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7-2024

Report

Accept the City of Portland 2024 Federal Legislative and Regulatory Agenda

Accepted

REPORT TO COUNCIL

DATE: January 10, 2024

TO: City Council

FROM: Mayor Ted Wheeler

SUBJECT: Accept the Report on the City of Portland 2024 Federal Legislative and Regulatory Agenda

I am pleased to introduce for City Council review and acceptance the 2024 Federal Legislative and Regulatory Agenda. This agenda will guide the work of the Office of Government Relations during 2024. The City's 2024 Federal Agenda is focused on the shared priorities of the Portland City Council: developing new models for community safety and behavioral health, addressing homelessness and housing stability, and supporting economic recovery and development. The Agenda also addresses racial justice and civil rights, climate and environmental justice, infrastructure investment, and maintaining local authority and opposing preemption.

Sincerely,

Ted Wheeler

Mayor of Portland

Documents and Exhibits

[Memo to Council](#)

90.14 KB

(<https://www.portland.gov/sites/default/files/council-documents/2023/council-report-memo-for-2024-federal-legislative-and-regulatory-agenda.pdf>)

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Government Relations](#)

Contact

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Requested Agenda Type

Time Certain

Date and Time Information

Requested Council Date


January 10, 2024

Requested Start Time

10:05 am

Time Requested

30 minutes (1 of 2)

 [2024 Federal Legislative and Regulatory Agenda](https://www.portland.gov/sites/default/files/council-documents/2023/2024-federal-legislative-and-regulatory-agenda.pdf)
(<https://www.portland.gov/sites/default/files/council-documents/2023/2024-federal-legislative-and-regulatory-agenda.pdf>)

310.74 KB

Impact Statement

Purpose of Proposed Legislation and Background Information

The purpose of the 2024 Federal Legislative and Regulatory Agenda is to advance the City's legislative priorities with the Oregon congressional delegation, the Executive Branch, and other relevant members of congress and congressional committees. The Office of Government Relations (OGR) opened the federal legislative agenda building process in September 2023. One work session was held with Council on December 12th, 2023. This report will provide guidance for lobbying and advocacy efforts in 2024 that address the most pressing needs for the City and its residents.

Financial and Budgetary Impacts

The outcome of lobbying and advocacy efforts on several items in the Report on the 2024 Federal Legislative and Regulatory Agenda could have a direct or indirect impact on City finances, including the potential for infrastructure investments through the Infrastructure Investment and Jobs Act and climate investments through the Inflation Reduction Act of 2022. The Report does not amend the budget, change expenses, or change current or future revenues or staffing levels.

Community Impacts and Community Involvement

The Office of Government Relations (OGR) initiated the legislative agenda building process in September 2023. Issue proposals were solicited from all City bureaus and Council offices. OGR worked with council offices, bureau liaisons, and bureau subject matter experts to research and vet concepts for inclusion in the 2024 Agenda.

The City of Portland's 2024 Federal Legislative and Regulatory Agenda is structured to reflect the shared priorities of the Portland City Council: developing new models for community safety and behavioral health, addressing homelessness and housing stability, and supporting economic recovery and development. The Agenda also addresses racial justice and civil rights, climate and environmental justice, infrastructure investment, and maintaining local authority and opposing preemption. Successful implementation of the 2024 Federal Legislative and Regulatory Agenda will impact Portland residents by providing additional resources for improving access to affordable and stable housing, providing for addiction and mental health services, ensuring safe communities, pursuing racial justice, protecting a healthy environment, making investments in infrastructure, and protecting local authority.

100% Renewable Goal

The Report on the City's 2024 Federal Legislative and Regulatory Agenda contains language that reflects the City's goal of continued leadership in pursuing responsible, equitable climate policy, and driving Portland toward a just transition with and through a cleaner, more sustainable, and resilient economy. This support complements the City's goal of meeting 100 percent of community-wide energy needs with renewable energy by 2050.

Budget Office Financial Impact Analysis

No financial impact to adopt the report. The agenda contains items that allow the bureau to defend existing revenue streams and pursue new ones as available.

Agenda Items

7 Time Certain in [January 10-11, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/1/10)
(<https://www.portland.gov/council/agenda/2024/1/10>)

Accepted

Motion to accept the report: Moved by Mapps and seconded by Gonzalez.

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

CITY OF PORTLAND

2024 Federal Legislative and Regulatory Agenda



City of Portland Council

Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Rene Gonzalez

Commissioner Mingus Mapps

Auditor Simone Rede

2024 FEDERAL LEGISLATIVE AND REGULATORY AGENDA PRIORITIES

Community Safety and Behavioral Health

Addressing Homelessness and Housing Stability

Economic Recovery and Development

Racial Justice and Civil Rights

Climate and Environmental Justice

Infrastructure Investment

Maintaining Local Authority and Opposing Preemption

It is the policy of the City of Portland that no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in any city program, service, or activity on the grounds of race, color, national origin, disability, or other protected class status. Adhering to Civil Rights Title VI and ADA Title II civil rights laws, the City of Portland ensures meaningful access to City programs, services, and activities by reasonably providing: translation and interpretation, modifications, accommodations, alternative formats, and auxiliary aids and services. To request these services, contact 503-823-4130, City TTY 503-823-6868, Relay Service: 711.

Prepared by

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City of Portland 2024 Federal Legislative and Regulatory Agenda

The City of Portland is guided by six Core Values, including equity and anti-racism. In adopting these values, the City has affirmatively stated that it is an anti-racist institution, of which, the institution and all its employees are collectively responsible in dismantling institutional and systemic racism, discrimination, and oppression. The City's vision is rooted in enhancing the conditions for community members to have the resources and opportunities needed to thrive.

In alignment with the City's Core Values, and the Citywide Racial Equity Goals and Strategies, the Office of Government Relations is dedicated to partaking in and upholding the City's responsibility in centering racial and disability equity in the City's federal advocacy work. Recognizing that Black people, Indigenous people, People of Color, members of Tribal nations and urban Native communities, individuals with disabilities, older adults, immigrants, refugees, people who are LGBTQIA2S+, veterans, and individuals experiencing poverty are often disproportionately affected, the City of Portland is committed to ensuring existing inequities are not exacerbated and is working to repair past and present harm through the City's federal advocacy work.

Portland, like many cities throughout the nation, faces enormous challenges in public safety, housing, homelessness, livability, and our economy. All levels of government must respond with an urgency that matches the scale of these challenges. We must prioritize safe, effective treatment and care and provide a sustainable path out of homelessness and addiction. In recent years, the City has diverted millions of dollars from traditional city services to establish rapid response cleanup initiatives, to provide outreach to people experiencing unsheltered homelessness, to create new forms of mobile crisis response, and most recently to create alternative shelter sites to serve chronically homeless individuals.

The City seeks to partner closely with federal, state, and local partners to tackle the crises we face head on. Together, we can show Portlanders that their government can provide humane interventions that care for people in need and make meaningful progress in restoring safe, clean, livable streets.

The City of Portland's 2024 Federal Legislative and Regulatory Agenda is structured to reflect the shared priorities of the Portland City Council: developing new models for community safety and behavioral health, addressing homelessness and housing stability, and supporting economic recovery and development. The Agenda also addresses racial justice and civil rights, climate and environmental justice, infrastructure investment, and maintaining local authority and opposing preemption.

COMMUNITY SAFETY AND BEHAVIORAL HEALTH

The obligation to keep Portland communities safe rests in many hands. The City is committed to advocating for policies that enhance safety for all Portlanders, expand access to critical behavioral health and substance use services, and stem the supply of the dangerous controlled substances. The City is advocating for federal funding and policies to develop public safety solutions that best fit the needs of our community and allow all Portlanders to feel safe. The City will also pursue policies and resources to adequately address behavioral health needs, including access to mental health services, substance abuse treatment, and other supports. These policies would:

- Increase Federal resources and coordination to support **interdiction of interstate drug trafficking**, particularly of fentanyl and methamphetamines.
- Support **Portland Street Response** to respond to low-acuity behavioral health and non-emergency medical calls.
- Support increases in **federal resources for mental health and behavioral health services** through Substance Abuse and Mental Health Services Administration and the Veterans Administration, and support the staffing needs for intensive in-patient services, such as increases in base-pay and benefits.
- Enact legislation, such as the **George Floyd Justice in Policing Act**, to regulate use of force policies, mandate data collection on police encounters, and reform the **qualified immunity** doctrine for law enforcement officers.
- Support continued funding for the **Urban Areas Security Initiative (UASI) Grant Program** to priority metropolitan regions including Portland and prohibit the use of UASI dollars to acquire military-style equipment for use by law enforcement or to support military training for police personnel.
- Advocate for increased funding opportunities for local **gun violence prevention programs**.
- Support increases in funding and legislation for **domestic violence intervention and prevention**, including specific resources and policies to mitigate homelessness among survivors of domestic violence, ensure access to accountability for survivors in both family and criminal court proceedings, and provide protections for Native American survivors of domestic violence and address jurisdictional obstacles to prosecution on reservations.
- Advocate for pre-disaster mitigation programs to include an emphasis on **wildland-urban interface hazards** in truly urban settings.

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- Pursue federal requirements that owners and operators of **critical energy infrastructure** seismically upgrade their facilities and ensure that liability for public safety and environmental damage in incidents relating to seismic events would be held solely by the owners and operators of those facilities.
- Support funding for the **Federal Emergency Management Agency Assistance to Firefighters Grants** for firefighters and other first responders to obtain critically needed resources for protecting the public and emergency personnel from fire and related hazards.
- Expand law enforcement, legal protections, and increase resources to **help survivors of sex trafficking**, and recognize that these crimes disproportionately impact Black, Indigenous, and People of Color and therefore a coordinated network of trauma-informed services and policies that help survivors of sex trafficking should be culturally specific.
- Support programs and funding to **incentivize recruitment and retention of police officers**, and advocate for expansion of programs to examine changes in hiring practices and ways to involve the community in recruiting.
- Continue funding by the U.S. Geological Service to the **West Coast Earthquake Early Warning System** for installing and maintaining seismic sensors at locations throughout California, Oregon, and Washington.
- Seek Federal regulatory relief requiring actions by wireless providers to **limit inadvertent 911 calls**.
- Enact federal legislation directing the White House Office of Management and Budget (OMB) to **reclassify 911 telecommunicators and dispatchers** in the federal government's Standard Occupation Classification System as "public safety workers."

ADDRESSING HOMELESSNESS AND HOUSING STABILITY

Meeting the needs of those experiencing homelessness and lack of access to affordable and safe housing is a top priority for the City of Portland. The City of Portland is committed to keeping families and individuals housed and establishing appropriate measures to support and shelter houseless community members. This work spans beyond funding for essential federal affordable housing programs and rental assistance into tackling the root causes of an individuals' homelessness, including, but not limited to access to workforce training and behavioral health services. Therefore, the City will advocate for policies and regulations that:

- Update the **federal definition of who is experiencing 'homelessness'** to recognize that those in outdoor 'alternative' sheltering strategies like villages and safe park programs, those who live in situations where there are multiple households in one dwelling, and those who are exiting institutional settings like jail, hospital, inpatient treatment, and foster care who have no stable housing options upon exit, are experiencing homelessness.

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Such an update will also ensure that the definition no longer understates the true unmet need or conceals the actual level of racial disparities in homelessness.

- Support funding for the **Emergency Solutions Grants** and **Continuum of Care** programs which assist government and nonprofit homeless and homeless-prevention organizations.
- Identify pathways for the use of appropriate **surplus federal property** for outdoor ‘alternative’ sheltering strategies like villages and safe park programs.
- Prevent mass evictions and foreclosures through additional funding for **emergency rental assistance, mortgage assistance, and enhanced eviction and foreclosure prevention.**
- Maintain low-income Americans’ access to courts through the **Legal Services Corporation** to effectively protect their legal interests, livelihoods, health, and families. The City also will advocate for a **national right to counsel for renters** to make access to the justice system more equitable and to assist in combatting displacement of rent-burdened families, who are disproportionately Black, Indigenous, and People of Color.
- Identify federal funding opportunities for **preservation of existing affordable housing** through **community land trusts.**
- Advocate for **providing Housing Choice Vouchers as an entitlement** to extremely low-income older adults and people with serious long-term disabling conditions who are eligible for Supplemental Security Income.
- Support **lowering the 4% Low-Income Housing Tax Credit (LIHTC) threshold for Private Activity Bond financing** from 50% to 25%.
- Advocate for federal affordable housing programs, such as the **Community Development Block Grant Program (CDBG), HOME Investment Partnerships program (HOME), and Housing Opportunities for Persons with AIDS (HOPWA)** programs.
- Support policies to **close the minority homeownership gap by expanding the number of first-time homebuyer tools for low- and moderate-income households**, including but not limited to first-time homebuyer tax credit, first-time homebuyer down payment assistance grant program, and flexibility for borrowers with student debt.

ECONOMIC RECOVERY AND DEVELOPMENT

The City of Portland will advocate for crucial federal resources, policies, and practices to bolster economic security, equitable wealth creation, and a vibrant civic life for all Portlanders, while prioritizing historically marginalized populations. Keeping families and individuals housed with food, water, heat, and power through this period of instability and increased economic pressures is paramount to the well-being of Portlanders. Therefore, the City will advocate for federal policies and action that:

- Ensure **continued flexibility in financial assistance to local governments** to continue providing vital services to their communities and assist small businesses and community organizations.
- Increase funding to the **Community Development Block Grant** used to implement adult and youth workforce development programs, as well as for development and preservation of affordable housing.
- Increase funding for programs through the departments of Labor, Education, and Health and Human Services under the **Workforce Investment and Opportunity Act** for job training, dislocated workers, and placement assistance.
- Support creation of a **Federal Qualified Office Conversion Tax Credit** to assist downtown revitalization.
- Address the need for **digital equity and inclusion** by supporting equitable investment in broadband deployment to provide access to the internet throughout the entire country.
- Support the implementation of the **Department of Health and Human Services water and wastewater utility rate assistance program**.
- Resume the ability to **advance refund municipal bonds**, which was lost in the 2017 Tax Cuts & Jobs Act, to provide cities the ability to reduce short-term cash outflows and focus those financial resources on addressing other needs.
- Support policies and resources to invest in artists and the arts, including funding to the **National Endowment for the Arts** and the **National Endowment for the Humanities**, which have a direct impact on local institutions, libraries, non-profits, and artists.
- Establish equitable federal cannabis law and regulation to address small business support and banking regulation via the **SAFE Banking Act**, workforce development, and re-entry housing.
- Provide federal **childcare assistance** for tuition and copayment relief to families, and to help childcare providers retain staff and remain open.

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- Work with partners to expand access to **USDA Food and Nutrition Service Programs**, such as the Supplemental Nutrition Assistance Program (SNAP) and expand culturally appropriate food offerings to families.
- Support funding for federal programs for **youth mentoring, chronic disease prevention and management**, and **community led learning** that are utilized by the Portland Parks and Recreation Bureau.

RACIAL JUSTICE AND CIVIL RIGHTS

The City of Portland is advocating for anti-racist public policy at the federal level to strive for more equitable outcomes for our community members. The City recognizes and acknowledges impacts of public policy that lead to inequitable outcomes and is actively engaged in evaluating and challenging its own practices, and will advocate for the federal government to:

- Support, in concert with Tribal partners, efforts to preserve tribal members' and their descendants' rights for **tribal sovereignty and self-governance** secured under Indian treaties, executive orders, and benefits to which they are entitled under the laws, treaties and Constitution of the United States.
- Establish **federal reparations for Black and Indigenous communities**.
- **Strike the 'Punishment Clause' of the 13th Amendment** to fully abolish slavery in the United States Constitution.
- Create a **federal anti-displacement program** to provide programmatic funding to stabilize households, businesses, and cultural institutions, especially for Black, Indigenous, and People of Color, and to mitigate against the risks of displacement that can occur from infrastructure improvements.
- Ensure access to polling places through expanded early voting and vote-by-mail, **strengthen protections under the Voting Rights Act**, and **designate Election Day as a national holiday**.
- Support the implementation of the **Deferred Action for Childhood Arrival program** and protect those who are applying, and work with advocacy partners on **comprehensive immigration reform**.
- Support legislation and administrative action to **redress the past enforcement, prosecution, and stigmatization of cannabis** that most acutely impacted the Black, Indigenous and Latinx communities by passing legislation that creates economic development opportunities, reinvestment in community health and education, and federal and state expungement.

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- Support federal codification of the right to access **comprehensive reproductive health care, including abortion**.
- Support federal codification of **discrimination protections based on sex, sexual orientation, and gender identity**.

CLIMATE AND ENVIRONMENTAL JUSTICE

The City of Portland is committed to safeguarding public health and the environment, swiftly reducing carbon emissions, and transitioning to clean energy while reducing energy costs for low-income and the most vulnerable in our communities, and building resilience and stability for Portlanders, especially those who were historically marginalized and overburdened by past infrastructure and transportation decisions. Effective implementation of these goals can only truly be met with intentional and robust federal engagement and support. To further actions taking place at the local, regional, and state levels, the City will advocate to:

- Support federal programs and pursue funding opportunities created by the **Inflation Reduction Act** that advance the goals of the City's Climate Emergency Workplan, including implementation of energy efficiency and clean energy production projects using renewable hydrogen, solar, wind, and geothermal technologies.
- Support federal investment and opportunities for **innovation in the transportation sector to reduce carbon emissions**, including creating incentives for strong fuel economy and emissions standards, clean freight strategies, equitable multimodal investment to encourage mode shift, and an equitable transition for transportation funding away from fossil fuels.
- Identify and advance federal funding opportunities, such as the **Building Resilient Infrastructure and Communities (BRIC) grant program**, for investment in **climate resiliency projects**, which may include increasing the urban tree canopy, climate resiliency planning in the built environment, community resiliency centers, landslide prevention, flood prevention and floodplain restoration, mitigation banking, wildfire prevention and management, neighborhood scale energy resilience, green fleet infrastructure, and resilient city facilities.
- Pursue **U.S. Environmental Protection Agency (EPA) brownfield remediation grants** to create opportunities to address environmentally damaged properties that are often located within communities of color.
- Fund environmentally important **Water Resources Development Act projects** in the Willamette River basin, including at Tryon Creek and Johnson Creek.

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- Support the City's continued leadership in assuring that the **Portland Harbor Superfund Site Cleanup** process continues as quickly as possible, that those who are responsible for the contamination are held accountable, that the needs of the communities who disproportionately are impacted due to their proximity and use of the river are addressed, and that the EPA continues to consider workforce development and community involvement as needs and opportunities arise. Additionally, the City supports the implementation of Sec. 1075 of the National Defense Authorization Act for Fiscal Year 2022 to ensure the Department of Defense accounts for its responsibilities in connection with Superfund facilities.
- Pursue changes to the **National Flood Insurance Program** that address the needs of flood management in urban areas, including modernizing flood mapping to include climate change, analyzing participation rates, expand acquisition opportunities for high-risk properties, as well as provide for community-level mitigation activities.
- Maximize the impact of City investments in waste to energy processes to capture methane that produces renewable electricity and renewable natural gas for use as a transportation fuel through the support of the **Federal Renewable Fuel Standard (RFS)**. Continue renewable energy **investment and production tax credits**, EPA approval of the **Renewable Identification Number (RIN) split methodology**, the **electric fuel pathway**, and **implementation of the annual renewable volume obligation (RVO)** as required by the Clean Air Act.
- Assert the City's interests **in federal environmental rulemaking** related to protection of water quality, endangered species survival and recovery, and toxics, and advocate for better data to understand the impacts of the rule changes on Black Communities, Indigenous Communities and Communities of Color to help guide policies in creating equitable outcomes.
- Increase funding for the **Diesel Emissions Reduction Act** to support state and local governments to speed the transition to low-emitting and zero emission on-road and non-road vehicles, such as providing grants for upgrading or retrofitting tier-zero engines for COBID-certified private contractors.
- Require the **safe transportation of oil by train**, including transparency in shipments, resilient oil cars, and regulating the internal pressure of the tanker cars to mitigate for explosions.
- Create targeted **federal investment in urban parks** to serve low-income neighborhoods and communities of color who have often had less access to quality parks and greenspaces.
- Invest in the **U.S. Forest Service's Urban and Community Forestry Program** to help sustain trees and forests where people live, work, and play in our community.

INFRASTRUCTURE INVESTMENT

The City of Portland believes a strong federal partner in the investment in infrastructure is essential for the health and safety of the public and the environment, and the growth of the local economy. The City will work to:

- Ensure the implementation of funding opportunities and programs in the **Infrastructure Investment and Jobs Act** supports City interests in meeting safety, equity, climate, and mobility goals.
- Support federal investment and policy support for **maintenance and operation** of existing infrastructure systems.
- Support development and implementation of a **federal mileage-based road user fee** to ensure that transportation revenue is not reduced by vehicle decarbonization.
- Support federal **investment in electric vehicle infrastructure** throughout the city, and specifically for public safety applications.
- Support increased investment in transit systems through the **U.S. Department of Transportation's Small Starts and New Starts programs**.
- Identify federal funding opportunities for the **Broadway Corridor** project, **OMSI district** development, and **Lloyd Center** redevelopment, and support funding requests for upgrades to **Union Station**.
- Support congressional appropriations for the **U.S. Army Corps of Engineers' Portland Metropolitan Levee System (PMLS) Project** in coordination with the Levee Ready Columbia regional partnership to support federal recertification and accreditation of the PMLS.
- Identify and advocate for federal funding opportunities for **cybersecurity and technology infrastructure investment**.
- Support updating and expanding the **Drinking Water State Revolving Fund and the Clean Water State Revolving Fund** to make them useful for the City's drinking water, wastewater, and stormwater capital projects.
- Support efforts for establishing **high-speed passenger rail in the Pacific Northwest**.
- Provide funding to the **EPA Water Research Grants** program to assist the City in deploying peer-reviewed and applied research to benefit public health and positively impact outcomes for all Portlanders.

MAINTAINING LOCAL AUTHORITY AND OPPOSING PREEMPTION

Local authority is critical to the City of Portland's ability to respond nimbly and effectively to both local community and city operational needs. The City of Portland opposes efforts to curtail its authority to develop and enforce local ordinances and voter-approved measures, manage its bureaus and their functions, and maintain and raise revenue consistent with the City's principles and values. To enhance the City's ability to address policy issues locally and effectively administer its programming, the City will advocate for the following federal actions:

- Enact legislation to **ensure local consent is required for the federal deputization of local law enforcement officers.**
- Protect **local authority to manage the public right-of-way for telecommunications, broadband, and cable facilities** including the siting and local management of zoning for telecommunications, broadband, and cable facilities; the establishment of rates, fees, or taxes for the use of right-of-way; the ability to enter into leases for City-owned property; setting fees for permitting; and creating and maintaining local permitting timelines.
- Establish **strong federal privacy protections for individuals while allowing cities to responsibly deploy technologies** that best serve their communities. This includes, but is not limited to, consumer privacy, biometric data collection and distribution, surveillance policies, and facial recognition technologies.
- Protect **local regulations on transportation network companies, automated vehicles, and e-scooters** to support the City's transportation system policies of advancing equity, mitigating negative impacts on public safety and carbon emissions, and establishing appropriate fees.
- Develop regulations to **prioritize inventories of chlorine and caustic soda** from manufacturers and/or distributors for use by the water sector.
- **Maintain local authority over chemical treatments for drinking water systems**, and to keep the Environmental Protection Agency as the oversight body for the water sector.

