

# City of Tacoma, Washington Federal Agenda

October 13, 2020



**Jen Covino, President**  
Simon and Company, Inc.

# President Trump & the 116<sup>th</sup> Congress

- White House coronavirus outbreak may impact ability to legislate before elections.
- Majority Leader Mitch McConnell delayed Senate's return until Oct. 19th after three colleagues tested positive, but hearings on the nomination of Amy Coney Barrett for the Supreme Court will continue.
- Federal government is operating on a Continuing Resolution (C.R.) through Dec. 11, 2020. The Senate has not yet advanced any FY 2021 appropriations bills, while the House of Representatives passed ten out of twelve to date.
- Negotiations on the next coronavirus relief package had been ongoing between House Speaker Nancy Pelosi and Treasury Secretary Steven Mnuchin, until President Donald J. Trump instructed his representatives to hold off until after the election.
- Court of public opinion, the economy, and the virus that has killed more than 200,000 Americans may force another legislative outcome before November.



# City of Tacoma: Federal Priorities



- Responding to the COVID-19 Pandemic as Partners
- “Together, We Will Change”
- Affordable Housing and Homelessness
- Infrastructure
- Environment
- Human Dignity and Safety
- Employer-Provided Health Coverage



# City of Tacoma: Federal Awards



- Federal Assistance for City: \$10.3 million from 19 transactions
- Top Awarding Agencies: HUD, EDA, OJP, MBDA
- Federal Assistance for Tacoma Housing Authority: \$57 million
- Additional COVID-19 Direct Assistance for the City: \$4.6 million
- Additional COVID-19 Direct Assistance for THA: \$1.8 million

(Source: *USASpending.gov*)

\*Please note that these figures exclude federal dollars sub-allocated by Washington State or Pierce County or any Federal Transit Administration (FTA) grants to Sound Transit and Pierce Transit for infrastructure projects



# Responding to COVID-19 as Partners

- Federal agencies are implementing four pieces of legislation, including the CARES Act.
  - CARES directed funds to state and local jurisdictions with  $\geq 500,000$  population.
  - The City is working with partners in Washington State and Pierce County to seek reimbursement for eligible costs only.
- We have been advocating for a fifth package that **provides additional relief for State and local governments, including the City, as well as support for constituents, workers, businesses, and partners in the community**. It ought to include:
  - Direct aid for cities with populations under 500,000 residents, like Tacoma;
  - Ability to use federal dollars to cover expenses and revenue losses; and
  - Resources to address income, housing, food insecurity of residents and financial distress of small businesses, nonprofits, and venues.



# Together, We Will Change: Systems Transformation

- The City will work alongside federal partners to address the disparate impacts of systems and institutions on people of color.
- This can be applied across all federal policy areas, with a particular focus on the following topics in 2021:
  - Police Reform and Public Safety
  - Economic Security
  - Immigration
  - Housing and Infrastructure
  - Environment
- We have called attention to legislation or regulations of concern throughout the presentation.



# Together, We Will Change: Systems Transformation

## Police Reform

- In response to recent tragedies and civil unrest, federal lawmakers focused on police reform over the summer, then those discussions stalled after introduction of competing, comprehensive legislative proposals:
  - **George Floyd Justice in Policing Act (HR 7120 & S 3912)**
  - **Just & Unifying Solutions To Invigorate Communities Everywhere (JUSTICE) Act (HR 7278 & S 3985)**
- Several other issue-specific bills:
  - Justice Safety Valve Act, Police Training and Independent Review Act, Reverse Mass Incarceration Act, Next Step Act, and Police Creating Accountability by Making Effective Recording Available Act



# Together, We Will Change: Systems Transformation

## Economic Security

- Demonstrators are asking leaders to not only address the violence of police brutality, but also **the violence of poverty and the violence of a lack of opportunity.**
- **Mayor Woodards joined Mayors for a Guaranteed Income (MGI)**, a network of mayors who are studying or piloting guaranteed income (GI) projects in their communities. GI is a monthly recurring cash payment given directly to individuals intended to serve as an unconditional, targeted intervention that supplements the existing social safety net. This network has also advocated for additional Economic Impact Payments (EIPs), also known as the \$1,200 stimulus checks, and the expansion and modernization of the Earned Income Tax Credit (EITC).
- **The Commission to Study and Develop Reparation Proposals for African-Americans Act (H.R. 40/S. 1083)** is the primary legislative vehicle focused on reparations. It would establish a commission to study and recommend reparation proposals in a report to Congress and to also examine federal and State policies that contribute to white supremacy.





# Human Dignity & Public Safety: Gun Violence

- Nearly 38,000 Americans die from gun-related injuries in the United States every year. Finding and declaring that gun violence directly affects residents, the Tacoma City Council adopted a Firearms and Ammunition Tax.
- The City joins the U.S. Conference of Mayors and the National League of Cities in urging the President to **advance critical legislation to reduce gun violence and promote public safety**.
- The House passed two bills, the **Bipartisan Background Checks Act** and the **Enhanced Background Checks Act**, (H.R. 8 & H.R. 1112) to require and enhance background checks. The Senate has not acted.



# Human Dignity & Public Safety: Immigration

- The City shares concerns expressed by the Tacoma community for the health, safety, and welfare of detainees held in the Northwest ICE Processing Center, a privately owned and operated immigration detention facility. The City supports legislation that would **end the use of privately-operated prisons and instead utilize available alternatives to immigration detention.**
- **The Dignity for Detained Immigrants Act (H.R. 2415/S. 1243)** will ensure all immigrants receive individualized and fair bond hearings by ending the use of mandatory detention of certain immigrants and requiring the U.S. Department of Homeland Security (DHS) to establish probable cause of removability in 48 hours.
  - House bill is sponsored by Rep. Smith and Rep. Jayapal with 155 cosponsors, including Rep. DelBene, Rep. Kilmer, Rep. Heck, and Rep. Larsen.
  - Senate companion measure is sponsored by Senator Booker with 11 cosponsors including Senator Murray and no Republicans.



# Affordable Housing & Homelessness

- To address housing and homelessness, the City calls on Congress to ensure federal funds are **appropriated directly to reliable local-level programs such as HOME, CDBG, and McKinney-Vento Homeless Assistance grants.**
- The C.R. will maintain level funding for these programs through Dec. 11, 2020.
- The House-passed T-HUD spending bill would provide:
  - \$3.5 billion for **Community Development Block Grants**, +\$100 million above the FY 2020 enacted level;
  - \$1.7 billion for the **HOME Investment Partnership Program**, +\$350 million above the FY 2020 enacted level; and
  - \$3.4 billion for **Homeless Assistance Grants**, +\$638 million above enacted.
- Again, the Senate has not passed any spending bills.



# Affordable Housing & Homelessness

- **U.S. Department of Housing and Urban Development (HUD) Final Rule revising Fair Housing Act (FHA) “disparate impact” standard:** HUD’s Final Rule revises the standard for bringing disparate impact claims under FHA that will require plaintiffs to meet a significantly higher burden of proof.
- **HUD Final Rule replacing the Obama Administration’s Affirmatively Furthering Fair Housing (AFFH) regulation with Preserving Community and Neighborhood Choice Final Rule:** HUD will terminate the Obama-era AFFH regulation, which required federal grant recipients to identify and work toward eliminating housing discrimination in their communities.



# Affordable Housing & Homelessness

- The **House T-HUD spending bill (H.R. 7617)** includes amendments to block HUD from implementing proposed changes to the Disparate Impact rule of 2013 or proposed changes to the Affirmatively Furthering Fair Housing (AFFH) rule of 2015. It also blocks the Administration's proposed changes to weaken protections for LGBTQ Americans.
- **Housing Fairness Act (H.R. 149)**: The bill directs the U.S. Department of Housing and Urban Development (HUD) to assess prevalence of housing discrimination and creates a grant program for organizations to study the causes and effects of such discrimination.



# Climate Justice

- Tacoma is among 438 cities representing 70 million Americans that **continue to honor and uphold the commitments to the goals enshrined in the Paris Agreement**, despite President Trump's 2017 withdrawal.
- **Climate Action Now Act (H.R. 9 passed House/S. 1763 has 46 cosponsors)**: The bill would require the President to develop a plan for the U.S. to meet its contribution under the Paris Agreement on climate change.
- **Environmental Justice for All Act (H.R. 5986 or H.R. 4447)**: The bill will correct environmental injustices by strengthening the Civil Rights Act of 1964, codifying Executive Order 12898 on Environmental Justice, empowering community voices in Federal Decision-Making under the National Environmental Policy Act (NEPA) and ensuring Tribal representation, authorizing \$75 million of Environmental Justice Grants annually, and creating an Interagency Working Group, National Environmental Justice Advisory Council, and Environmental Justice Clearinghouse.



# Infrastructure: Transportation

- Tacoma voters approved initiatives to invest in local streets and transit, but the magnitude of some projects, like replacement of the Fishing Wars Memorial Bridge, require federal support. The City urges Congress and the Administration to **find adequate, reliable, and sustainable long-term funding** for connected transportation options.
- The **Continuing Appropriations Act of 2021** (H.R. 8337) includes a one-year extension of federal policy and programs included in the Fixing America's Surface Transportation (FAST) Act. The CR also transfers dollars from the Treasury General Fund to the Highway Trust Fund (HTF) and Mass Transit Account to prevent shortfalls.
- We recommend that the City reviews specific policies included in the House-passed **INVEST in America Act** (H.R. 2) and the Senate EPW Committee-passed **America's Transportation Infrastructure Act** (ATIA) (S. 2302) and remains engaged in thoughtful policy discussions. We also recommend that the City pursues existing formula and discretionary grants to address current needs.



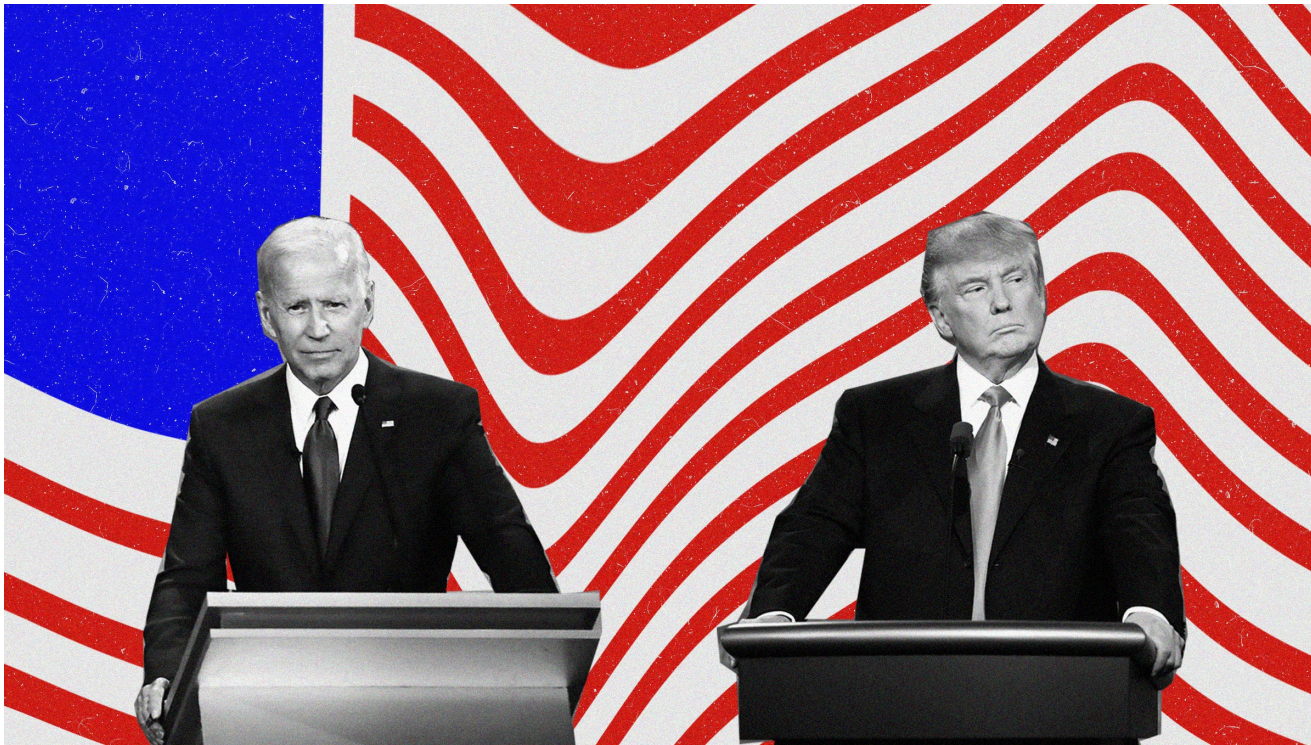
# Infrastructure: Telecommunications

- The City calls on the Federal Communications Commission and Congress to **preserve local government authority to manage their rights-of-way to ensure the siting of cell towers and small cells is safe and appropriate.**
- Last February, local governments & associations petitioned the 9<sup>th</sup> Circuit for review of the Federal Communications Commission's (FCC) Small Cell, Local Moratoria, and One-Tour Make Ready (OTMR) Pole Orders in *City of Portland v. FCC*. In August, the 9th Circuit rejected the challenges in all but one regard: elements of the Small Cell Order seeking to standardize local government interpretations of 5G node aesthetics were “arbitrary” and “capricious.” Municipalities and municipal- and investor-owned electric utilities sought panel and en banc rehearing on Sept. 28, 2020.
- **The Accelerating Wireless Broadband Development by Empowering Local Communities Act of 2019** (H.R. 530) would overturn the FCC regulations limiting the ability of local governments to regulate the deployment of 5G wireless infrastructure.





# 2020 Election



Elena Lacey, Getty Images

- **Election Day is in three weeks.**
- President Donald J. Trump and former Vice President Joseph R. Biden will face off on November 3, 2020.
- Democrats will likely retain their majority in the House of Representatives.
- Democrats are slightly favored to flip the Senate.
- Let's discuss possible outcomes.



# Important Dates

## Election Day

- November 3, 2020

## National League of Cities

- City Summit (Virtual): November 18-20, 2020

## 117<sup>th</sup> Session of Congress

- January 3, 2021 to January 3, 2023

## Inauguration Day

- January 20, 2021

## U.S. Conference of Mayors

- 89th Winter Meeting: January 21-23, 2021 in Washington, DC
- 89th Annual Meeting: June 2021 in Austin, Texas



# Thank you for the opportunity and partnership!



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