. For details on the proposed rules see: [National EV Charging Network Proposed Rulemaking](#)

## **OTHER**

### **Federal Gas Tax Suspension**

With the national average price of gasoline hitting a record of above \$5 per gallon this month, President Biden urged Congress to pass legislation to pause federal gas tax collections through September. The Administration claims that suspending the 18-cent federal gas tax will provide families some relief from rising inflation. Several prominent Democrats, however, were either noncommittal or outright opposed to the proposal. Rep. Pete DeFazio (D, OR), chairman of the House Transportation and Infrastructure Committee, immediately released a statement expressing his concern of the impact of such a proposal on the Highway Trust Fund and implementation of the Bipartisan Infrastructure Law. DeFazio and Senate Majority Leader Chuck Schumer both suggested that the way to bring down gasoline prices was to crack down on price manipulation by oil producers.

### **Extension of Child Nutrition Waivers**

Bipartisan agreement in the House and Senate was reached to extend pandemic-era federal meal waivers for schools and child-feeding sites. The child nutrition waivers allow schools to serve free meals to kids regardless of family income. The waivers are set to expire at the end of the month unless reauthorized. The bulk of the funding for the extension would come from rescinding unused American Rescue Plan funding for the Agriculture and Education departments. Congress is expected to pass an extension of the waiver before the July 4<sup>th</sup> recess.

### **National Defense Authorization Act**

The House and Senate Armed Services Committees moved forward on consideration of the annual reauthorization of the National Defense Authorization Act, a bill that needs to be reauthorized each year to maintain US military programs and Pentagon operations. The Senate committee moved its bill, approving an additional \$54 billion above 2022 levels. The House bill under consideration this week follows the President's proposal of a smaller increase to the Pentagon. It also doesn't make any significant changes to major weapons programs and seeks a new commission on civilian harm. Bellevue's congressman Adam Smith chairs the House Armed Services Committee.

### **Mental Health – HR 7666**

HR 7666, the Restoring Hope for Mental Health and Well-Being Act of 2022, is a bipartisan bill that would reauthorize several mental health programs and grants. The bill passed the House by a vote of 402-20. The bill is a collection of mental health and addiction bills from both Democrats and Republicans aimed at bolstering response to the nation's growing mental health crisis. The bill reauthorizes for FY 2023-2027 and, in some cases expands, dozens of public health programs, including:

- Authorizing \$1.9 billion for substance abuse block grants,
- Authorizing \$857.6 million for mental health block grants.
- Require nongovernmental health plans to comply with laws for mental health parity.
- Doctor waivers - the bill would eliminate the need for doctors to obtain waivers to prescribe certain narcotics for detoxification treatments.

- Maternal Mental Health task force would be created to develop a national strategy for maternal mental health, including prevention and treatment and a grant program focused on maternal depression would be expanded.
- Medicaid and CHIP plans would have to provide services to juveniles prior to their leaving a public institution and juveniles could not be barred from participating in Medicaid or CHIP while awaiting court proceedings.
- \$125 million annually would be authorized for Community mental health grants for children with serious emotional disturbances. The measure would also reauthorize pediatric mental health care access grants at \$14 million annually for FY 2023 – FY 2025, increasing to \$30 million annually for FY 2026 and FY 2027.
- Homelessness Grants - reauthorizes \$64.6 million annually for Projects for Assistance in Transition from Homelessness (PATH) grants.

Prospects for the bill are currently uncertain. In the Senate a similar but separate bipartisan bill is being pulled together by the Senate Finance Committee. Momentum and interest on addressing mental health services is evident. It just remains to be seen if House and Senate negotiators will be able to agree on the details and approach.

#### **POLICY & FISCAL IMPACTS**

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.

#### **OPTIONS**

N/A

#### **ATTACHMENTS & AVAILABLE DOCUMENTS**

N/A

#### **AVAILABLE IN COUNCIL LIBRARY**

N/A