

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 is a federal legislative update as of October 19. Congress succeeded in advancing short-term fixes to avoid a government shut-down the and defaulting on the nation's debt. This has provided a little time but both issues will need to be addressed again by December 3 when delaying will not be as likely.

Also remaining on the legislative agenda are ongoing efforts by the White House and Democrats to negotiate a deal amongst their caucus to move an infrastructure package and their social spending economic package. Immigration and election reform are also priorities the Senate hopes to advance before the end of the year.

BUDGET & APPROPRIATIONS**Continuing Resolution**

A stop-gap spending measure was enacted hours before the end of the fiscal year on September 30 to avoid a government shutdown. HR 5305 extends fiscal year (FY) 2021 funding levels through December 3, providing Congress more time to work through the appropriations process to enact FY 2022 spending bills. A few highlights include the following:

Extensions through December 30

- FY 2021 level federal government funding.

- Key provisions of the National Flood Insurance Program that allow the Federal Emergency Management Agency to issue new policies and borrow as much as \$30.4 billion from the Treasury Department.
- The Temporary Assistance for Needy Families program.
- The Education Department's National Advisory Committee on Institutional Quality and Integrity.
- The Health and Human Services Department's authority to make direct personnel appointments to the National Disaster Medical System in response to a public health emergency.
- EB-5 regional investor visas, the E-Verify program to determine employment eligibility, and other immigration authorities.

Other Extended Programs

- U.S. Department of Agriculture's authority to waive the nutritional requirements of school meal programs if there's a supply chain disruption or it is otherwise necessary to provide food under the programs for the 2021-2022 school year.
- Certain authorities of the Bureau of Reclamation in western states, including for emergency drought relief, for one year.

Supplemental Funding and Authority

- Immigration
 - \$2.5 billion to support services for unaccompanied minors transferred to the Health and Human Services Department.
 - \$250 million for U.S. Citizenship and Immigration Services to reduce asylum backlogs and support its refugee program.
 - \$6.32 billion in emergency funding for the evacuation and resettlement of Afghan nationals who aided U.S. military operations in the country.
 - \$193 million for U.S. Citizenship and Immigration Services to cover immigration and relocation of Afghan nationals.
- \$28.6 billion in emergency funds for communities and federal agencies affected by recent hurricanes, wildfires, and other natural disasters.
- Agriculture Department, during the first quarter of fiscal 2022, can increase the value of vouchers under the Special Supplemental Nutrition Program for Women, Infants, and Children to a level recommended by the National Academies of Science, Engineering, and Medicine and adjusted for inflation.

As described above, the Continuing Resolution provides time for Congress to work through the appropriations process. The House has moved nine of 12 appropriations bills and this week the Senate released details of nine of its appropriations proposals. The Senate Commerce Justice Science

Appropriations proposal includes Senator Maria Cantwell's earmark request for the City of Bellevue for \$915,000 to start a Community Crisis Assistance Team (CCAT).

Debt Limit

On October 14, President Joe Biden signed a bill to provide a short-term increase to the national debt limit. The bill, which narrowly passed in the Senate, increases US borrowing authority by \$480 billion to \$28.9 trillion. Without the increase, the US Treasury had estimated that it would run out of money to pay the nation's debts by October 18. Negotiators purposefully intended the increase to last only into early December, possibly coinciding with the December 3 deadline to fund the government.

While Senate Republicans agreed to help Democrats move this short-term debt limit legislation, Senate Minority Leader Mitch McConnell (R, KY) has vowed they will not provide assistance next time around. Another fiscal show-down in Congress over federal funding is teed-up for early December.

INFRASTRUCTURE & SOCIAL SPENDING PACKAGES

Democratic congressional leaders and the White House have been working for weeks to broker a deal that can unite the party's moderate and progressive wings to move forward both an infrastructure package and the President's \$3.5 trillion social and economic policy agenda. The latest development is that House Democrats have indicated they hope to have a framework agreement in place by the end of the month, when funding for federal transportation programs expires. Federal surface transportation programs under the Fixing America's Surface Transportation Act were extended until the end of October.

Progressive members in the House have, thus far, blocked the House from moving forward on the Senate-passed bipartisan infrastructure bill until a deal can be reached on their social, climate change and tax package. Moderate Democrat Senators Joe Manchin (D, WV) and Kyrsten Sinema (D, AZ) have held firm in their objections to the size of the social spending package and several provisions in the package. Recently, Senator Manchin reiterated his opposition to Clean Energy Performance Program, a central piece of the carbon emissions reduction measures in the bill. He has also told the White House that the Child Tax Credit should be subject to work requirements and limited to lower income families.

Republicans, for their part, remain solidly opposed to the Democrats' social spending and tax package and are staying out of the Democrats' intra-caucus struggle.

OTHER

A few other bills of note that the House or Senate plan to move this week include the following:

Election Reform

The Senate is expected to take up a bill this week to overhaul US election laws. The Freedom to Vote Act (S. 2747), reflects a compromise that Senate Democrat leaders reached with Senator Manchin after a much broader voter access bill failed in that chamber this summer.

The measure would create an automatic voter registration system through each state's motor vehicle agency, make Election Day a public holiday, provide voters with at least 15 days of early voting for federal elections and allow voters to use a number of types of identification cards and documents. It also is designed to curtail partisan "gerrymandering" of congressional districts and would put in place new campaign finance disclosure requirements that include mandating super-political action committees and other outside groups report their donors.

Republicans will remain united in their objection to the bill and the showdown will allow Democrats to, once again, put a spotlight on the Senate's filibuster rule. The problem for Democrats remains that two of their moderate members - Democrat Senators Manchin and Kyrsten Sinema - do not support eliminating the filibuster rule, and recently reiterated this position in the fight over raising the debt limit.

The Democrat-controlled House earlier this year passed a much broader voting rights bill, HR 4, the John R. Lewis Voting Rights Advancement Act of 2021.

H.R. 3110, Nursing Mother Job Accommodations

The House plans to take up HR. 3110 this week. The bill would expand workplace accommodations for nursing mothers, including extending the requirement from one year to two years that employers provide reasonable break times for nursing mothers, the availability of private lactation areas, and extension of the accommodations to more types of workers (i.e., agricultural and certain "white collar" employees) who aren't currently covered. A Senate companion bill, S. 1658, move out of the Senate Health, Education and Pension Committee by voice vote on May 25.

Family and Domestic Violence Funds

HR 2119 will reauthorize the Federal Domestic Violence Prevention and Services grants program at \$270 million annually through 2026. The measure would expand the definition of domestic violence, dating violence, and family violence to mean any act or threatened act of sexual violence, stalking, harassment, psychological abuse, economic abuse, or technological abuse.

The Family Violence Prevention and Services Act was originally enacted in 1984 (Public Law 98-457) and created a national domestic violence hotline; established community prevention programs; and authorized grants to states, territories, and tribes. The programs received \$200 million in FY 2021. The law's most recent authorization expired in 2015. The House plans to bring up the bill this week.

State Opioid Response Grants

HR 2379 would codify the State Opioid Response Grant Program and authorized \$1.75 billion annually through fiscal 2027. The program was created in the FY 2018 appropriations law and received \$1.5 billion in FY 2021 under the consolidated COVID response package that passed with the FY 2021 omnibus appropriations bill. The program provides funding to states and tribes for the treatment and recovery of substance use disorders, including medication-assisted treatment. The House will take up the bill this week but there is not a similar Senate bill.

POLICY & FISCAL IMPACTS

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OPTIONS

N/A

ATTACHMENTS & AVAILABLE DOCUMENTS

N/A

AVAILABLE IN COUNCIL LIBRARY

N/A