

# CITY OF PORTLAND

## 2022 Federal Legislative and Regulatory Agenda



# City of Portland Council

Mayor Ted Wheeler  
Commissioner Carmen Rubio  
Commissioner Jo Ann Hardesty  
Commissioner Dan Ryan  
Commissioner Mingus Mapps  
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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 our collective responses to COVID-19 and in the City's federal advocacy work. Recognizing that Black Communities, Indigenous Communities, and Communities of Color, individuals with disabilities, older adults, immigrants, refugees, people who are LGBTQ2IA+, 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 harms through the City's federal advocacy work.

The City of Portland's 2022 Federal Legislative and Regulatory Agenda is structured to reflect the shared priorities of the Portland City Council: developing a new model for community safety, addressing houselessness, and supporting economic recovery. The Agenda also addresses racial justice, climate and environmental justice, infrastructure investment, and maintaining local authority and opposing preemption.

### ADDRESSING HOUSELESSNESS AND HOUSING STABILITY

Meeting the needs of those experiencing houselessness and lack of access to affordable and safe housing is a priority for the City of Portland. This work spans beyond funding for essential federal affordable housing programs and rental assistance into tackling the root causes of an individuals' houselessness, including, but not limited to access to workforce training and mental and behavior health services. Therefore, the City will advocate for policies and regulations that:

- Prevent mass evictions and foreclosures through additional funding for **emergency rental assistance, mortgage assistance, and enhanced eviction and foreclosure prevention.**
- Support funding for the **Emergency Solutions Grants** and **Continuum of Care** programs which assist government and nonprofit houseless and houseless-prevention organizations.
- Identify federal funding opportunities for **preservation of existing affordable housing through community land trusts.**
- 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.
- Advocate for the **expansion of the eligibility for the Housing Choice Voucher Entitlement** to extremely low-income older adults and people with serious long-term disabling conditions (determined eligible for Supplemental Security Income).

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- 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.
- Provide federal **childcare assistance** for tuition and copayment relief to families, and to help childcare providers retain staff and remain open.
- 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.
- 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 pathways for the use of appropriate **surplus federal property** for outdoor 'alternative' sheltering strategies like villages and safe park programs.
- 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. 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.

### COMMUNITY SAFETY AND FIRST RESPONSE

The obligation to keep the public safe rests in many hands. 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. These policies would:

- Support **Portland Street Response** to respond to low-acuity behavioral health and non-emergency medical calls.
- 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

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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 justice 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.
- Urge the Federal Communications Commission to mediate the **sunset of the 3G cellular network** to preserve services relied upon by emergency communications networks, law enforcement, older adults, low-income residents, and homeless residents who rely on unconnected 3G phones for their capacity to reach 911 emergency services.
- 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 funding for grants through the **U.S. Department of Justice Community Oriented Policing Services program** and the **Byrne – Justice Assistance Grant program**, and advocate for expansion of programs to examine changes in hiring practices and ways to involve the community in recruiting.
- Pursue future funding opportunities designed to meet the future infrastructure and system needs of the Bureau of Emergency Communication to move current systems toward a **NextGen 911** system.
- 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.

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- 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.”

### ECONOMIC RECOVERY AND PROSPERITY

The City of Portland will advocate for crucial federal resources, policies, and practices to address the economic security and public health needs of all Portlanders, while prioritizing vulnerable populations. Keeping families and individuals housed with food, water, heat, and power through this period of instability is paramount to the well-being and future recovery of Portlanders. The lingering effects of COVID-19 continue to cause far-reaching negative impacts on local and global economies and significantly harm Portland households and businesses, alike. 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.
- **Align federal vaccine policy framework with City policy** that centers employee health and safety by mitigating the transmission of COVID-19 in the workplace and minimizes the harm and severe impacts from potential COVID-19 illness.
- 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 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.

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- Establish equitable federal cannabis law and regulation to address small business support and banking regulation via the **SAFE Banking Act**, access to federal disaster assistance through the **Small Business Disaster Relief Equity Act**, workforce development, and re-entry housing.
- 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

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:

- 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 Communities, Indigenous Communities and Communities of Color, and to mitigate against the risks of displacement that can occur from infrastructure improvements.
- Update **Community Reinvestment Act (CRA)** rules to respond to the needs of the COVID-19 recovery.
- 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.
- Support the **United State Department of Interior’s Federal Indian Boarding School Truth and Healing Initiative and congressional action** to provide a full accounting including the total number of students removed to the custody of boarding schools operated by the federal government, or remanded to churches that operated with federal funding, including the fate of each child that was abused, died, or went missing. Further, support the efforts by Tribal Nations, communities and organizations seeking reparations, and a full report documenting the outcome of the investigation and recommendations for justice and healing.
- 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**.

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- Support the implementation of the **Deferred Action for Childhood Arrivals 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.

### CLIMATE AND ENVIRONMENTAL JUSTICE

The City of Portland recognizes this critical juncture to invest in a swift transition to clean energy while reducing energy costs for low-income and the most vulnerable in our communities. This work centers the protection and well-being of Black Communities, Indigenous Communities and Communities of Color and builds resilience and stability to withstand future crises. 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 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, 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.
- 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.
- 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



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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.
- 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.
- 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.

### 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 advocate for federal action that will:

- 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 in electric vehicle infrastructure** throughout the city, and specifically for public safety applications.

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- 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, and upgrades to **Union Station**.
- Support congressional authorization and 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 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 is actively seeking legislation to enable more flexibility during this declared emergency and, conversely, 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. Some examples of actions would be to:

- 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.

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- 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.