

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**BIG PICTURE UPDATE**

The 116th Congress opened at the beginning of January with a split Congress. Democrats now have a majority in the House and Republicans have an expanded majority in the Senate. The partial government shutdown that began last year has stretched to become the longest federal shutdown in history. The partial shutdown has dominated the news and activities in D.C., and as of this writing there remains no resolution in sight to end the budget stalemate between the President and Congressional Democrats over the President's request for \$5 billion to construct a wall at the nation's southern border.

Both sides seem dug-in with the political stakes growing higher each day. The impact of the shutdown on federal employees and contractors is becoming more acute every day. The impacts on the economy are being felt more and more by the country every day the shutdown lasts. Already, terminals at some of the nation's airports (Miami, Houston's George Bush Intercontinental Airport thus far) are being shut down and travelers are facing longer waiting times for security checks at many airports. The impacts on federal workers are becoming harsher every day.

The shutdown is very likely a preview of what potentially could be a very contentious year between President Trump and Congressional Democrats.

WASHINGTON'S DELEGATION in the 116TH CONGRESS

For Washington state, the 116th Congress sees many of the delegation members in new positions of leadership and/or new positions of greater influence. A new member, Representative Kim Schrier now represents the 8th congressional district after the retirement of Representative Dave Reichert. The House is still working on committee assignments and included below is an early preview of some of the key committee assignments of delegation members.

The table below contains committee assignments as of this writing. Typically, Committee assignments are finalized by the end of January.

Senator Patty Murray	Remains the Ranking Member of the Senate Health Education Labor and Pensions (HELP) Committee. She also remains the Ranking Member of the Labor, Health and Human Services Appropriations Subcommittee and the number two Democrat to the full Appropriations Committee, immediately behind the Ranking Member Senator Patrick Leahy (D-VT).
Senator Maria Cantwell	Ranking Member on the Senate Commerce Committee. She had previously served as the Ranking Member on Energy.
Representative Adam Smith (D, WA-9) Bellevue's representative in Congress	Moves to Chairman of the powerful House Armed Services Committee.
Representative Rick Larsen (D, WA-2)	Now serves as Chairman of the House Transportation & Infrastructure Subcommittee on Aviation. He also remains a member of the House Armed Services Committee.
Representative Susan DelBene (D, WA-1)	Joins the House Ways & Means Committee and the House Budget Committee. Congressman Dave Reichert had previously served on the Ways & Means Committee.
Representative Jaime Herrera Beutler (R, WA-3)	Appropriations Ranking Member of the Subcommittee on the Legislative Branch
Representative Dan Newhouse (R, WA-4)	Appropriations (subcommittee assignments still unconfirmed)
Representative Derrick Kilmer (D, WA-6)	Appropriations: Defense Subcommittee, Energy and Water Subcommittee, Interior Subcommittee
Representative Cathy McMorris Rodgers (R, WA-5)	Is Ranking Member on the Energy & Commerce Committee. Note: Representative McMorris Rodgers did not choose to run to retain the position of Republican Conference Chair.
Representative Pramila Jayapal (D, WA-7)	Judiciary Committee and Education and Labor Committee. She is the also the co-chair of the House Progressive Caucus.

BUDGET AND APPROPRIATIONS:

Funding for FY19 is secure for much of the federal government. Last fall, Congress passed, and the President signed bills providing funding for **Energy and Water, the Legislative Branch, Military-Construction Appropriations, Labor and Health and Human Services (HHS), Defense and Education Appropriations**. The Labor, HHS and Defense package covers nearly 70 percent of the annual discretionary federal government budget. The remainder of the government, however, remains unfunded and 'shutdown' until the President and Congress can come to agreement to pass the remaining appropriations bills.

The table below contains appropriations bills and government functions included in the shutdown. Federal departments are in **bold**, and sub-agencies or bureaus of each department are listed underneath.

Spending Bill	Covered Agencies	
Agriculture-FDA	Food and Drug Administration Agriculture Department <ul style="list-style-type: none"> • Agricultural Marketing Service • Agricultural Research Service • Animal and Plant Health Inspection Service • Farm Service Agency • Food Safety and Inspection Service Commodity Futures Trading Commission	
Commerce-Justice-Science	Commerce Department <ul style="list-style-type: none"> • Census Bureau • National Oceanic and Atmospheric Administration • Patent and Trademark Office 	Justice Department <ul style="list-style-type: none"> • FBI • Drug Enforcement and Administration • Bureau of Alcohol, Tobacco, Firearms & Explosives NASA
Financial Services-Government	Treasury Department <ul style="list-style-type: none"> • Internal Revenue Service Executive Office of the President Federal Judiciary Federal Communications Commission General Services Administration	Federal Trade Commission Office of Personnel Management Small Business Administration Securities and Exchange Commission U.S. Postal Service
Homeland Security	Homeland Security Department <ul style="list-style-type: none"> • Customs and Border Protection • Coast Guard • Federal Emergency Management Agency 	Homeland Security Department (cont.) <ul style="list-style-type: none"> • Transportation Security Administration • U.S. Immigration and Customs Enforcement
Interior – Environment	Environmental Protection Agency Interior Department <ul style="list-style-type: none"> • Bureau of Indian Affairs • Bureau of Land Management • National Park Service • U.S. Fish and Wildlife Services • U.S. Geological Survey 	U.S. Forest Service Indian Health Service Smithsonian Institution
State-Foreign Operations	State Department Democracy Fund Millennium Challenge Corporation	Peace Corps U.S. Agency for Global Media U.S. Agency for International Development
Transportation-HUD	Transportation Department <ul style="list-style-type: none"> • Federal Aviation Administration • Federal Highway Administration • Federal Railroad Administration • Federal Transit Administration • Maritime Administration Housing and Urban Development	

Source: Bloomberg Government

In an effort to keep pressure on Congressional Republicans, the House is working on passing individual spending bills. The bills are generally identical to bills considered in the 115th Congress with some technical changes. Thus far, the House has passed four bills covering funding for FY19 Agriculture-Food and Drug Administration (FDA); Financial Services; Interior-Environment; Transportation; and Housing and Urban Development (HUD). Two more spending measures are likely to be voted on in the House soon. Senate Majority Leader McConnell (R-KY) has maintained his position that the Senate will not take up bills unless they can get agreement from the President.

OTHER POLICY UPDATES

Public Lands Package

Congress failed to move a public lands package before the end of the 115th Congress. Senator Maria Cantwell (D-WA) had led an effort to permanently reauthorize the Land and Water Conservation Fund for which funding expired September 30, 2018. The House measure (HR 1791) sponsored by Congressman Dave Reichert (R-WA) to designate the Mountains to Sound Greenway as a National Historic Site had some hope of passing if it could move as part of a “public lands package” with the Land and Conservation Fund reauthorization and other public lands designations. Unfortunately, no agreement was reached before time ran out. Senator Cantwell has announced that she will reintroduce the legislation in the 116th Congress.

Farm Bill

In December, the Farm Bill was reauthorized by Congress and signed by the President. In addition to supporting many agriculture and agricultural research programs, the Farm Bill includes provisions related to forestry management, rural broadband and several key nutrition and subsidy programs such as the Supplemental Nutrition Assistance Program (SNAP), formerly the food stamp program.

2018 BUILD Transportation Grants (formerly known as TIGER Grants)

During FY18, \$1.5 billion was made available for obligation through September 30, 2020, for TIGER grants, now renamed The Better Utilizing Investments to Leverage Development, or BUILD Transportation grants. Like the TIGER program, the BUILD Transportation grants are competitive grants.

According to the U.S. Department of Transportation (U.S. DOT), the 2018 BUILD grants program will, “give special consideration to projects located in rural areas”. This focus seems to have hit its goal as Transportation Secretary Elaine Chao announced in a statement in October, that applications from rural areas for BUILD grant funding more than doubled this year.

In December, the U.S. DOT announced the latest round of BUILD grant recipients. Washington state won two grants: \$14.3 million for the Geiger Boulevard Infrastructure Improvements Project in Spokane County; and approximately \$5.7 million for the Washington State Rural Rail Rehabilitation Project. This is a Washington Department of Transportation (WSDOT) project that will make improvements to three branch lines of the Palouse River and Coulee City Shoreline Rail System.

Infrastructure for Rebuilding America (INFRA) Grants

In December, the U.S. DOT announced the start of the second round of INFRA Grants. This program provides dedicated, discretionary funding for projects that address critical issues facing the nation's highways and bridges. The U.S. DOT plans to award approximately \$900 million to projects during this round. The first round of INFRA Grants awarded \$1.5 billion to 26 projects around the country. Washington state did not win any INFRA grants during the first round.

U.S. Census

A federal judge in New York ruled earlier this month that U.S. Secretary of Commerce Wilbur Ross's decision to add a question on the 2020 Census about citizenship is not legal. This ruling is the first on the citizenship question which has cases pending in federal courts in California, Maryland and Arizona. The U.S. Justice Department is expected to appeal the decision by the judge in New York. The case could potentially be heard by the U.S. Supreme Court, but any further appeal or court action would need to move quickly as the Census Bureau has said that it needs to finalize the questionnaire later this year.

POLICY & FISCAL IMPACTS

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OPTIONS

N/A

ATTACHMENTS & AVAILABLE DOCUMENTS

N/A

AVAILABLE IN COUNCIL LIBRARY

N/A