

CITY OF PORTLAND

2015 Federal Legislative Agenda



City of Portland Council

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Federal Priorities



Transportation Funding

Federal Highway Trust Fund Fix

The current Highway Trust Fund is unsustainable, and has been propped up repeatedly over the last decade with allocations from the General Fund and other sources. The current tax method needs to be modernized to address limitations in the face of more fuel efficient cars, people driving less, and the increase in the number of alternative fueled vehicles on the road.

The City supports two funding solutions: a 15 cent increase in the federal gas tax and indexing for inflation to provide sustainable funding for transportation.

Alternatively, the City supports Federal efforts for a Road User Fee pilot project or changes to federal law that would allow States to test their own Road User Fees.

Small Starts Program

The Small Starts Program is an important tool for cities that wish to create innovative transit projects to serve their citizens. The City supports continued and increased funding for the Small Starts FTA Grant Program. Increased funding for this program would allow more cities to participate and create more frequent transit service and streetcar projects.

Transportation Investment for Generating Economic Recovery (TIGER) Grant Program

The Transportation Investment for Generating Economic Recovery (TIGER) Grant Program should become an authorized program and receive increased funding levels for both the program, and for individual grant awards.

For each round of TIGER Grants, the number of applications and the aggregate amount of funding requested routinely exceeds the amount of available funding several times over. This limits states or regions with multiple strongly competitive projects as they typically only receive grant funding for one of their applications.

Education

College Affordability

The City supports policies and regulations that ease the burden of student loan debt and increase access to higher education. Specifically, the City supports the Administration's College Affordability Agenda that includes: increasing awareness of federal loan repayment options; changing federal FAFSA forms; streamlining federal loan options; and creating opportunities for student debt refinancing.

Universal Pre-Kindergarten

Allowing federal education funding for universal pre-kindergarten programming for the nation's schoolchildren is a wise investment for our future. This is an idea that the Administration put forward in its Fiscal Year 2015 budget, and a majority of Americans support the policy, according to a Gallup poll released in September 2014.

The Administration proposes \$75 billion over the next 10 years to help states provide free pre-kindergarten education to millions of low- and moderate-income 4-year-olds. The State of Oregon would provide \$3.7 million and receive over \$30 million in assistance from the federal government.

The City supports the Administration's proposal, and urge that Congress enact such legislation.

Portland Harbor Superfund

The clean-up of the Portland Harbor Superfund site continues to be a top priority for the City of Portland. However, the Project Schedule of the Portland Harbor Superfund site continues to slip, thus delaying EPA's cleanup decision and the subsequent cleanup of the contaminated sediments.

The schedule delays directly affect the Remedial Investigation and Feasibility Study (RI/FS) document review and comment schedules. While there is an understanding of the need for EPA's careful review of technical documents for this complex process, the amount of EPA effort needed appears to be overwhelming current federal resources.

The City is committed to do its part to find solutions to the move this process forward. A timely and comprehensive cleanup effort will benefit both the region's environment and economic vitality.

Additionally, the City will continue to support Congressman Blumenauer's (OR) efforts to pass the Superfund Reinvestment Act, which would reinstate the financing of the Superfund Program in order to provide a permanent funding mechanism for large-scale environmental clean ups.

Tax Reform

Reform of the federal tax code will have direct impact on the City of Portland. The City would like to highlight several potential areas of reform important to the City.

Equitable Tax Policy

To create an equitable federal tax policy, Federal Tax Reform should:

- Prohibit offshoring by cracking down on companies' ability to avoid US taxation by artificially shifting earnings to overseas tax havens. For example, legislation has been introduced to tighten rules that currently allow inversions, which occur when corporations move income overseas to avoid paying taxes in the U.S.
- Eliminate the carried interest loophole, which provides a significant tax advantage to hedge fund managers.
- Eliminate preferential treatment for capital gains.

Low Income Housing Tax Credit

The City supports the Low Income Housing Tax Credit (LIHTC). The LIHTC is an incentive to encourage the construction and rehabilitation of rental housing for lower-income households.

Tax credits offer direct federal income tax savings to owners of rental housing developments who with a developer are willing to set-aside a minimum portion of the development's units for households earning 60 percent or less of gross area median income. This is an important tool to provide for affordable rental housing throughout the city. On average, Portland's affordable rental projects use \$20 million in LIHTC equity each year.

Municipal Bonds

Municipal Bonds are an essential way cities across the country fund transportation, drinking water, sewer, and other infrastructure projects. The City opposes changes to the federal tax code that negatively impact the federal tax exemption on municipal bonds. Limitations to the municipal tax exemption would threaten the City's ability to fund infrastructure projects by raising the costs of financing, and would thereby increase the burden on every taxpayer and ratepayer in Portland.

New Market Tax Credit

The New Market Tax Credit (NMTC) tool enables projects of \$5 million or more in federally qualified areas access to low- or no-cost equity that results from the sale of the tax credits to investors. The Portland Development Commissioner and the Portland Housing Bureau have utilized NMTCs on many projects within the city in situations where there were significant financial gaps. They have included projects for affordable housing, community services and seismic upgrades. As we look to continue initiatives to provide tools for these projects, and especially in light of declining local resources such as tax increment, New Markets Tax Credits will continue to be an important tool.

Climate Change

Global climate change looms as the defining global issue of the coming decades and poses grave threats to the environment, public health, economy and national security. At the same time, the global transition to a low-carbon economy presents large economic opportunities for Portland clean energy firms.

Portland adopted the nation's first local climate action plan in 1993, and systematic efforts since then have produced results. As of 2013, local carbon emissions have declined 11 percent below 1990 levels while jobs and population have expanded significantly. In recognition of the City's work, the U.S. Department of Energy designated Portland a "Climate Action Champion" in December 2014. Portland's goal is to reduce local carbon emissions by 80 percent by 2050, and the City actively partners with regional and state efforts to reduce emissions and prepare for harsh climate impacts.

Avoiding dangerous levels of carbon emissions also requires strong federal action, however. The City encourages the Administration to accelerate policy and program efforts to reduce emissions, prepare for climate impacts, and seek international commitments to address climate change.

Immigration Reform

Comprehensive Immigration Reform

The City of Portland supports the enactment of comprehensive immigration reform. Comprehensive immigration reform should provide:

- An efficient and expeditious pathway open to those who already make their home in the United States, as well as those who are in the process of emigrating from other countries.
- An increased number of work visas to provide for the needs of our agricultural, high-skilled, and high-tech economies.

Deferred Action for Childhood Arrivals and Deferred Action for Parental Accountability

The City supports the President's use of his executive authority to create the Deferred Action for Childhood Arrivals and Deferred Action for Parental Accountability programs because they are important to keep whole families together in order to provide stability. Each of these programs defer deportation, and allow for the application for employment in order to achieve lawful employment.

Development, Relief and Education for Alien Minors Act (DREAM Act)

The City supports the efforts to pass the Development, Relief and Education for Alien Minors Act (DREAM Act). The DREAM Act gives students the opportunity to pursue legal permanent residence status, provided they came to the U.S. at age 15 or younger, and meet certain security requirements to qualify for conditional permanent resident status upon acceptance to college, graduation from a U.S. high school, receipt of a GED, or military service.

The City appreciates our great regional academic institutions and will continue to support both Tuition Equity as passed by the State Legislature and the DREAM Act in order to give members of our community the opportunity of an attainable and affordable education.

Protect Local Control of Police Departments – Oppose SAFE Act

The City opposes any federal law, such as the Strengthen and Fortify Enforcement (SAFE) Act, which would compel law enforcement officers to engage in immigration enforcement activities or risk losing federal funding. The SAFE Act would give states and localities the unprecedented authority to pass their own immigration criminal and civil penalties, which local police would be duty bound to enforce. The proposal would also require that civil immigration status information be entered into the National Crime Information Center (NCIC) database.

The Act would also have the effect of institutionalizing racial and ethnic profiling into law enforcement activities.

Protected Sick Time

There is currently no federal law that requires companies to provide protected sick time, although workers at companies with 50 or more employees can get 12 weeks of unpaid leave under the federal Family and Medical Leave Act.

In March 2013, the Portland City Council unanimously approved the Protected Sick Time Ordinance, which went into effect on January 1, 2014. This ordinance ensures that all persons working in the City of Portland can earn sick time at a rate of 1 hour for every 30 hours worked, to use when they or a family member are sick, or injured, for preventative health care, for work, school or child care closures care due to a public health emergency, when a family member's health is a public health concern, or to address issues caused by domestic violence, sexual harassment, assault or stalking.

The City of Portland supports changes to federal law to require companies to provide protected sick time. The City also opposes any law that would preempt the ability for local ordinances to require protected sick time.

Increase the Federal Minimum Wage

The stagnant federal minimum wage in the United States provides for rising inequality and declining opportunity that pose serious threats to both our fundamental values and the nation's economic growth. Under the current \$7.10 federal minimum wage, an individual or couple would have to work three jobs to keep a family of four above the poverty line. In Portland, where the state's minimum wage is \$9.10, families are still struggling. The City supports an increase in the federal minimum wage.

Support for Alternative Forms of Compliance to Long Term 2 Enhanced Surface Water Treatment Rule (LT2)

Portland continues to seek assistance from the federal congressional delegation to maintain its alternate form of compliance with the treatment requirements of the Long Term 2 Enhanced Surface Water Treatment Rule (LT2). Congressional assistance could take the form of monitoring EPA activities regarding the LT2 rule, including the agency's implementation of the current six-year review process, and advocating on Portland's behalf in support of critical elements of the Bull Run Treatment Variance.

The LT2 Rule requires the Portland Water Bureau to provide additional treatment to address *Cryptosporidium* at its raw water source in the Bull Run watershed. However, Portland has successfully pursued an alternative compliance approach through the submission of a comprehensive treatment variance request to the Oregon Health Authority (OHA) in 2011. OHA granted the variance in March 2012 with significant conditions. To maintain the variance and continue to comply with the treatment requirements of the LT2 rule, the City strongly advocates for the following:

Improvements in the mandatory EPA-certified water testing method to allow for the investigation and consideration of additional characteristics of *Cryptosporidium* with public health significance, including the genotype and infectivity of detected oocysts.

Continued flexibility, as contained in the current EPA method, allows for test method modifications which increase the overall accuracy of the method for Portland. EPA is considering changes to the method that could possibly eliminate this flexibility and make it difficult or even impossible for the City to meet the monitoring conditions of its treatment variance.

Federal Policy Positions & Funding Priorities

Affordable Housing

Affordable Housing Programs

The City and its regional partners continue to work diligently to provide policies and resources to make it possible for people in our community to live where they choose to live. The City continues to advocate maintaining current funding levels for the following programs:

Community Development Block Grant

Support increased funding for the Community Development Block Grant (CDBG), a flexible resource which allows communities to address a wide range of unique community development and affordable housing needs.

HOME Investment Partnerships Program

HOME Investment Partnerships Program (HOME) provides grants to implement local housing strategies designed to increase homeownership and affordable housing opportunities for low and very low-income Americans.

Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act implementation

The City supports increased funding for the HEARTH Act and will continue to work with the Department of Housing and Urban Development on the implementation of the Act, including work to establish Continuum of Care governance structure with the City's partners.

Housing and Urban Development/Veterans Affairs Supportive Housing

The HUD-Veterans Affairs Supportive Housing (HUD-VASH) program combines Housing Choice Voucher (HCV) rental assistance for homeless Veterans with case management and clinical services provided by the Department of Veterans Affairs (VA). Combining the use of HUD/VASH with the use of Moving to Work dollars and the Supportive Services for Veteran Families Program, allows community partners to provide effective services and housing to our veterans in need.

Supportive Services for Veteran Families Program

The Supportive Services for Veteran Families (SSVF) Program provides supportive services to very low-income Veteran families maintain or transition to permanent housing. Funds are granted to private non-profit organizations and consumer cooperatives to assist very low-income Veteran families by providing a range of supportive services designed to promote housing stability.

Cuts to these programs in past budgets have reduced the Portland Housing Bureau's ability to invest in meeting the community's housing needs. Cuts mean less money for affordable rental housing preservation and development; home repair for seniors and people with disabilities; shelter; rent assistance; and homeowner counseling. The City will continue to advocate for current funding levels during sequestration negotiations and throughout the regular congressional budget and appropriations process.

Affordable Housing

Moving to Work Program

Moving to Work (MTW) is a long-term federal pilot program designed to study whether public housing authorities can serve local communities better with more local discretion over funding allocation, policies, and procedures. In the Portland area Home Forward is a Moving to Work participant.

The Department of Housing and Urban Development has identified housing authorities, including Home Forward, with individual funding formulas. HUD is seeking to have a uniform funding approach for all MTW agencies. This path could reduce funding to Home Forward by more than \$2 million annually, which is 20 percent of the operating subsidy it receives for public housing.

This loss would force Home Forward to divert funds from other programs just to continue to operate public housing, which would severely limit its ability to use MTW authority to fund veterans rental assistance, short-term rental assistance, and the Bud Clark Commons Center.

The City will assist Home Forward in working with the congressional delegation and the Administration to address this issue.

Arts and Culture

National Endowment for the Arts

The National Endowment for the Arts (NEA) is an independent federal agency that funds and promotes artistic excellence, creativity, and innovation for the benefit of individuals and communities. Every year the NEA works with local non-profit organizations and school districts to leverage local dollars in order to bring the arts to thousands of school children and members of communities across the country who otherwise may not have access to such experiences. For Fiscal Year 2016, the City asks that Congress fund the NEA at the level cited in the President's Fiscal Year 2015 Budget Request of \$146 million.

National Endowment for the Humanities

The National Endowment for the Humanities (NEH) is an independent grant-making agency of the United States government dedicated to supporting research, education, preservation, , and public programs in the humanities. NEH grants typically go to cultural institutions, such as museums, archives, libraries, colleges, universities, public television, and radio stations, and to individual scholars. The grants strengthen teaching and learning in schools and colleges, facilitate research and original scholarship, and preserve and provide access to cultural and educational resources. For Fiscal Year 2016, the City ask that Congress fund the NEH at the level cited in the President's Fiscal Year 2015 Budget Request of \$146 million.

STEAM Education

Taking the traditional curriculum of Science, Technology, Engineering, and Math (STEM), and incorporating the Arts to create STEAM is a goal to encourage the creativity needed to drive our innovation economy forward. The concept of STEAM education is borne out of the idea that creativity derived is an important facet of innovation, and that creativity can best be taught through the arts.

The City urges Congress to support the STEAM initiative, and support the work of the Congressional STEAM Caucus.

Economic Development

EB-5 Program

The City encourages the permanent authorization of the EB-5 Regional Center program. The program aims to stimulate the economy through job creation and capital investment by foreign investors.

In September 2012, Congress passed a three-year reauthorization of the program, which will sunset in September 2015.

The City supports a three point advocacy platform developed by the Association to Invest In the USA:

- Permanent authorization for the program;
- Inclusion of EB-5 in any augmentation of available visas to employment-based visa categories; and
- Clear guidelines, predictable, consistent, and timely application of EB-5 regulations and processes, with the aim of reducing or eliminating the USCIS backlog.

Export-Import Bank Reauthorization

The Export Import Bank is the United States' official export credit agency, and works with small and large businesses to provide assistance by filling gaps in the financial market to help sell American made goods to buyers overseas. In the last 7 years alone, 91 companies across Oregon have benefited from the work of the Export Import Bank in making sure financing was in place for customers overseas to purchase their products. The Export Import Bank's charter is set to expire after June 30, 2015, and the City urges Congress act to make sure that this institution continues to exist in order to meet the needs of companies here in the United States.

Economic Development

Export Promotion Initiatives

The federal government, through various agencies, has valuable programs designed to boost American exports. The City supports increased funding levels for the U.S. Export Assistance Centers and the Foreign Commercial Service, which are critical to meet the demands generated by increased export activity.

Additionally, Portland supports the Department of Commerce SelectUSA program. SelectUSA showcases the United States as the world's premier business location for both domestic and foreign companies, and provides easy access to federal-level programs and services related to business investment. This program highlights the products and services that our local companies provide and has sharpened our edge in the marketplace.

The Market Development Cooperator Program, housed within the Commerce Department's International Trade Administration (ITA), provides awards for financial and technical assistance from ITA to support well-defined business plans aimed at increasing exports and U.S. competitiveness within certain industries. The Portland Development Commission was awarded with a Market DevelopmentCooperator Program grant in 2014 to assist the green building and clean tech product industries generate foreign exports. The City supports continued funding program for Fiscal Year 2016.

Energy & Environment

Coal Exports

The development of coal-export facilities in the Northwest poses health risks to Portland residents and businesses, runs counter to the City's Climate Action Plan, and poses barriers to the growth of Portland's renewable energy and clean technology firms.

Of the three coal export facilities originally proposed for Oregon, two have already been withdrawn, with one remaining Oregon facility proposed along the Columbia River near Hood River/Mosier

The City thanks the delegation for voicing the need for federal agencies to closely examine the impact of these facilities, and asks that this issue remain at the forefront of environmental concern.

Columbia River Treaty

The Columbia River Treaty of 1964, between the US and British Columbia provides flood control and energy generation benefits to the US, and monetary compensation to Canada.

While the Treaty expires in 2024, it has entered a 10-year notice period for renegotiation or termination. In anticipation of this date, the US Army Corps of Engineers (USACE) and Bonneville Power Administration (BPA) recommend renegotiation to the US State Department. The State Department has not yet made a decision on the recommendation.

The City supports the inclusion of ecosystem functions to be considered alongside flood control and power generation. Although the treaty partners have worked together since the 1980s to address ecosystem and endangered species concerns within the treaty framework, the current treaty is not written to promote management of the river for ecosystem services.

The City asks for the delegation's assistance to identify steps needed to conduct a system-wide flood risk analysis. This level of knowledge would benefit the consideration of multiple elements of the treaty.

The City of Portland has been engaged in the Columbia River Treaty review process since 2012. As a key downriver stakeholder, the future of the Treaty and operations of the system has the potential to profoundly impact the private property, city property and infrastructure, public safety, natural resources, and the economy of Portland. Because of this, the City should continue to monitor the actions of the US Entity (USACE and BPA) and State Department and comment as appropriate.

Energy & Environment

Keystone XL Pipeline

The proposed pipeline from Alberta to Kansas would transport crude oil and bitumen derived from the Alberta tar sands. The pipeline would reduce the cost of transporting the oil and bitumen to refineries in the US, making the tar sands products more competitive in the global marketplace. Oil produced from tar sands requires considerably more energy than oil from conventional sources, resulting in additional carbon emissions, and the process has extreme impacts on habitat, water quality and wilderness in northern Alberta.

In light of the goals of the City's Climate Action Plan that aims to reduce local greenhouse gas emissions by 80% from 1990 levels by 2050, the City expresses concern for the increase in Canadian tar-sands exploration and refining.

Levee Recertification

The levee system along the Columbia River requires recertification by the Army Corps of Engineers (USACE) to enable access to the Federal Emergency Management Agency flood insurance program for those property owners protected by the levees.

The City will continue to work with Multnomah County Drainage District, Multnomah County, the Port of Portland, and other stakeholders within the Oregon Solutions process to explore options related to the recertification process. Partners will work with the Army Corps of Engineers and the Federal Emergency Management Agency, include the community within the process, identify challenges of the current governance structure, and will work together to identify sources of funding to assist in the recertification and remediation process.

Additionally, the City supports the proposed request of the Multnomah County Drainage District for the USACE to include a Feasibility Study for the consolidation of the levee the existing four drainage districts in the USACE's Annual Report. This study would examine the benefits of creating a single authorized levee system that can better respond to the environmental, flood risk, and economic needs of the protected area as the recertification process continues.

Energy & Environment

Oaks Bottom Wildlife Refuge Aquatic Restoration

Oaks Bottom Wildlife Refuge is an approximately 160-acre urban park nestled along the embankment of the Willamette River, southeast of Ross Island. The project will reconnect the Bottom with the Willamette River as part of the floodplain. From 1999 to 2004 the City has partnered with the Army Corps of Engineers (USACE) (Section 206 Program) to perform a feasibility study for the project.

The study identified actions to replace a culvert to reconnect Willamette River to Oaks Bottom and the floodplain, remove water control structure (and install weirs), reclaim off-channel rearing and refuge habitat, and provide invasive species control and revegetation in 24-acres of the north wetland complex.

The project has had design work funded locally by the North America Wetland Conservation Act, Lower Columbia River Estuary Partnership and the Bureau of Environmental Services (BES). Additionally, in August 2014 BES submitted to the USACE a letter of intent to finish the feasibility study and construct the project.

The City asks the delegation's assistance in communicating support for this project to the USACE in order for Oaks Bottom Wildlife Refuge Aquatic Restoration to become a prioritized project.

Partnership for Sustainable Communities

The Partnership for Sustainable Communities works to coordinate federal housing, transportation, water, and other infrastructure investments to make neighborhoods more prosperous, allow people to live closer to jobs, save households time and money, and reduce pollution. The partnership agencies incorporate six principles of livability into federal funding programs, policies, and future legislative proposals.

This collaboration is exceedingly important to the work done on the ground in Portland.

The City asks that congress provide funding to formally fund the Partnership.

Energy & Environment

Power Plant Emissions - Clean Air Act, Section 111(d)

On June 2, 2014, under President Obama's Climate Action Plan, the Environmental Protection Agency (EPA) proposed a plan to cut carbon pollution from existing power plants, using its authority under Section 111(d) of the Clean Air Act. The EPA has dubbed this the "Clean Power Plan."

The proposed rule sets a "power-to-pollution" ratio goal for each state to achieve by 2030 (expressed as total pounds of carbon pollution divided by total fossil-fuel fired electricity generation in the state). By 2030, Oregon's goal is to reduce its power-to-pollution ratio (pounds per megawatt-hour) from 1,081 to 372.

The EPA's approach allows states a great deal of latitude in determining strategies for reaching the goal, but provides direction to states regarding measures they can take, including: demand-side energy efficiency programs, renewable energy standards, efficiency improvements at plants, co-firing or switching to natural gas, construction of new natural gas combined-cycle plants, transmission efficiency improvements, energy storage technology, retirements, expanding renewables like wind and solar, market-based trading programs, and energy conservation programs. These are strategies that Oregon has been pioneering since the 1970s.

The Bureau of Planning and Sustainability has submitted public comment to EPA in December 2014. States are expected to submit proposed implementation plans to the EPA by June 2016.

Energy & Environment

Renewable Energy and Energy Efficiency Incentives

Portland continues to be a leader in renewable energy products and services, with area companies representing the cornerstones of the solar and wind generation sectors. Therefore, Portland's economy is significantly influenced by federal tax policy and programs for renewable energy development, and supports the following renewable energy and energy efficiency incentives:

Investment Tax Credit Extension

The federal solar Investment Tax Credit (ITC) expires in 2016. Revising the ITC language to apply at the onset of construction instead of operations would provide a boost to projects as well - this language was contained in the Renewable Energy Parity Act that was introduced in the 113th Congress.

Production Tax Credit Extension

The federal renewable electricity production tax credit (PTC) is a per-kilowatt-hour tax credit for electricity generated by qualified renewable resources and sold by the taxpayer to an unrelated person or entity. The PTC has been renewed and expanded numerous times, most recently in January 2013. The PTC has proven to be a valuable policy tool that has helped drive the expansion of renewable wind and biomass generation in Oregon.

As many renewable energy projects have a multi-year development process, extension of the PTC is instrumental in planning for additional generation. The City will continue to support efforts such as the Bridge to a Clean Energy Future Act, which was introduced by Representative Blumenauer in the 113th Congress, to extend the PTC through 2016.

Waters of the U.S.

The Clean Water Act gives the federal government jurisdiction over "Waters of the U.S." The federal definition of "Waters of the U.S." has been in flux for decades, and the debate has intensified recently due to action taken by the Supreme Court narrowing the definition. Because of this, EPA has been urged to issue a clear and concise rule that outlines what is and what is not a Water of the U.S. EPA and the Army Corps contend that the proposed rule does not expand the reach of the CWA and is consistent with the Supreme Court's more narrow reading of CWA jurisdiction.

The Bureau of Environmental Services (BES) has an interest in the definition for two reasons:

1. As a utility, BES constructs facilities and discharges in and around Waters of the U.S., and are therefore subject to regulations that apply within areas covered by the definition.
2. BES regulates actions taken by private and public entities within City limits to waterways in order to comply with our obligations under the Clean Water Act and Endangered Species Act.

BES submitted public comment in the fall of 2014, and plans to continue to follow the issue as it develops.

Health Care

Affordable Care Act “Affordable Coverage” Definition

The City supports a change to the definition of “affordable” in the Affordable Care Act to ensure families have access to buy insurance through the Exchange if the family coverage offered through their employer is not affordable. The Internal Revenue Service (IRS) interpretation of the definition of “affordable” in the Affordable Care Act currently prevents family families from accessing tax credits through the Exchange if an employer offers family coverage, even if that coverage is only available at an exorbitant cost. Specifically, the IRS interpretation is that if an employer offers affordable employee-only coverage to an employee, and the employer also offers family coverage, the family coverage is considered affordable no matter what its cost.

Drug and Alcohol Treatment

The City supports robust federal funding for the Substance Abuse Prevention and Treatment Block Grant (SABG) and the Community Mental Health Services Block Grant through the Substance Abuse and Mental Health Services Administration (SAMHSA). In particular, the City supports increased funding to the National Suicidal Prevention Lifeline system, with the creation of a targeted stream of funding toward cities with higher rates of suicide for services, public education, and training purposes. The City also supports federal funding for mobile mental health crisis intervention teams.

Emergency Medical Services Reimbursement

Currently, a significant number of Portland Fire & Rescue’s emergency responses are related to calls for service related to medical conditions. In addition, Portland is exploring a model implemented in other cities that includes adding a nurse at 9-1-1 call centers to triage some calls for emergency medical service, reducing medical costs for the public and insurers. The City supports federal efforts to add innovative health care reimbursement models that acknowledge the role of fire departments and 9-1-1 centers in providing medical services.

Mental Health Services

While Medicare covers a broad array of mental health services, special rules limit coverage and reimbursement. Of particular concern is Medicare coverage and reimbursement, of mental health and behavioral health benefits, is not as extensive as coverage for other services. Such limitations negatively impact medical provider ability to directly meet the needs of Oregon residents (e.g. via hospitalization, partial hospitalization, and/or outpatient services) and impede government ability to coordinate mental and behavioral health services in an interdisciplinary fashion. Limitations regarding coverage and reimbursement must be reviewed and addressed to accommodate this vulnerable population, their families, and their communities overall, with the ultimate goal of mirroring California’s reimbursement process in Oregon.

Parks

Community Parks Revitalization Act

Parks are essential to the fabric of livable communities. They provide safe places for children to play, for the community to gather and enjoy the outdoors, and enhance the economic value of neighborhoods around them. A person's ready access to a park or natural area is intrinsically linked to a healthy urban lifestyle.

The City supports the Community Parks Revitalization Act to fund the rehabilitation and construction of our nation's community parks, and fund recreational programming.

Land and Water Conservation Fund

The Land and Water Conservation Fund (LWCF) funds natural areas, water resources, and cultural heritage sites providing recreation opportunities to all Americans.

Every year energy companies drilling for oil and gas on the Outer Continental Shelf pay royalties to the LWCF. The money is intended to create and protect national parks, areas around rivers and lakes, national forests, and national wildlife refuges from development, and to provide matching grants for state and local parks and recreation projects.

The LWCF program has permanently protected nearly five million acres of public lands including some of Oregon's most treasured assets such as the Pacific Crest Trail, the Fort Clatsop National Memorial, and the Mt. Hood National Forest. The LWCF has invested in over \$250 million in sites in Oregon.

The LWCF is set to be reauthorized in 2015, and the City asks that its reauthorization come with dedicated funding to address the national backlog of projects under federal management - estimated at close to \$30 billion. Additionally this increased funding should go to the LWCF's state and local mission to leverage local dollars for projects including wilderness, trails, and neighborhood playgrounds.

Public Safety

Byrne Justice Assistance Grant (Byrne/JAG) Program

Prior funds from the Byrne Justice Assistance Grant (Byrne/JAG) program have allowed Portland and its intergovernmental partners (e.g. Multnomah County, City of Gresham) to support a broad range of efforts to prevent illegal drug activities, human trafficking, control violent crime, and improve the criminal justice system. The Police Bureau funded a Senior Management Analyst responsible for policy governance and expanded the abilities of its Prostitution Coordination Team, which now leads coordination efforts among law enforcement, prosecutors, and social service providers. This position ensures a multi-disciplinary approach to prostitution related offenses throughout Portland and the surrounding area. The City supports increased funding to the Byrne/JAG program.

Community Oriented Policing Services (COPS)

Prior Community Oriented Policing Services (COPS) funds have allowed Portland and its intergovernmental partners (e.g. state, local, tribal law enforcement agencies), to advance the practice of community policing. With the last two grant allocations specifically, the Police Bureau funded sworn positions for neighborhood assignment and initiated its process to devise a Strategic Equity Plan, enabling the Bureau to reflect the community it serves as closely as possible. The City supports increased funding for the Community Oriented Policing Services (COPS) program.

Fire Prevention and Safety Grant Program

The Fire Prevention and Safety (FP&S) Grants are part of the Assistance to Firefighters Grants program and support projects that enhance the safety of the public and firefighters from fire and related hazards. The primary goal is to reduce injury and prevent death among high-risk populations. In 2005, Congress reauthorized funding for FP&S and expanded the eligible uses of funds to include Firefighter Safety Research and Development. The City asks for the FP&S Grant Program be fully funded.

Gang Resistance Education and Training (GREAT) program

The City supports GREAT, a school-based gang and violence-prevention program designed to teach youths to avoid gang membership, prevent violence and criminal activity, and assist youth in developing positive relationships with law enforcement.

Public Safety

Metropolitan Medical Response System Program

The Metropolitan Medical Response System Program (MMRS) is a US Department of Homeland Security grant program to help local agencies plan, equip, and train to respond to mass casualty incidents.

In Portland, MMRS funded our region's response to a potential pandemic event during the H1N1 Swine Flu outbreak in 2009 - providing personal protective equipment to ensure first responders were not only equipped, but felt confident in their equipment and training.

MMRS is the only federal grant program that supports multidisciplinary mass casualty response planning at the local/regional level, and helps to illustrate the role of first responders play in addressing public health crises. First responders who are prepared, equipped, and coordinated can make the difference in facing these threats.

The City asks that in Fiscal Year 2016 the MMRS program be retained as a stand alone program, and that it be fully funded.

Oil Train Safety and Response

Crude oil shipments by rail throughout the country have increased by over 400 percent since 2005, and both domestic crude production and shipment of crude by rail is projected to continue to increase in coming years with nearly 1 million barrels of oil passing through our cities and communities on rail cars every day.

Cities across the country are rightly concerned about the potential impacts of crude oil rail transport on public safety and economic stability from a possible derailment. The Portland Department of Fire & Rescue does not have the equipment to effectively respond to a disaster like those seen in Alabama, North Dakota, and Virginia.

Portland asks the congressional delegation focus on the following components of this issue:

- Funding for effective response – Make funding available to local metropolitan fire departments to enhance response capabilities. Possible avenues include federal grants, requirements, or public-private partnerships.
- Classification of Materials – Require material carried by rail to be classified according to hazardous material standards to ensure it is accurately identified and shipped with the appropriate level of caution. Appropriate classification will enable local governments, citizens, and first responders to better understand and plan for the risks associated with the specific type of fuel being transported through their communities.
- Notification – Close loopholes in current Department of Transportation notice requirements. DOT requires railroad companies to inform state emergency management officials when they

Public Safety

plan to move large volumes – more than 1 million gallons - of North Dakota/Bakken crude oil through a state. Additionally, local first responders should be notified of the exact type of hazardous material moving through their communities so that they can respond appropriately.

Pre-Disaster Mitigation Grant Program

The Pre-Disaster Mitigation (PDM) Grant Program, awarded through the Federal Emergency Management Agency (FEMA), provide funds to states, territories, native tribes, communities, and universities for mitigation planning and the implementation of those plans before a catastrophe occurs. The City asks that the PDM Grants be funded at the full authorized level of \$400 million in Fiscal Year 2016, and Congress should reauthorize the program at minimum of FY 2013 levels moving forward.

On-Body Cameras for Police Officers

The Portland Police Bureau is planning to institute the use of on-body cameras by police officers over the next fiscal year. This effort is a critical piece of the City's continued efforts on police reform and accountability pursuant to the recent settlement agreement between the City of Portland and the U.S. Department of Justice. On-body cameras provide an opportunity to strengthen officer accountability and decrease use of force incidents. A recent study found a 40 percent reduction in total complaints for officers wearing cameras, and a 75 percent reduction in use of force complaints. This technology also has the benefit of protecting officers from unsubstantiated citizen complaints.

In December 2014, President Obama released plans to make available \$263 million for police training and equipment, with \$75 million targeted for on-body cameras for local law enforcement agencies. The City supports the President's announcement, and will advocate for local input on policies around the use of the on-body cameras.

Shake Alert - Earthquake Alert System

The Pacific Northwest is prone to catastrophic earthquakes, yet lacks an earthquake warning system. Many countries around the world have such a system in place, including Japan, Mexico, China, Taiwan, Romania and Turkey. During the 2011 Tohoku earthquake in Japan, the alert system is credited with preventing any trains from derailing.

The U.S. Geological Survey (USGS) along with university partners is developing a system for the West Coast called ShakeAlert. The effort involves installing seismic sensors at a number of locations throughout California, Oregon and Washington. Once completed, the system could provide the public with anywhere from a few to tens of seconds of advance warning depending on the location of the quake. Since Portland is more than 100 miles from the Cascadia Subduction Zone off the Oregon

Public Safety

Coast – the likely source of a major earthquake – a warning system could allow time for TriMet trains to stop, flights about to land at Portland International Airport to be diverted, cars to get off bridges and residents to “drop, cover and hold on.”

The City asks that the delegation make funding the USGS’s work on ShakeAlert a priority for Fiscal Year 2016. Current funding efforts have largely focused on California, but it is important that Oregon and Washington be included in the system.

Terrorism Risk Insurance Program

In response to the terrorist attacks of September 11, 2001 Congress created the Terrorism Risk Insurance Act to provide a transparent system of shared public and private compensation for certain insured losses resulting from an act of terror.

Portland is not without exposure to this type of risk. In the absence of a federal program providing backstop coverage for foreign and domestic terrorism events to the private market, carriers may cease to offer affordable coverage to cities.

To ensure that cities are able to obtain affordable coverage, the City asks that the Terrorism Risk Insurance Act be reauthorized through 2021.

The SAFER Grant program has benefited Portland Fire & Rescue, and the City asks that the program be adequately funded in Fiscal Year 2016 to allow its work to continue.

Urban Areas Security Initiative

The Urban Areas Security Initiative (UASI) program helps high-threat urban areas build their capacity to prevent, respond to, and recover from natural disasters and terrorism. It provides funding for planning, operations, equipment, training, and exercises for emergency preparedness and response. The Portland UASI region covers the Portland metropolitan area, including Clark County, Washington. UASI is vital to increasing our regional preparedness.

Currently, the annual UASI award must be spent over a two-year period. Portland supports returning to a three-year implementation period to allow more time to effectively bring grant projects to completion.

For Fiscal Year 2016, Portland supports maintaining or increasing the number of funded UASI regions around the country. In 2014, 39 regions received funding. Portland also supports increasing the minimum UASI award from \$1 million to at least \$2 million due to the heavy administrative, reporting and compliance burden, and to allow more funds to strengthen the region’s resilience to natural and human-caused disasters.

Public Safety

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Revenue Authority

As communications services (telephone, cable TV, and broadcast media) migrate onto a hybrid network of wireline and wireless Internet Protocol data streams, it is important that public assets, consumers, and underserved populations be protected.

Digital Goods & Services Tax Fairness Act

The City opposes the Digital Goods & Services Tax Fairness Act to sharply restrict, and in many cases, preempt, the ability of state and local governments to tax “digital goods and services.” Examples include downloaded music and video, online photo storage, payroll processing and computer programs. In essence, the bill creates a nationwide “tax preference” for online goods and services over competing brick-and-mortar sales.

Internet Tax Freedom Forever Act

The City opposes efforts to extend the law to permanently pre-empt local taxes on the internet (excluding taxes in place prior to 1998 as they are grandfathered). The City advocates for the sunset of the Internet Tax Freedom Act.

Wireless Tax Fairness Act

The City opposes legislation which preempt state or local taxing authority on wireless service providers and their property. Adoption of such legislation would prevent the City’s ability to bring fairness and equity to our existing phone tax system.

Telecommunications & Internet Policy

The Internet is a unique platform for innovation and economic growth and provides unprecedented opportunities for communication and transactions. Policies, both in Congress and at the Federal Communications Commission (FCC), play a huge role in how cities are able to plan and provide for ubiquitous, robust, affordable infrastructure to meet the community's current and future needs.

Access

Net Neutrality

Net neutrality means that the Internet works the same for different users of the net, regardless of who you are. The City supports an open internet and will oppose efforts that prevent the right of everyone to use Internet data without regard to content, destination, or source.

E-rate

The E-rate program makes telecommunications and information services more affordable for schools and libraries. E-rate provides discounted telecommunications, Internet access, and internal connections to eligible schools and libraries, funded by the Universal Service Fund (USF).

As the FCC modernizes the program, we support increasing its funding as well as changes that provide support for capital investment, not just recurring expenses.

Industry Mergers and Acquisitions

Any mergers, acquisitions or joint marketing arrangements should take into consideration the public interest and result in greater innovation, choice, lower prices and improved customer service.

Communications Act Re-write

Congress intends to revisit the 1996 Telecommunications Act in order to update the provisions of the law that are now outdated.

The City affirms the important role of local government in encouraging competition among broadband, telecommunications and video providers, managing the public rights of way, implementing local zoning policies, providing local consumer protection, enforcing build-out requirements, and ensuring vibrant community media, including funding. Furthermore the City supports preserving the option of municipal provision of broadband communications services and opposes any effort to pre-empt local government from franchising video providers who use the public rights of way, paying franchise fees, and providing support for Public, Educational, and Governmental (PEG) Access Programming and Institutional Networks.

Telecommunications & Internet Policy

Infrastructure

First Responder Network Authority - FirstNet

In 2012, Congress created the First Responder Network Authority (FirstNet), to be the framework to implement a nationwide interoperable broadband network for first responders. FirstNet will hold the spectrum license for the network, and is charged with taking “all actions necessary” to build, deploy, and operate the network, in consultation with Federal, State, tribal and local public safety entities, and other key stakeholders.

The City supports FirstNet, and advocates that local public infrastructure is utilized wherever possible, and that municipalities are intimately involved, in every stage of the planning and deployment of FirstNet, to ensure optimal performance of the nation’s first top-down, interoperable public safety network.

Health Effects of Radiofrequency Emissions from Wireless Infrastructure

The City requests that the FCC work in cooperation with the US Food and Drug Administration and other relevant federal agencies to revisit and update studies on potential health concerns arising from radio frequency wireless emissions in light of the national proliferation of wireless use. The City has previously expressed its concerns through filings with the FCC, and will continue to work on this issue.

Oppose Pre-Emption of Zoning and Management of Public Right of Way

The City opposes any attempt by the Federal Communications Commission or Congress to preempt state or local zoning, zoning procedures, preemption of the management of the public right of way, and review deadlines for communication facilities.

Transportation Policy

Congress needs to reauthorize the Federal Surface Transportation Program. This reauthorization will directly affect how the City is able to deliver transportation projects at both the local and regional level. A number of specific policy considerations interest the City, including:

Bicycle and Pedestrian Safety

As we work to create transportation systems accessible to all users, safety continues to be the first consideration. The safety of non-motorized users – pedestrians and bicycle users – should be considered among the highest priority when investing in infrastructure.

The Bicycle and Pedestrian Safety Act would help address many safety issues by requiring the US Department of Transportation to set separate safety targets for motorized and non-motorized users. This would still permit states to set their own safety targets and ensure flexibility to choose the best methods to meet these targets.

Bike Share As Transit

Currently bike share is not treated as “transit” under Federal Transit Administration guidelines. Bike share should be treated as a transit mode under FTA guidelines because it can be the “last mile” of transit commuting – getting the commuter from home or place of work to transit options.

Commuter Parity Act

Federal law allows employers to offer employees the opportunity to pay for qualified commuting expenses on a pre-tax basis. This helps employees save money and employers benefit from a reduced payroll tax burden. Due to the lapse of a federal law at the end of 2013, the current maximum for transit-related expenses is \$130 per month and the maximum for parking-related expenses is \$250 per month.

The Commuter Parity Act would permanently codify parity between qualified, pre-tax and tax-free fringe transit and parking benefits, ensuring that commuters who use public transportation have access to benefits equal to those available to commuters who drive. The Act would maintain fairness, and give commuters an additional incentive to use public transportation, thereby alleviating road congestion and pollution. It would also make expenses related to bike-share systems eligible for this benefit for the first time.

Transportation Policy

Link Health Outcomes to Infrastructure and Transit Investments

Currently health outcomes are not linked to funding choices in transportation programs. Health studies, like the 2009 Charlotte, North Carolina study on transit, show linkages between transportation choices and health outcomes. Current practices overlook transportation-related health impacts. More comprehensive funding decisions can integrate transportation and public health objectives.

The City encourages linking health outcomes to transportation funding decisions. This would create metrics for funding projects and programs that provide beneficial health outcomes through pollution reduction. The City also proposes that health impacts be considered as part of the alternative analysis during the NEPA process of a transportation project.

Orphan Highways

The City wishes to improve the condition, safety, and use of multiple state highways throughout the metropolitan area. The City supports competitive funding dedicated to municipalities working with state highway departments to address the needs of the nation's "orphan highways" through concepts such as Congressman Blumenauer's Orphan Highway Restoration Act.

Research Program Funding

In order to meet growing demands on the transportation system and create dynamic new solutions at the local, regional, and national level, Portland supports the Department of Transportation's continued investment in the Research and Innovative Technology Administration (RITA).

RITA lends significant assistance to improve our Nation's transportation system through projects such as coordinating regional intelligent transportation systems, new pavement development, or testing new paint or reflective systems for roadways. The City supports these efforts.

One such area of interest is the design of transit buses and their impact on paved streets. Transit buses damage streets because of their weight its distributed. The City supports the funding of research that would consider the design of a bus, through additional axles, to provide the same level of service as current designs, while reducing wear and tear on city streets.

Transportation Policy

Transportation Alternatives Program Allocation Flexibility

In the Moving Ahead for Progress in the 21st Century Act, funding for bicycle and pedestrian transportation was reduced and consolidated within “Transportation Alternatives.” Half of funding the State receives will go to metropolitan planning organizations and the other half to the state Department of Transportation which can then be allocated out on a grant basis or reallocated by the state.

Providing a greater level of flexibility to the states rather than mandating the allocation of 50% to the state level would allow funding to go to areas with the greatest need. The state may choose to allocate greater levels of funding not only within the Transportation Alternatives program but through other programs where the State sees the need.

Water Infrastructure

Chemical Security

The City seeks continued assistance from the congressional delegation to maintain local authority over chemical treatments for drinking water systems, and to maintain the Environmental Protection Agency as the oversight body.

Drinking water treatment is a complex process, designed to address highly local factors. The city's primary drinking water supply is the federally designated Bull Run Watershed Management Unit, which is protected, treated, and located far from populated areas.

The City supports protecting the exemption of drinking water systems from the regulations of the Chemical Facility Anti-Terrorism Act. Additionally, the City opposes attempts to categorize drinking water systems with chemical facilities, such as explosives manufacturers. As required by EPA, Portland developed a vulnerability assessment and emergency response plan to prepare for security-related incidents.

Congressional assistance could include monitoring Department of Homeland Security activities related to exemptions under the Chemical Facility Anti-Terrorism Act and advocacy to maintain local control over decisions related to chemicals treatments of drinking water systems. For instance, a ban on gaseous chlorine would force the City to use up to seven times the current quantity of treatment chemicals – increasing the risk to the public and the watershed due to additional transportation.

Water Infrastructure Financing Innovation Act Amendments

While the City applauds the creation of the Water Infrastructure Financing Innovation Act (WIFIA) financing tool that was contained within the Water Resources Reform and Development Act of 2014, Portland would like to see the program amended to fix language that complicates this program's use.

The City would like the law amended by striking the restriction to the use of municipal bonds as part of the local match. For major infrastructure projects, cities rely on their bonding authority, and the current language deters many cities from using the program.

Water Infrastructure

Water Research Priorities Grant Program

This program within the US Environmental Protection Agency provides funding for extramural research at nonprofit water industry foundations that sponsor competitive research into source water protection, water quality, and water infrastructure. Water-related research should remain a high priority as the nation looks at the staggering cost estimates for replacing aging water infrastructure and contaminant-removal compliance costs.

The City supports, and Portland residents benefit from the research conducted through the Water Research Foundation (WRF) and the Water Environment Research Foundation (WERF). This research ensures that sound science governs compliance with Safe Drinking Water Act and Clean Water Act mandates, regulations, and policies. In 2013, WERF and WRF successfully competed for a nationwide grant to partner on nutrient management research, which is vital to our work.

The City asks that the delegation support this program in Fiscal Year 2016.

Workforce

Employment Non-Discrimination Act

The City supports the enactment of the Employment Non-Discrimination Act. The Employment Non-Discrimination Act of 2013 would prohibit employers from firing, refusing to hire, or discriminating against those employed or seeking employment, on the basis of their perceived or actual sexual orientation or gender identity. Such protections are already in place prohibiting discrimination based on race, religion, gender, national origin, age, and disability.

