



OCTOBER 15, 2019

# CITY OF TACOMA, WASHINGTON FEDERAL AFFAIRS UPDATE

Jen Covino, President  
Simon and Company, Inc.

## PRESIDENT TRUMP & THE 116TH CONGRESS

JAN. 3, 2019 THROUGH JAN. 3, 2021

- Following the midterm elections in November 2018, Democrats took control of the House, starting a period of divided government
- Impeachment complicates ability to legislate with less than 8 weeks left on Congressional calendar
- Fourth Quarter Agenda
  - FY 2020 Budget and Appropriations
    - House passed 10 of 12 spending bills while 2 remaining bills voted out of committee, while the Senate Appropriations Committee passed 10 of 12 spending bills that await floor action. Federal government is now operating on a Continuing Resolution (C.R.) through Nov. 21, 2019.
  - US-Mexico-Canada Trade Agreement (USMCA)
  - Lowering Prescription Drug Prices
  - Infrastructure/Surface Transportation Reauthorization
  - Gun Control

## CITY OF TACOMA FEDERAL PRIORITIES

- Substance Abuse (Opioids)
- Housing and Homelessness
- Economic Development and Infrastructure: Opportunity Zones, Transportation, Telecommunications
- Environment: Water, Climate Change
- Human Dignity and Public Safety: Equality and Civil Rights, Immigration, Law Enforcement, Opportunities for Youth

## CITY OF TACOMA FY 2019 FEDERAL FUNDING

- Total Federal Assistance: \$57,109,621\*
- Federal Discretionary Grants: \$4,046,509\*
  - Dept. of Commerce (DOC) Minority Business Development Agency (MBDA); Dept. of Homeland Security (DHS) Port Security Grant Program; and Environmental Protection Agency (EPA) National Clean Diesel Emissions Reduction Grant Program
- Federal Formula Grants: \$53,063,112\*

\*excluding sub-grants from Washington State and  
FTA grants to Sound Transit and Pierce Transit for infrastructure projects  
(Source: [USAspending.gov](https://www.USAspending.gov))

# SUBSTANCE ABUSE

## Administration's Approach to Combat Opioids

- The U.S. Department of Health and Human Services (HHS) has a 5-Point Strategy to combat the epidemic, which includes: addiction prevention, treatment, and recovery services; data; pain management; targeting of overdose reversing drugs; and research
- The Substance Abuse and Mental Health Services Administration (SAMHSA) administered the State Opioids Response (SOR) Grant Program
- As of September 2019, Washington State has received \$54,407,341.00 to date in total federal assistance from SAMHSA through the SOR Grant Program:
  - \$21,573,093.00 (SOR 1)
  - \$11,261,155.00 (SOR 1 Supplemental)
  - \$21,573,093.00 (SOR 2)

# HOUSING AND HOMELESSNESS

- The City of Tacoma received the following formula awards from the U.S. Department of Housing and Urban Development (HUD) in FY 2019, which can be used to increase affordable housing, address homelessness, or advance community development goals:
  - Community Development Block Grant (CDBG) - \$2,506,226
  - HOME Investment Partnerships Program - \$1,349,770
  - Emergency Shelter Grants (ESG) - \$208,750
  - The Administration proposed cuts to these programs, and the City of Tacoma submitted appropriations requests to the Congressional delegation seeking to maintain funding
  - Congress rejected the Administration's proposed cuts to those programs
- The City also received the following discretionary grant awards from HUD:
  - Section 8 Moderate Rehabilitation, Family Self-Sufficiency, and Fair Housing Assistance

# HOUSING AND HOMELESSNESS

## Legislation

- *Housing Infrastructure Act of 2019* (draft)
- *Ending Homelessness Act of 2019* (H.R. 1859)
- *Fighting Homelessness with Housing and Services Act* (H.R. 1978/ S.923)

# ECONOMIC DEVELOPMENT & INFRASTRUCTURE

## Opportunity Zones

- A new community development tool created by the *Tax Cuts and Jobs Act of 2017*
- Pierce County has twelve (12) Opportunity Zones
- Tacoma has six (6) Opportunity Zones located in areas with the greatest potential for broad public and private sector investment interest in residential, commercial, and industrial development
  - 61601 – North Downtown: Old City Hall Area
  - 61602 - South Downtown: Old Brewery District
  - 61400 – Hilltop: Medical District
  - 62400 – South Central: Lincoln International District
  - 62600 – Tacoma Mall / Nalley Valley Industrial District
  - 940007 – East Tacoma: Portland Avenue Area

## ECONOMIC DEVELOPMENT & INFRASTRUCTURE

### Opportunity Zones

- Local officials and staff working with Accelerator for America to develop an “Investment Prospectus”
- U.S. Treasury released two batches of proposed regulations earlier this year
- The Administration will finalize proposed regulations by the end of the calendar year
- There are 264 Qualified Opportunity Funds (QOF) nationwide
  - Two (2) serve only Washington State
  - Dozens with nationwide, regional, or multi-state focus
- The City must be proactive in seeking private investment
- White House just launched ***OpportunityZones.gov***

## ECONOMIC DEVELOPMENT & INFRASTRUCTURE

### Federal Transit Administration (FTA) Capital Investment Grants (CIG) Program — Small Starts

- Pierce Transit Pacific Avenue-SR 7 Bus Rapid Transit (BRT) currently in the Small Starts Project Development (SSPD) phase
- The agency has applied for a \$59.73 million Small Starts grant to support the \$149.86 million project
- The 14.3 mile BRT corridor serves 6 Opportunity Zones, including those located in downtown Tacoma

# ECONOMIC DEVELOPMENT & INFRASTRUCTURE

## FCC Orders

- Net Neutrality
  - DC Circuit court largely upheld the *Restoring Internet Freedom Order*, with two important exceptions
    - First, the court vacated the Preemption Directive, establishing that FCC cannot preempt the 50 States from implementing net neutrality policies through “statutorily conferred authority to regulate intrastate communications”
    - Second, the court determined that the FCC “failed to adequately consider the 2018 Order’s impact on public safety, pole-attachment regulation, and the Lifeline Program”

# ECONOMIC DEVELOPMENT & INFRASTRUCTURE

## FCC Orders

- FCC Order on “Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment”
- The *Restoring Local Control Over Public Infrastructure Act* (H.R. 530 or S. 2012) would nullify this FCC Order that revokes state and local authority to regulate telecommunications equipment deployment
- FCC passed Order on “Local Franchising Authorities’ Regulation of Cable Operators and Cable Television Services”
- Went into effect on September 27, 2019

# ENVIRONMENT

## Water

- WIFIA Credit Assistance
  - Tacoma submitted a letter of intent for the FY 2019 WIFIA Program to the U.S. Environmental Protection Agency (EPA) in July 2019
  - The City is seeking federal credit assistance for the Electrical Distribution System Replacement Project to repair, replace, and rehabilitate the entire 15 kilovolt (kV) Medium Voltage (MV) electrical distribution system at the Central Wastewater Treatment Plant
  - Project selections to be announced by EPA
- Congressman Denny Heck and Senator Tom Udall (NM) reintroduced the *Clean Water Through Green Infrastructure Act* (H.R. 4266/S. 2456) this September
  - H.R. 4266 currently has six co-sponsors, including Congressman Derek Kilmer
  - S. 2456 does not yet have co-sponsors

# ENVIRONMENT

## Climate Change

- House committees have hosted several hearings focused on climate change and passed a number of bills out of committee to mitigate risk and impacts
- A positive development occurred in the Senate this summer when the EPW Committee passed the *America's Transportation Infrastructure Act (ATIA)*, the surface transportation reauthorization of the *Fixing America's Surface Transportation (FAST)* Act that will expire in Sept. 2020
  - The bill included a climate title, seeking to enhance resiliency of our nation's infrastructure and reduce emissions in the transportation sector, for the first time
- We continue to monitor on the Administration's regulatory rollbacks, such as the EPA/DOT SAFE Vehicles Rule that will repeal Obama-era emissions standards and revoke state waivers for the *Clean Air Act*
  - More than a dozen state Attorneys General, led by California, have filed a lawsuit
- We continue our engagement with intergovernmental partners and external stakeholders including USCM, NLC, C40, and Climate Mayors on this issue

## HUMAN DIGNITY & PUBLIC SAFETY

- ***Equality Act (H.R. 5)***

- It prohibits discrimination based on sex, sexual orientation, and gender identity in areas including public accommodations and facilities, education, federal funding, employment, housing, credit, and more
- Mayor Woodards and Council Member Mello attended an event in Washington, DC hosted by Speaker Nancy Pelosi and Senate Minority Leader Chuck Schumer to introduce the bill in March 2019
- The bill passed House of Representatives on May 17 in 236-173 vote
- The Senate companion bill, S. 788, has 46 cosponsors
  - Both Washington State Senators are co-sponsors
  - There is only one GOP cosponsor: Senator Susan Collins of Maine
  - Read twice and referred to the Committee on the Judiciary

## HUMAN DIGNITY & PUBLIC SAFETY

### **Immigration**

- The U.S Department of Homeland Security (DHS) U.S. Citizenship and Immigration Services (USCIS) final rule "Inadmissibility on Public Charge Grounds Rule" was set to go into effect this Tuesday
  - The rule would change how the Administration considers receipt of federal benefits/assistance in review of immigrants' applications for citizenship, permanent residency, visas, or other changes in status
  - A federal judge in NY issued a preliminary injunction blocking implementation
- In September, the Administration proposed to cap refugee entry limit to 18,000 for 2020
- The Supreme Court will hear a landmark case on the Deferred Action for Childhood Arrivals (DACA) Program early next year, and the House passed the *American Dream and Promise Act* (H.R. 6) on June 4, 2019 to provide a pathway to citizenship for DACA recipients



# HUMAN DIGNITY & PUBLIC SAFETY

## Immigration

- In March, Mayor Woodards and the City Council met with a group of Administration officials from the U.S. Department of Homeland Security (DHS) Immigrations and Customs Enforcement (ICE) in Washington, DC to discuss operations at the Northwest Detention Center (NWDC), which is operated by GEO Group on behalf of ICE
- Tacoma officials shared concerns about treatment of detainees at NWDC and access to legal representation, divisive rhetoric, public safety, and impact on the city and its local immigrant and refugee populations
- City is seeking additional information from ICE and GEO regarding NWDC operations in follow up to Council Member Blocker's ongoing work with the Community, Vitality, and Safety (CVS) Committee

# HUMAN DIGNITY & PUBLIC SAFETY

## Immigration

- The DHS Office of Inspector General (OIG) subsequently released a series of reports focused on conditions at detention facilities owned by ICE
  - DHS conducted unannounced inspections of four detention facilities to evaluate their compliance with ICE detention standards
  - OIG released a report entitled "Concerns about ICE Detainee Treatment and Care at Four Detention Facilities" (June 3, 2019)
    - *"Because we observed immediate risks or egregious violations of detention standards at facilities in Adelanto, CA, and Essex County, NJ, including nooses in detainee cells, overly restrictive segregation, inadequate medical care, unreported security incidents, and significant food safety issues, we issued individual reports to ICE..."*

# HUMAN DIGNITY & PUBLIC SAFETY

***The Dignity for Detained Immigrants Act of 2019***  
(H.R. 2415/ S.1243)

A bill to “provide standards for facilities at which aliens in the custody of the Department of Homeland Security are detained, and for other purposes.” It would “end the use of private prisons and county jails to detain immigrants, set humane standards for detention facilities, increase oversight of these facilities to eliminate abuse, and better protect the civil rights of immigrant detainees.”

- Sponsored by Rep. Pramila Jayapal and Rep. Adam Smith in the House
  - Currently has 136 cosponsors, including Rep. Suzan DelBene, Rep. Derek Kilmer, Rep. Denny Heck, and Rep. Rick Larsen
  - Referred to the House Judiciary Committee
- Sponsored by New Jersey Senator Cory Booker in the Senate
  - Currently has 11 cosponsors, including Senator Patty Murray
  - There are no Republican cosponsors for this legislation
  - Read twice and referred to the Senate Judiciary Committee

# HUMAN DIGNITY & PUBLIC SAFETY

***The Dignity for Detained Immigrants Act of 2019***  
(H.R. 2415/ S.1243)

- Mayor Woodards drafted a resolution in support of the legislation and offered it for consideration at the U.S. Conference of Mayors (USCM) Annual Meeting this summer
- The resolution was sponsored by other U.S. mayors representing the cities of Austin, Boston, Los Angeles, Richmond, Salt Lake City, St. Louis, Tucson, Washington, and others
- The resolution was approved by the bipartisan membership of the organization and it now stands as the official adopted policy

## HUMAN DIGNITY & PUBLIC SAFETY

- **Immigration and Law Enforcement Update**

- Federal courts grant permanent injunction on the U.S. Department of Justice (DOJ) Byrne JAG grant requirements as a result of lawsuits pursued by City of Chicago and the U.S. Conference of Mayors
  - DOJ conditions included:
    - allowing immigration enforcements agents access to correctional facilities;
    - mandating advance notice when an incarcerated person is scheduled to be released from custody; and
    - permitting state and local law enforcement officials to communicate freely with federal immigration authorities regarding residents' citizenship or immigration status
  - As a USCM member, the City of Tacoma is automatically included as a city eligible to receive any withheld Byrne JAG funds without being subject to those conditions

## OPPORTUNITIES FOR YOUTH

- **DOJ OJJDP Grants**

- The City of Tacoma received a federal grant from the U.S. Department of Justice (DOJ) Office of Juvenile Justice and Delinquency Prevention (OJJDP) in 2014
- The OJJDP award was \$219,221 through the Anti-Gang and Gun Violence Prevention Strategies Program
- The City implemented a targeted community-based intervention strategy focused on youth violence
- The project period has now ended
- The City can apply for additional funding from OJJDP to focus on another site within Tacoma
- There are also several other grant opportunities that may be of interest

## 2020 FEDERAL RELATIONS WORK

- The City Council will approve a federal affairs agenda for 2020
- We will work with the Mayor, City Council, and City staff, led by the Government Relations Team, to advance those priorities by:
  - Collecting and sharing stories regarding the local impacts of developments at the federal level
  - Monitoring of federal policy, legislation, and regulations across key issue areas
  - Identifying specific federal grant opportunities to advance goals and outcomes across those issue areas

## 2020 FEDERAL RELATIONS WORK

- **National League of Cities**  
City Summit  
San Antonio  
November 20-23, 2019 (Wednesday-Saturday)  
  
Congressional Cities Conference  
Washington, DC  
March 8-11, 2020 (Sunday-Wednesday)
- **U.S. Conference of Mayors**  
88th Winter Meeting  
Washington, DC  
January 22-24, 2020 (Wednesday-Friday)  
  
Winter Leadership Meeting for Elected and Appointed Mayors  
*Congratulations to Mayor Woodards on her election to the Advisory Board!*  
February 2020 - Location and Dates TBA  
  
88th Annual Meeting  
Austin, TX  
June 12- June 15, 2020 (Friday-Monday)

CITY OF TACOMA, WASHINGTON

THANK YOU FOR THE OPPORTUNITY TO  
SUPPORT YOUR LOCAL PRIORITIES

**CONTACT INFORMATION**

Jen Covino, President  
Simon and Company, Inc.  
202-659-2229  
[jennifer.covino@simoncompany.com](mailto:jennifer.covino@simoncompany.com)

