

# 2019 Federal Legislative Agenda



## General Statement of City Legislative Focus

The City of Austin's Federal Legislative Agenda for the 116<sup>th</sup> Congress reflects the City's priorities for efficient and cost-effective government services that foster Austin's prosperity, sustainability, and safety.

The City of Austin supports policies, legislation, and regulatory actions that:

- Provide an equitable distribution of federal funds
- Address the concerns and needs of large metropolitan cities in the areas of transportation, public safety, affordable housing, vibrant and healthy neighborhoods, energy and the environment
- Recognize the important role strong cities play in our nation's economy and as innovators in broad areas of public policy
- Provide a solid safety net for economically vulnerable populations
- Recognize the challenge of climate change and the need to develop economically sustainable ways to address it
- Protect Austin's civil rights ordinances and support the expansion of the rights, programs, and services provided to all protected classes under Austin's civil rights ordinances.
- Protect and preserve Austin's creative economy and ability to serve and support local artists and arts organizations through any federal enabling legislation.
- The City of Austin's continued growth depends in large part on our City's ability to deliver quality educational opportunities for our future workforce. The City supports legislation and funding that will enhance and create programs that increase quality access to education.

The City of Austin opposes any policies, legislation, or regulatory actions that:

- Erode the home rule authority of municipalities
- Constrain the ability of the City to allocate resources to areas of locally determined concern
- Preempt City authority in matters generally and traditionally left to the domain of local government
- Attempt to diminish the City's ability to protect Austinites' employment, housing, public accommodation, and other civil rights which would threaten Austin's welcoming environment to businesses, conventions, and events and would tarnish Austin's status as an inclusive community for all

## Transportation

The Austin Transportation Department (ATD) is responsible for a variety of transportation, mobility, and safety functions throughout the community. ATD works with all modes of transportation and many Austin-area partners and agencies to deploy a multi-modal network.

The City of Austin urges Congress and the Administration to study and give equal consideration to all potential surface transportation financing mechanisms to ensure adequate funding for federal highway and transit programs.

In addition, the City supports the following broad principles:

- Increase sub-allocation to metropolitan areas and expand mode neutral choices and funding for metropolitan areas
- Directly provide funds to cities for innovative urban transportation solutions
- Fully fund the Congestion Mitigation and Air Quality Improvement Program in order to help metropolitan areas meet federal clean air mandates and provide funding support for cities to avoid non-attainment status
- Continue funding renewable and electric vehicle development, and infrastructure support to reduce CO<sub>2</sub> emissions
- Maintain a strong transit program by increasing discretionary and formula funding
- Maintain a strong metropolitan planning process that maximizes the decision making power of local elected officials and communities while balancing the needs of urban and rural areas
- Provide funding for Travel Demand Management programs that reduce reliance on Single Occupancy Vehicle trips on both highways and city arterials
- Provide funding and policy support for automated vehicles, vehicle-to-vehicle and vehicle-to-infrastructure technology
- Fund the robust collection of data, and use of analytics, to improve travel operations, provide real-time traveler information, and inform infrastructure investment decisions
- Continue funding for Transit Oriented Development (TOD) grant programs and maintain financing programs for TOD investments at transit stations and multimodal facilities
- Promote policies and support funding for an “All Ages and Abilities Bicycle Network” to reduced drive-alone trips into the center city, decrease the mobility cost burden, and increase access to physical activity and improved air quality
- Promote policies and support funding for Pedestrian Safety Initiatives grant programs and formula funding to continue to address safety towards eliminating fatalities and injuries and promote connectivity for people walking

### **Interstate Highway 35**

Interstate Highway 35 (IH-35) is an internationally significant highway that ranks as one of the most congested corridors in state and national surveys. To address the issues and congestion the IH-35 Corridor is having on the region, the City of Austin; Texas Department of Transportation (TXDOT); Capital Area Metropolitan Planning Organization; Federal Highway Administration; Central Texas Regional Mobility Authority; Capital Metropolitan Transportation Authority; Hays, Travis, and Williamson Counties; City of Round Rock; and Texas A&M Transportation Institute are working to study the corridor in a proactive manner.

Unlike past corridor studies which focused on large scale, long-term improvements, this program will pursue short and mid-term (3-10 years) projects. These projects are intended to improve the

functional capacity of existing roadways without requiring significant additional right-of-way, environmental impact or incurring substantial costs. With an emphasis on near- to mid-term projects and strategies, the program team looks to identify potential cost-effective projects that will accomplish the following objectives:

- Increase mobility for people and goods through the Capital Area
- Improve transit and high occupancy vehicle opportunities
- Improve safety, efficiency, and access to and through the corridor for all users
- Decrease travel demand on IH-35 by improving transit and bicycling networks, especially for short trips
- Provide travel demand management strategies, communications, and programs to remove drivers from the roadway
- Identify cost-effective projects
- Protect air quality and reduce the region's carbon footprint
- Reduce or mitigate current corridor impacts on the adjacent communities
- Improve opportunities for economic development
- Provide better information for travelers
- Improve reliability of the IH-35 corridor

The City of Austin supports legislation to reauthorize federal surface transportation programs that provide for an equitable distribution of highway funds for Texas, and directly provide funds and flexible financing mechanisms to cities for innovative urban transportation solutions. Regional roadway transportation projects include the IH-35, Loop 1 (MoPac), U.S.-183 and Bergstrom Expressway corridors.

### **Aviation**

The Austin-Bergstrom International Airport (ABIA) is run by the City of Austin Aviation Department and is a self-sustaining enterprise. ABIA generated over \$7.6 billion in economic activity in 2017 and supports more than 74,000 jobs in the Austin area. Almost 16 million passengers will travel through ABIA this year, making it the 30<sup>th</sup> busiest airport in the United States and the second fastest growing airport in the country.

Domestic and international travel, cargo, tourism, and trade to the Austin and national economies are key to continuing the growing Austin economy. International air travel capacity has nearly doubled for the Austin airport in the last two years. Congress is urged to ensure adequate staffing of Transportation Security Administration and Customs and Border Protection personnel at ABIA and our nation's airports.

The City supports federal aviation programs that:

- Maintain a guaranteed funding mechanism that ensures that all Airport and Airways Trust Fund revenues are spent on aviation programs
- Maximize the flexibility of the Airport Improvement Program
- Provide local governments and airport authorities with support and necessary resources to provide for a safe and efficient aviation system

In particular, the City supports an increase in the cap on the Passenger Facility Charge (PFC) and increased flexibility in the use of PFC revenue on airport infrastructure. The City is disappointed that the recent reauthorization of federal aviation programs did not include a PFC increase and urges Congress to enhance this vital source of airport infrastructure financing, which

is especially critical to enhancing competition and improving the passenger experience at rapidly growing airports such as ABIA.

Tax exempt bonds are especially important to airport infrastructure. The City strongly supports the preservation of tax-exempt bonds and flexible funding and project delivery methods to accelerate innovation, construction, and job growth.

The City also supports the issuance of a letter of intent from the Federal Aviation Administration to provide federal funding for airfield safety, enhance capacity, and support overall airport growth.

The City urges Congress to recognize the importance of intermodal connections and to make it as easy as possible for local governments to construct transit and intermodal passenger facilities linking airports with the central cities and regional employment centers that they serve.

## Electricity and Public Power

Austin Energy, the City of Austin's publicly owned utility, is owned by its Austin area customers who see a return on their investments through paying one of the lowest electric bills in Texas. The power generated by Austin Energy is essential to the State's ability to meet peak demands and respond to potential blackouts. In fact, some of the largest companies in the state choose to call Austin home in large part because they know that their energy source will be reliable. Providing reliable energy at low costs is vital to continuing the growing Austin economy.

The City of Austin opposes any legislative or regulatory actions that:

- Erode state authority over the Electric Reliability Council of Texas
- Prevent the Environmental Protection Agency from implementing regulations under the Clean Air Act, including:
  - the Clean Power Plan
  - the Cross State Air Pollution Rule
  - the Mercury and Air Toxics Standard Rule

The City supports legislation that encourages government and industry information sharing on both cyber and physical security threats. Legislation should ensure that the federal government provides timely, actionable information to the electric sector to enable it to respond appropriately to threats.

The City supports legislation that promotes increased energy efficiency standards including those for appliances and building codes. It supports tax incentives to individuals and businesses that promote energy storage systems. The City supports legislation that extends the Production Tax Credit and the Investment Tax Credit for renewable energy projects. It also supports federal tax incentives that promote technologies based on their carbon neutrality.

Lastly, the City supports legislation designed to promote renewable energy and reduce CO<sub>2</sub> emissions. This includes legislation that promotes or mandates a federal Clean Energy Standard, which requires a certain amount of an electric utility's portfolio to generate electricity without CO<sub>2</sub> emissions. The City is also in favor of legislation that requires a certain percentage of an electric utility's portfolio come from renewable energy.

## Housing & Community Development

The City of Austin is committed to making the City and its neighborhoods a better place to live, work and play. A major focus of these efforts is to create and maintain strong neighborhoods and to provide safe and affordable housing; a suitable living environment and economic opportunities, specifically for individuals who are of low- and moderate-income.

To these ends, the City strongly supports the continuation of federal dollars to address the growing needs of Austin's low-income community including the following programs administered by the city's Neighborhood Housing and Community Development Office:

- Community Development Block Grant
- Home Investment Partnership Program
- Housing Opportunities for Persons with HIV/AIDS
- Emergency Solutions Grant
- Section 108 Guaranteed Loan funds
- State and Local Bond Financing Programs
- Low-Income Housing Tax Credits

### **Fair Housing**

The City of Austin is strongly committed to affirmatively furthering fair housing and factors fair housing when crafting policy and delivering city services. The City believes that the 2015 Fair Housing Rule holds great promise to help local government meet fair housing goals.

The City has serious concerns about the Administration's decision to repeal the 2015 Fair Housing Rule.

- Since the issuance of the 2015 Fair Housing Rule, the City and its regional partners have spent considerable resources to adapt local programs and policies to it, and the City is concerned that major changes to federal fair housing rules will require further expenditure of local resources.
- In addition, based on the 2018 Fair Housing Advanced Notice of Proposed Rulemaking and the statements of Administration officials, the City is deeply concerned that the Administration is seeking to implement rules and policies that will weaken rather than enhance fair housing.

### **Community Reinvestment Act**

The Community Reinvestment Act (CRA) has played a critical role in Austin's community development and economic development efforts. CRA has helped ensure that all Austin neighborhoods receive banking and lending services, prevent discrimination in lending, and address continuing inequities that arose from historically racist and discriminatory banking and lending practices.

The City recognizes that CRA regulations are overdue for an update. The banking industry has experienced major changes since banking regulators last updated them. However, the City would support any updates to CRA regulations that are undertaken with the primary goal of meeting CRA's underlying statutory goals of strengthening investment in historically underserved neighborhoods rather than simply making it easier for banks to receive a positive CRA rating. While the goal of reducing CRA's regulatory burden on banks may have some merit, it does not override the importance of CRA's core goal of ensuring that banks meet the financial services needs of all communities.

## Immigration

The City of Austin values inclusivity and recognizes the immense economic, social, and cultural contributions that people of all national origins and immigration statuses have made to this country. The City believes immigration is a federal policy issue, not a local one, and immigration enforcement laws should be nationally based, consistent, and federally funded.

The City of Austin opposes legislation that attempts to shift the cost and/or responsibility of enforcing civil immigration law to local governments and penalize them through the denial of federal funding.

The City of Austin supports legislation that provides comprehensive immigration reform and a path to citizenship for immigrants, including but not limited to recipients of Deferred Action for Childhood Arrivals.

The City of Austin supports legislation that provides comprehensive immigration reform; opposes any legislation or federal action that would maintain or expand funding for a border wall or physical barrier along the U.S.-Mexico border; and opposes any legislation or federal action that would further militarize the border or maintain or expand the role of federally-funded private prisons for the purpose of detaining immigrants.

The City of Austin supports policies that keep families together and out of detention centers, provide for immediate reunification of families already separated, and stop needlessly prosecuting border crossing offenses; and opposes any immigration policy that results in criminal prosecution or mass incarceration of migrants, including children, the use of for-profit private prisons to enforce immigration laws, or families being forcibly separated.

### **Public Charge**

The City of Austin is deeply concerned about the Administration's proposed "public charge" rule.

- The City fears that if finalized, the proposed rule would reduce the number of legal immigrants coming to this country and applying for legal permanent resident status and discourage individuals who have immigrated here legally from accessing benefits and services for which they are clearly eligible.
- The City is especially concerned that the rule could have a chilling effect on families of low- and moderate-income with a non-citizen member, discouraging the use of services that are critical to children's health, nutrition, and development and to public health.
- The City is also concerned that although the proposed rule does not impact services to the citizen children of immigrants, it would create fear in immigrant communities, discouraging parents from applying for nutrition and health care assistance.

The federal government has long recognized that programs that support health care and nutrition help families thrive and remain productive.

- Current regulations determining who is likely to become a "public charge" are limited to cash assistance, such as Supplemental Security Income and Temporary Assistance for Needy Families and government-funded institutional long-term care.

The Administration's proposal would broadly expand the kinds of assistance counted when making a "public charge" determination, forcing immigrant families to make an impossible choice between meeting basic needs and keeping their families together in this country.

- The proposed rule would expand the “public charge” determination to include key health care, nutrition and housing programs that help participants meet basic needs, including non-emergency Medicaid, Medicare Part D low-income subsidies, Supplemental Nutrition Assistance Program; and housing assistance.

In addition to its impacts on child health, nutrition and development, the proposed regulation would also have a direct, negative effect on Austin’s local economy and public health and would impose significant new administrative burdens on the City and other local public agencies.

## **Watershed Management**

The City’s Watershed Protection Department has partnered with the U.S. Army Corps of Engineers since 1999 to find solutions to flooding in the Onion Creek area. The Lower Onion Creek Flood Control and Environmental Restoration Project includes the acquisition of 483 properties and has an estimated total cost of \$73.2 million.

The City of Austin appreciates the congressional delegation’s strong and steadfast support for this critical project.

The City of Austin supports continued funding of federal programs to mitigate damages from flooding incurred by the increasing number of extreme weather events, including but not limited to additional funding to improve floodplain maps based on the best available information and the Disaster Recovery Reform Act of 2018.

The City opposes any efforts to diminish federal protection of the environment and wildlife, including endangered species.

## **Payday Lending**

The City supports regulations and legislation that enhances the City’s ability to regulate this area of lending. The City of Austin is one of 35 Texas cities to enact a uniform payday lending ordinance designed to protect borrowers from excessive fees and interest rates.

The federal Consumer Financial Protection Bureau is looking at new rules to regulate what are considered predatory lenders

The City strongly supports these proposed rules and strongly urges the Administration to finalize and implement these rules, which are critical to protecting Austinites from predatory lenders.

## **Public Health**

The Austin Public Health Department, per federal, state, and local laws, provides preventative health services for the public in order to optimize their health and well-being. These services include:

- The Special Supplemental Nutrition Program for Women, Infants, and Children
- Family Connects Nurse Home Visiting Program
- Sexually Transmitted Disease testing and information programs including other communicable diseases



- Disease prevention such as immunizations, chronic disease prevention and educational outreach.
- Public health nursing services including clinical screenings, case investigation and management
- Registration and issuance of vital records, such as birth and death certificate, medical amendments to death certificates, and transport of burial permits
- Environmental health services including food safety, rodent and vector control, and pool/spa inspection
- Development of education outreach material for bioterrorism agents and diseases such as influenza, Zika, West Nile Virus, Ebola, and other high consequence infectious disease
- Maternal health programs which provide services to mothers before birth and up to 1 year after the baby is born.
- Restaurant permitting and sanitation scoring
- Pandemic flu information

Austin Public Health also works on issues of health equity and disparities, public health emergency preparedness planning and response, outbreaks related to disease, foodborne illness and exposures to environmental hazards and natural disasters.

The City of Austin supports funding that will enable first responders to protect the health, well-being, and safety of residents. The Expanded Mobile Crisis Outreach Team (EMCOT) provides a team of mental health professionals who respond to emergencies which involve a psychiatric crisis. EMCOT was established in 2013 with funding from the 1115 Medicaid Waiver; however, due to changes to the Waiver, EMCOT has not been eligible for funds since August 31, 2018. The City supports policies, regulations, and legislation that would once again make federal funding available for EMCOT.

The City of Austin, the state of Texas, and other regional partners administer several programs to promote maternal and early childhood health; many of them are federally funded. The City appreciates the recent reauthorization of Maternal, Infant, and Early Childhood Home Visiting Program (MIECHV) through FY 2022 and recent funding increases for the Maternal and Child Health Block Grant and WIC. The City also appreciates the recent long-term reauthorization of the Children's Health Insurance Program (CHIP) which provides a broad foundation for children's health. The City of Austin supports continued and increased funding of programs targeted at maternal and early childhood health.

The City of Austin supports high quality child care and supports legislation that creates equitable access to and availability of affordable, quality child care and education for all families of children age birth to five. The City also supports family support programs including evidence based home visiting. The City supports legislation that utilizes an intergenerational, results-focused, evidence-based effort to improve the well-being of future generations.

The City of Austin supports increased federal funding levels for the Medicaid and Medicare program to provide care for residents, including aging populations. The City further advocates for additional funding sources to ease local government entities' burden in providing care to the uninsured, including non-emergency ambulance and paramedic service in support of CHP, home health care, and other paramedicine programs that demonstrate improved health care outcomes and cost savings and reduce the burden on 911 systems and emergency rooms.

The City of Austin supports legislation that would maintain or expand funding for Planned Parenthood and opposes any legislation that would reduce funding for Planned Parenthood or endanger access to affordable health care. The City also supports the enactment of the Disability Integration Act.

The City of Austin supports legislation to provide funding for grants to local governments that would expand and improve existing efforts to address the opioid epidemic and calls on the federal government to stop the illicit trafficking of fentanyl, carfentanyl, oxycodone, and other opioids. The City of Austin also supports greater cooperation at the regional, state, and federal levels with regard to policy discussions on the issue of opioids and substance use/misuse.

### **Community Services Block Grant (CSBG)**

The City of Austin urges Congress and the Administration to fully and robustly fund CSBG. The City appreciates recent funding increases for this program but notes that like many federal programs, funding has not kept pace with need or inflation. Austin Public Health administers CSBG in Travis County, acting as the local community action agency to administer this vital safety net program, such as Austin Public Health's Neighborhood Centers Program.

## **Public Safety**

Ensuring the safety of Austin residents and visitors is a top City priority that depends on a strong federal-state-local partnership. Federal financial assistance, information sharing and other forms of cooperation are crucial to the City of Austin's public safety efforts.

The City calls on Congress and the Administration to fully fund core local law enforcement and Homeland Security programs including but not limited to:

- Community Oriented Policing Services
- Byrne Justice Assistance Grants
- State Homeland Security Grant Program
- Metropolitan Medical Response Systems
- Firefighter Assistance Grants
- Emergency Management Performance Grant

The City also calls on the United States Congress to enact Gun Control legislation that:

- Requires background checks for all gun sales
- Provides for prosecution of straw purchasers (i.e., when someone uses another person to execute the paperwork necessary to purchase a firearm from a federally licensed firearms dealer) and gun traffickers
- Limits the size of ammunition magazines
- Puts reasonable restrictions on public ownership of military-style guns
- Improves the accuracy and completeness of background check databases to ensure the safety of our residents
- Limits or prevents access to firearms by domestic abusers who are not currently prevented access by federal law, including abusers who victimize non-spouse partners; abusers who victimize a family member other than a partner or child; and convicted stalkers and others subject to a protective order
- Requires domestic abusers to surrender their firearms
- Regulates and prevents access to bump stocks

The City opposes any legislation or federal action that would deregulate gun silencers/suppressors.

The City of Austin supports the development of the national public safety communication network and encourages FirstNet to include local input in the structure and framework development process. The City urges Congress to require FirstNet to maximize the use of existing local government communication infrastructure.

The City also supports legislation that would provide resources for body and vehicle cameras for public safety responder and storage for the accompanying data.

The City supports legislation and funding which aids in wildfire prevention and mitigation plans that enables first responders to protect residents and their homes.

### **Urban Area Security Initiative (UASI)**

The City of Austin appreciates the delegation's assistance in securing Urban Area Security Initiative (UASI) designation for the Austin Metropolitan Area from 2008 - 2010. This designation provided the City and its first responders with equipment and training, and assistance in hardening critical facilities. It also led to the creation of the Austin Regional Intelligence Center, providing increased local capability for disrupting criminal and potential terrorist activity, as well as increasing cooperation between federal, state, regional, and local public safety officials. This funding ended in FY 2011 as the U.S. Department of Homeland Security reduced the number of UASI communities.

Nine of the top ten largest cities in the U.S. receive funding, ranging from \$5 million to \$179 million each. The City of Austin, as the eleventh largest city in the nation and the capital of Texas, is not one of the 29 funded urban areas and receives no funding.

The City requests that the funding be provided to include Austin as a UASI jurisdiction in order to sustain homeland security efforts.

## **Tax Credits and Revenue**

The City of Austin urges Congress to pass legislation that promotes sales tax fairness by authorizing states to collect sales taxes from out-of-state remote retailers and to fund the New Markets Tax Credit Program and other programs administered by the Community Development Financial Institutions Fund at the Department of Treasury to provide important incentives for private investment in localities that have been historically disadvantaged and economically impacted. The City supports the continuation of these programs and further calls on Congress and the Administration to fully fund the Economic Development Administration.

The City urges Congress to enact an incremental carbon fee and dividend, with tax proceeds distributed to the American people on a monthly basis, thus benefitting working families. The City also urges Congress to protect the competitiveness of American businesses by employing a carbon content based border adjustment.

The Tax Cut and Jobs Act capped the deduction for state and local taxes (SALT) at \$10,000. The City strongly opposes any further reduction in or elimination of the SALT deduction as it protects Austin taxpayers from double taxation and helps the City provide critical public services, including public safety and infrastructure. The City urges Congress and the Administration to maintain the

SALT deduction in comprehensive tax reform. The City further urges Congress and the Administration to revisit the recently enacted SALT cap and supports legislative proposals to eliminate or increase the cap, or index it to inflation.

## Opportunity Zones

The City of Austin has a robust and successful economic development program and boasts one of the nation's most diverse and vibrant economies. However, growth and economic opportunity have not been distributed evenly across Austin and has created its own set of challenges, most notably housing affordability and reduced mobility. These challenges disproportionately impact residents of low- and moderate-income – the very people Opportunity Zones are meant to help. The City hopes that the Opportunity Zone designations will provide an additional tool which will continue to attract new employers, address regional disparities, and tackle the affordable housing and transportation challenges that come with our strong economy.

The City is concerned that the statutory language that created the Opportunity Zone Program (26 USC 1400Z) falls short of what is needed to ensure the success of Austin's Opportunity Zones. The City supports clear guidance and regulations to prevent abuse of the Opportunity Zones Program. The City believes that in order for Opportunity Zones to be effective, the statute should have included language that required Opportunity Funds to actively consult and work with local government officials, local economic development officials, the public, communities in the targeted Census tracts, and other local stakeholders as they make Opportunity Fund investments.

## U.S. Army Futures Command

The U.S. Army Futures Command is located in downtown Austin, the first U.S. Army command to be located outside of a military base. After a competitive search of cities across the U.S., the City of Austin was selected to host the command. The City proactively seeks to spur economic development and increase innovation by building strong partnerships between the private sector, state and federal government agencies, and academia. The U.S. Army Futures Command is a testament to this partnership and the City supports continued investment in the Command.

## Tax Exempt Municipal Bonds

Tax-exempt bonds are the principal tool that state and local governments use to finance the nation's critical infrastructure. State and local governments are responsible for building and maintaining 75 percent of the nation's infrastructure, which is commonly financed through tax-exempt bonds. Tax-exempt bonds are a great example of federal, state, and local partnership. They provide for a fair allocation of the cost of critical infrastructure used by the general public between the federal, state, and local levels of government.

The City of Austin has financed \$1,532,175,000 of infrastructure investment through voter approved bond programs from 1998 to 2013. Eliminating the tax exemption would raise the City's borrowing costs substantially. As of December, 2016 the City would pay an estimated \$1.05 billion more in interest costs on its outstanding debt if all presently outstanding bonds of the city were sold on a taxable basis. The reduction or loss of the tax exemption would also mean less infrastructure investment, fewer jobs, and a greater burden on local residents forced to pay higher taxes and fees.

The City of Austin strongly opposes any efforts to cap, limit, or eliminate the tax deduction for municipal bonds. The City is supportive of efforts to increase the liquidity of the municipal bond market.

The City strongly opposed the elimination of the tax exemption for advanced refunding of municipal bonds and urges Congress to quickly enact legislation to reinstate advanced refunding.

The City is pleased with the creation of the bipartisan Municipal Finance Caucus and urges every House member of the City of Austin delegation to join and be active in it.

## **Telecommunications**

The City recognizes that competition in telecommunications, broadband, and cable TV services can yield more programming and applications, improved customer service, affordable rates for all, and technology deployment that meet the needs of its residents going forward.

The City supports preserving local authority in determining the most effective and efficient use of local communications services. The City opposes federal intervention in its ability to manage and control the public rights-of-way and to collect compensation for their use and management in an equitable and nondiscriminatory manner. The City also opposes any federal preemption of its ability to collect revenue from telecommunications providers doing business in the City, particularly when that revenue is collected as reasonable compensation for the private, profit-making use of public rights-of-way owned and maintained by the City.

The City also opposes any federal preemption by the Federal Communications Commission or Congress to preempt City zoning authority regarding telecommunications, cable TV, broadband, and wireless facilities and urges the federal government to comply with local zoning and safety regulations when placing such facilities on City property.

The City encourages Congress to provide funding for access to broadband services and digital literacy skills training to increase digital inclusion in the United States. The City encourages the creation and maintenance of one website with links to all federal digital inclusion resources.

Current federal regulations restrict the way that cities use the fees paid by cable providers to support city Public, Educational, and Governmental Access (PEG) channels. Congress needs to remove the unnecessary regulatory restriction requiring PEG funds to be used exclusively for capital expenditures so that those funds could also be used to support the operational expenses of PEG channels.

## **Water and Wastewater**

Water and wastewater utility providers are mandated to meet stringent federal and state environmental requirements in order to provide safe drinking water and wastewater services to the public. The City must repair, replace and rehabilitate aging and failing pipes and plants and build new infrastructure to comply with the increasingly complex regulations, protect public health; safeguard the environment; serve a growing population; and maintain the high quality standards that our residents have come to expect.

In general, the City of Austin supports all federal efforts to support local government water and wastewater infrastructure projects. This includes federal funding for low interest loans through the

State Revolving Funds for Clean Water and Drinking Water, as well as funding for the newly created Water Infrastructure Finance and Innovation Act program.

Finally, the City supports the continued exemption of the water sector from the Chemical Facility Anti-Terrorism Standards under the Department of Homeland Security. Since water and wastewater facilities are already in compliance with provisions in the Clean Air Act, the Emergency Response and Community Right to Know Act, and the Bioterrorism Act, local governments should be allowed to continue to manage these risks through existing laws.