

# Federal Legislative Agenda 117<sup>th</sup> Congress



## GENERAL STATEMENT OF CITY LEGISLATIVE FOCUS

The City of Austin's Federal Legislative Agenda for the 117<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
- Promote healthy and equitable communities and economic prosperity through the protection and preservation of the region's air, land, and water, including policies that recognize the global climate emergency and the need to develop economically sustainable ways to address it; increase community resilience to climate change; and support the general tenets of the Green New Deal.
- 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
- Affirm civil and human rights and ensure that those targeted on the basis of race, nationality, religion, or immigration status can turn to government without fear of recrimination.

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.

## Pandemic Relief

The City of Austin appreciates the swift action that Congress took in early 2020 to help local governments address the COVID-19 pandemic and its socio-economic repercussions. The CARES Act and its companion bills provided governments at all levels with tools and resources to directly address the public health crisis as well as the means to help businesses and households weather the social and financial challenges of the pandemic. The fiscal boost provided by the CARES Act backstopped our nation's economy during the first six months of the COVID-19 pandemic, mitigated the economic and social fallout of the pandemic, and prevented an economic freefall.

As our nation continues to grapple with COVID-19, the City of Austin urges the federal government to use all fiscal tools at its disposal to see our nation through this crisis and to support the economy in a manner that allows for a swift economic recovery from the pandemic. In particular, the City urges the federal government to provide additional pandemic relief that includes:

- Direct fiscal assistance to state and local governments to prevent budget cuts and layoffs that economists broadly agree will hurt pandemic response and stifle economic recovery
- Fiscal assistance to transit agencies and airports, including support for airport enterprises, to prevent layoffs, ensure post-pandemic continuity of operations, and avoid delays to much-needed capital investments
- Assistance to homeowners and renters, including protections to avoid foreclosures and evictions
- Additional investments in federal, state, and local public health infrastructure to ensure a strong pandemic response
- Additional assistance to small businesses, including targeted assistance to the smallest and most disadvantaged businesses and targeted assistance to small businesses in the hardest hit industries, such as the leisure and hospitality and creative industries, (Save Our Stages and similar proposals)
- Expanded unemployment insurance
- Legislation and funding to ensure appropriate oversight and enforcement of infectious disease protocols and mitigation rules in long-term care (LTC) facilities and provide widespread testing and associated personal protective equipment (PPE) for residents and staff in all LTC facilities
- Legislation and funding that provides high-risk workers with public health and safety protections, support, and education related to COVID-19, and
- Legislation and funding to improve disease and laboratory reporting and strengthen epidemiological responses to public health conditions or threats.

The City further supports legislation and funding and strengthening the resiliency of industries and communities in the face of climate, economic, and/or social shocks and stressors, including measures to:

- Strengthen the resiliency of the creative and hospitality industries, including live music & art venues, restaurants, and bars
- Strengthen the resiliency of the child care industry and insure equitable access during a disaster, including measures to increase child care subsidies and expand subsidy funding for full-day programs needed for school-age children in the event of virtual instruction, and measures to improve coordination at state agencies for guidance, data collection, and funding for childcare programs during a disaster response

## 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 and maintain 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:

- Provide long-term, sustainable funding to ensure continued investment in all modes of surface transportation
- Promote policies to improve contracting options for delivery of transportation projects
- 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
- Increase the percentage of federal match for 2021-2022 to allow recovery of state and local funds
- Provide funding and support for air quality improvement measures, including
  - Fully funding 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
  - Reinstating and increasing Federal Vehicle Emissions Standards, especially Combined Average Fuel Economy (CAFE) standards
  - Continued funding for renewable and electric vehicle development and related infrastructure to reduce carbon dioxide (CO<sub>2</sub>) emissions, including continued and increased federal tax credits for the purchase of electric vehicles
- Strengthen affordable housing requirements for federal transit funding
- 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 pedestrians
- Maintain a strong transit program by increasing discretionary and formula funding, including robust funding for the Capital Investment Grants Program that funds new fixed guideway transit projects
- 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 Connected and Autonomous/automated Vehicle (CAV) technology, grant programs, and municipally led research
- Promote policies and support funding for national standardization of electric personal mobility devices, such as stand up/sit down electric scooters and similar electric low-speed devices.
- Promote policy development and support funding for Unmanned Aerial Systems and Vehicles (UAS/V) grant programs and municipally led research.
- 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 reduce 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 pedestrians.

### **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.

The I-35 Central Expressway program looks to identify potential cost-effective projects that will accomplish the following objectives:

- Increase mobility for people and goods throughout 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.

The City also supports all project delivery & funding tools for local/regional transportation agencies to access private capital by preserving the ability to issue revenue bonds secured by user fees. It supports policies to allow local metropolitan planning organizations to decide if managed lanes work for specific projects.

### **Aviation**

The Austin-Bergstrom International Airport (AUS) is run by the City of Austin Aviation Department and is a self-sustaining enterprise. AUS generated over \$7.8 billion in economic activity in 2019 and supports more than 74,000 jobs in the Austin area. 17.3 million passengers travelled through AUS in 2019, making it the 31st busiest airport in the United States and the fourth fastest growing airport in the country for its category.

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 AUS 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 most 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 AUS.

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 residents who see a return on their investments through paying one of the lowest residential electric bills in Texas. Protecting the City Council's ability to make policy and govern Austin Energy so that it can safely deliver clean, affordable, reliable energy and excellent customer service is essential to the City of Austin and its community.

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, regarding:
  - greenhouse gases
  - ground level ozone and fine particulate pollution
  - mercury and other air toxics as well as nitrogen oxides and sulfur dioxides

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 and comparable tax incentives for renewable energy for tax exempt entities.

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.

### **Energy Efficiency and Conservation Block Grant (EECBG)**

The City urges the 117th Congress to authorize and fully fund EECBG. EECBG provided direct, flexible formula funding to Austin and other local governments for a wide array of energy conservation and efficiency purposes. It was authorized by the 2007 Energy Act at \$2 billion a year for FY 2008 through FY 2012, but only funded once, in FY 2009, at \$3.2 billion. Austin used its \$7.5 million formula allocation to install energy retrofits at the Technicenter, retrofit interior and exterior lighting at municipal facilities, implement a biogas generation project at Hornsby Bend, and weatherize and duct seal municipal buildings. These small projects provided significant return on investment, decreasing the City's energy costs.

## **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

### **Low-Income Housing Tax Credit Enhancement**

In addition, the City supports legislation to enhance the Low-Income Housing Tax Credit. The City appreciates the increase in the annual LIHTC ceiling for FY 2018 through FY 2021 that Congress enacted, along with an income averaging option that expands LIHTC eligibility and is targeted at high-cost areas such as Austin.

Looking ahead, the City supports further LIHTC enhancement to offset the predicted decline in affordable housing production related to the corporate and personal income tax rate reductions. The City particularly supports measures that would:

- Increase the LIHTC ceiling to \$2.76 per capita in FY 2019, increasing incrementally to \$4.96 in FY 2024 (indexed to inflation in subsequent years)
- Extend the average income test to affordable properties financed with private activity bonds,
- Allow existing tenants to be considered low-income for recapitalization projects provided their income has not risen above 120 percent of AMI
- Establish a 4 percent minimum credit rate for LIHTC used to finance acquisitions and bond-financed properties
- Simplify the “10-Year Rule” to allow for LIHTC acquisition of certain properties
- Allow tenant relocation costs to be included in rehabilitation projects
- Repeal the Qualified Census Tract population cap.

### **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 held 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.

- The City and its regional partners have spent considerable resources to adapt local programs and policies to the rule, and the City is concerned that major changes to federal fair housing rules will require further expenditure of local resources.
- The City is deeply concerned that in its final rule issued in 2020, 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 only supports 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.

The City has concerns that the recent changes to CRA regulations implemented by the Office of the Comptroller of the Currency in 2020 will lead to a concentration of CRA-qualifying investments in the low- and moderate-income communities perceived as the “safest” target for such investments. Such a result would exacerbate the already considerable divide between the nation’s most economically successful and dynamic metropolitan areas and those that continue to struggle. On the surface, Austin would appear to be a beneficiary of such a result. However, the City recognizes that the success of Austin rests on the success of our nation as a whole. In addition, such a policy could exacerbate disparities within our city and metropolitan area, further driving up housing costs in favorable locations and decreasing access to opportunity for low- and moderate-income Austinites.

The City believes that changes to CRA outlined by the Federal Reserve in its 2020 Advanced Notice of Proposed Rulemaking are more responsive to the priorities on non-bank stakeholders and hold promise to modernize CRA in a manner that better meets the primary goal of meeting CRA's underlying statutory goals of strengthening investment in historically underserved neighborhoods.

## **Education and Workforce Development**

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 supports legislation and increased funding to provide students and residents with career pathway opportunities, including work relief programs, apprenticeship programs, and workforce skills training, such as short-term programs leading to certificates. The City also supports measures to facilitate partnerships between business, government agencies, and local workforce system partners to define workforce needs and develop a workforce talent pipeline.

## **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 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 "public charge" rule.

- The City fears that the rule will 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 will 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 rule does not impact services to the citizen children of immigrants, it will create fear in immigrant communities, and discourage 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.

- Previous regulations determining who is likely to become a “public charge” were 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 rule broadly expands the kinds of assistance counted when making a “public charge” determination, which forces immigrant families to make an impossible choice between meeting basic needs and keeping their families together in this country. In addition to its impacts on child health, nutrition, and development, the rule will also have a direct, negative effect on Austin’s local economy and public health and will impose significant new administrative burdens on the City and other local public agencies.

## **Watershed Management**

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 of Austin supports federal protections, including protections under the Clean Water Act, for headwater, ephemeral and intermittent streams, and wetlands.

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 enhance 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 City strongly supported the Consumer Financial Protection Bureau 2017 final rule to regulate those considered predatory lenders. The City would particularly support measures to reinstitute the robust underwriting provisions of the 2017 rule, which provide consumers with protections from the worst practices of payday and automobile title lenders, by new regulation or by statute.

## Public Health

The Austin Public Health Department, per federal, state, and local laws, provides public health promotion, preventative health services, disease prevention, and emergency preparedness health services to protect and optimize the community's 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
- Epidemiological disease surveillance and investigation to prevent the spread of infectious diseases and protect the public against injuries and environmental threats
- Preparation and response to public health threats from natural and manmade disasters.

The City of Austin supports sustained, predictable, and increased funding for the Centers for Disease Control and Prevention (CDC), including funding for

- Public Health Emergency Preparedness (PHEP) cooperative agreements
- Programs funded via the Prevention and Public Health Fund
- Preventive Health and Health Services Block Grants
- Programs to support Age-Friendly Public Health Systems and establish a National COVID-19 Resource Center for older adults.
- Programs focusing on the Social Determinants of Health, including grants to states for a public health approach to SDOH.
- Initiatives to reduce the number of new HIV infections in the United States.

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, exposures to environmental hazards, and natural disasters. The City strongly supports legislation and funding to dismantle systemic racism, including efforts to address public health disparities due to racial inequities.

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, including legislation that increases the quality of and access to prenatal and postpartum health services for low-income mothers and health services for low-income infants and toddlers and legislation that provides maternal protections and supports breastfeeding mothers.

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 supports efforts to increase compensation, including Medicaid reimbursement, for home health aides, community attendants, direct support professionals, and direct care workforce in institutional settings. The City also 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 CHIP, 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 supports legislation and funding to provide social services for individuals experiencing homelessness, mental health disorders, and/or substance use disorders.

The City of Austin supports legislation that would maintain or expand funding for women's reproductive health services and opposes any legislation that would reduce funding for those services 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 regarding policy discussions on the issue of opioids and substance use/misuse.

The City of Austin supports legislation and funding to improve access to fresh, healthy, and affordable food and to protect the public from potentially hazardous foods. The City especially supports increasing the maximum benefits and monthly minimum benefits for Supplemental Nutrition Assistance Program (SNAP) participants.

The City of Austin urges Congress and the Administration to support policies and programs that modernize the public health technology infrastructure, public health data sharing, and data governance. The COVID-19 response highlights the need for modernization efforts in technology so that reportable disease and conditions can be quickly received and investigated to mitigate disease transmission and improve disease outcomes.

### **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
- Second Chance Act programs to assist re-entering citizens

The City of Austin supports legislation that would update federal civil rights law and federal law enforcement policies to help these programs address concerns about systemic racism in the criminal justice systems.

The City supports legislation to reduce improper or excessive use of force by police, require the use of de-escalation techniques whenever possible, enhance implicit-bias and de-escalation training, improve a jurisdiction's ability to investigate and prosecute officer misconduct, improve background checks and screening of incoming police cadets and active officers being considered for promotion, expand civilian oversight of police departments, and improve relations between police and those they serve.

The City further supports legislation and funding to increase investigations, transparency, and public reporting of improper or excessive use of force, use of deadly force, officer misconduct, and resulting disciplinary consequences; to increase the use and reporting of racial profiling data and other racial disparity and equity data; and to increase the use of body cameras, and the public's timely access to body camera footage.

The City also calls on the United States Congress to enact legislation to reduce gun violence, including 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
- Convenes a national commission on gun violence (including elected officials from all levels of government, victims' family members, survivors, gun advocates, law enforcement, and others) to offer recommendations
- Provides funding to the Centers for Disease Control to conduct comprehensive research to identify the underlying causes that lead to gun violence and mass shootings in communities
- Enables judges to issue extreme risk protection orders to temporarily restrict access to guns for individuals at an elevated risk of harming themselves or others
- Promotes the safe storage of firearms.

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 and enables first responders to protect residents and their homes.

The City of Austin supports legislation and funding to continue support for sexual assault victims, including the investigation and processing of sexual assault cases in Texas and the clearing of rape kit backlogs

**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 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 and 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 which 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 that 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 content distribution and applications, better customer service, affordable rates for all, and technology deployment that meet the needs of all residents to engage in a digital society. The COVID-19 pandemic exacerbated the deep digital divide in our community and elevated the need for equitable, affordable, and adequate internet connectivity.

The City supports preserving local authority 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 opposes any federal preemption of its ability to collect reasonable revenue from telecommunications providers doing business for private, profit-making use of public rights-of-way owned and maintained by the City.

The City opposes any preemption of City zoning authority regarding telecommunications, cable TV, broadband, and wireless facilities by the Federal Communications Commission or Congress and urges the federal government to comply with local zoning and safety regulations when placing such facilities on City property. The City is concerned about FCC overreach of its authority in recent years that poses a threat to City management of public property and the City's budget.

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.

The City strongly supports policies and funding to increase access to reliable and affordable internet services and require greater transparency and disclosure of pricing and of how personal data are collected and used. The City encourages Congress to provide funding for digital literacy training to

increase the adoption of broadband internet access and service. In addition, the City urges a change to the way broadband data is collected, verified, and reported. Specifically, the City urges the Federal Communications Commission to collect and disseminate granular broadband service availability data (broadband maps) and available and actual speeds from wired, fixed-wireless, satellite, and mobile broadband providers.

Current federal regulations restrict the way cities use the fees paid by cable providers to support city Public, Educational, and Governmental Access (PEG) channels. The City urges Congress 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. In addition, local PEG channels serve as critical local content distribution channels for remote information about local, state, and national issues relevant to local communities during the COVID-19 Response.

## **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 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.

## **Voting & Elections**

The City of Austin supports funding, legislative, or executive action that promotes and protects voting rights and access to voting, as well as greater inclusion and civic empowerment, including:

- Eliminating partisan and racially discriminatory redistricting
- Modernizing voter registration, including online voter registration, same-day or automatic voter registration, providing funding and guidance for paper-verified ballots, and upgraded voting machines
- Increasing funding for voter education and elections administration, processes, and security
- Improving accommodations for voters with disabilities and protecting the rights and access of voters serving in the military
- Increasing outreach and distribution of elections and voter registration information to eligible people who are not currently registered to vote.