



Committee: Directly to Council
Committee Review: N/A
Staff: Wellons, Chen, McCartney-Green, Ndou
Purpose: Final action – vote expected

Agenda Item #1
April 4, 2022

SUBJECT

Montgomery County's Federal Priorities – 2022
Federal Earmark Requests by County Departments – FY23

EXPECTED ATTENDEES

Melanie Wenger, Director, OIR
Sara Morningstar, Federal Relations Coordinator and Legislative Analyst, OIR
Executive Department Representatives

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- Review and approve the County's State Legislative Priorities for 2022
- Review and approve proposed federal earmark requests for FY23

DESCRIPTION/ISSUE

Each year, the Council and County Executive jointly approve a list of Federal Priorities. The deadline to provide the 2022 priorities to the Congressional Delegation is April 6, 2022.

For FY23, Executive branch departments must submit any earmark requests to the Congressional Delegation members beginning on April 6, 2022. The Council should receive a list of these proposed requests from Executive departments on April 2, 2022. The list will be an addendum to this staff report.

SUMMARY OF KEY DISCUSSION POINTS

- Whether to approve of the enclosed proposed federal priorities. The priorities have been prepared by OIR, with Executive branch input, and they have been approved by the County Executive.
- Whether to approve of proposed County department federal earmark requests, which will be submitted to the Council via an addendum to this staff report on April 2.

This report contains:

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Draft 2022 Federal Priorities	©1
2021 Priorities	©10
2020 Priorities	©15

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MEMORANDUM

March 31, 2022

TO: Councilmembers

FROM: Christine Wellons, Senior Legislative Attorney

SUBJECT: Federal Priorities – 2022; Federal Earmarks FY23

The County's 2022 federal priorities and departmental earmark requests are **due by April 6, 2022**. On April 4, the Council is expected to review and approve of the proposed priorities and the proposed departmental earmark requests.

An analysis of the potential priorities is below. Regarding potential earmark requests, departments will provide their requests to OIR by April 2. Council staff will supplement this staff report at that time.

DRAFT PRIORITIES – PROVIDED BY OIR AND APPROVED BY THE COUNTY EXECUTIVE

Draft priorities for 2022, provided by OIR and approved by the County Executive, are enclosed at ©1 for Councilmembers' review. For context, the County's approved federal priorities for 2021 and 2020 also are enclosed. The proposed 2022 priorities overlap in many respects with those in 2021, except that the 2022 priorities include support for several large-scale transit projects, including Glen Echo Park, child care and early childhood development, and the growing life sciences sector.

STAFF ANALYSIS OF PROPOSED PRIORITIES

Council central staff have reviewed the draft priorities (which have been copied and pasted below) and offer the following comments and proposed edits **highlighted with red text** for the Council's consideration.

Also for Council consideration, a proposed addition by Councilmember Rice is included below under the Education priorities.

Transportation

- **Invest in bus infrastructure.** We appreciate the Congressional delegation’s advocacy contributing to the passage of the five-year Bipartisan Infrastructure Law. We urge that Congress appropriate authorized levels of transit funding (e.g., Capital Investment Grants program, Low or No-Emission (Low-No) Bus program, Bus and Bus Facilities program, etc.) that will be critical to advancing improvements to bus transit corridors like Montgomery County’s Phase 1 bus rapid transit (BRT) system, and the State of Maryland’s Corridor Cities Transitway (CCT). We request that you encourage the U.S. Department of Transportation (USDOT) to follow progressive interpretations of the Bipartisan Infrastructure Law that prioritize climate change, resilience, equity, and safety goals. This includes the Federal Transit Administration’s (FTA) use of a new process to allow sponsors to move multiple projects simultaneously through the Capital Investment Grants program (CIG) pipeline. We also seek your support for planned FY23 applications to USDOT for:

 - Veirs Mill Road Flash BRT project for funding through the CIG program- Small Starts
 - MD 355 Flash BRT project for funding through the CIG program- New Starts
 - Joint project with the City of Gaithersburg to replace and upgrade bus shelters with funding through the Buses and Bus Facilities Program (§ 5339(b))
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- **Promote the use of zero emission vehicles (ZEVs).** Implementation of a formula carbon reduction incentive program is critical to advancing projects that will reduce on-road mobile sources of carbon emissions. We encourage you to support the development of regional charging infrastructure facilities that will permit the region’s public transit system to charge *en route* and at transit centers. We urge that Congress appropriate funding accelerating the use of ZEVs (including zero emissions charging and alternative refueling networks), and as part of that effort, that low- and moderate-income households will be able to benefit from these new technologies by extending and enhancing federal tax credits and other incentives to encourage the sale of new and used ZEVs. Electric bikes (e-bikes) are also important to our residents, and we support Congress including micromobility devices in federal tax credit and rebate programs.

- **Fund transit operations and community connections to achieve equity.** Pandemic-initiated transit operating funding has provided needed revenue for Montgomery County’s Ride On bus service which continues to experience gaps in funding due to ridership losses. We urge that Congress continue this funding during the COVID-19 recovery period. Additionally, we request that you support competitive opportunities for local governments to implement reconfigurations of existing transit networks and explore transit pilot programs using transit as an important equity promotion tool.

- **Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program.** We appreciate our Congressional delegation’s anticipated support of Montgomery County’s RAISE grant application for the Capital Crescent Trail tunnel project. Federal grant funding will be used toward the costs of the tunnel project as the completion link of the 11-mile shared-use off-road trail from Georgetown to Silver Spring, which is part of the larger 60-mile National Capital Trail included in the Visualize 2045 Long Range Plan.

- **Prioritize safety.** The Bipartisan Infrastructure Law provides historic levels of funding that will make our roadways safer and save lives. An integral piece of that outcome will require USDOT to complete its current rulemaking for the Manual on Uniform Traffic Control Devices (MUTCD) that defines standards for installation and maintenance of traffic control devices on public roadways. We urge that you press the Department to complete the task. Additionally, we request that Congress appropriate funding authorized in the Bipartisan Infrastructure Law prioritizing safety programs, including the new Safe Streets for All competitive grant program and the Complete Streets initiative.
- **Invest in Transportation Demand Management (TDM).** We request your support for the rulemaking requiring suballocation of Congestion Mitigation and Air Quality (CMAQ) program funds to Metropolitan Planning Organizations (MPO) or county and municipal governments. The Maryland Department of Transportation does not allocate CMAQ funds to Montgomery County. Requiring suballocations would allow the County to advance more projects designed to reduce traffic congestion and improve air quality in the region. Additionally, we urge your support for the Bicycle Commuter Act of 2021 (H.R. 384), reinstating the bicycle benefit within federal qualified transportation fringe benefits, and the Bikeshare Transit Act of 2021 (H.R. 382) to include micromobility projects (i.e., bikeshare, e-scooter) under federal transit funds eligibility.

Council staff recommends Council approval of these proposed transportation priorities.

Biotech and Life Sciences Economy

- **Supporting the life sciences sector.** Montgomery County applauds Congress for providing \$1 billion in FY22 to establish the Advanced Research Projects Agency for Health (ARPA-H) as a new biomedical research agency within the U.S. Department of Health and Human Services. Modeled after the Defense Advanced Research Projects Agency (DARPA) within the U.S. Department of Defense, ARPA-H would focus on funding programs and projects that will transform the life sciences sector by bridging the gap between biomedical breakthroughs and commercial realization.
- Authorization language has been introduced in both the House and Senate. Montgomery County supports H.R. 5585, the Advanced Research Project Agency- Health Act, and we thank Representatives Sarbanes and Trone for their cosponsorship. The Senate authorization of ARPA-H is included in a more comprehensive biomedical and health sciences bill, S. 3799, the PREVENT Act. As drafted, however, S. 3799 specifically prohibits the new health agency from locating in the Washington area or being within the National Institutes of Health (NIH). This boundary restriction would ignore Maryland's rich life sciences sector comprised of world-renown research hospitals and universities, primary national and federal laboratories, biotechnology companies, and a talented and expansive labor pool. Montgomery County urges the Maryland Congressional delegation to remove the prohibition and give Maryland the chance to compete for the future location of this transformative biomedical agency- allowing ARPA-H to do for the life sciences what DARPA has been successfully doing for national defense.

Council staff recommends Council approval of these proposed biotech priorities.

Glen Echo Park

- ~~Transferring ownership of Glen Echo Park to Montgomery County. Under a Cooperative Agreement with the National Park Service (NPS), Montgomery County is responsible for the programming, operation, and maintenance of the park, apart from capital improvements, which NPS reserves for itself. This enables for park programming best oriented to the interests of the park-attending public and vibrant children's programming, as well as better response to maintenance needs in the park. However, major improvements such as building façade, pavement, and essential park infrastructure are significantly delayed since approval and funding is federal dependent. The Park is very popular, and as a result, experiences significant wear on facilities the County is unable to repair or improve without federal approval or funding, which is quite slow in coming, if at all. Transferring Glen Echo Park to County ownership will result in significant improvements to the structures and infrastructure, while maintaining the historic fabric of Glen Echo Park.~~

At this time, Council staff recommends the deletion of this proposed priority because staff lacks sufficient information to evaluate the proposal. Director Dise has noted strong reasons for transferring ownership, noting that: *County ownership, under appropriate guidelines for historic structures, will be far more responsive to public interests, and will better ensure facilities are not deteriorating to the point the repairs are more problematic than if dealt with earlier.* However, Council staff believes that further study should be given to the potential costs and benefits of transferring ownership of the park to the County.

Health and Human Services

- **Mental health and COVID-19 recovery.** We urge that you work with your colleagues to increase funding for health programs directed toward **culturally competent and linguistically appropriate** mental and behavior health supports and services for school-aged youth and families struggling with post-pandemic mental health disorders. For FY23 appropriations, we request increased funding for related vital mental health programs that include those funded through the Substance Abuse and Mental Health Services Administration (SAMHSA) (e.g., Community Mental Health Services Block Grant program, National Child Traumatic Stress Initiative, etc.). Considerable national attention will be needed to address wide-ranging mental health impacts including anxiety, anger, depression, and post-traumatic stress symptoms. Federal funding should be extended for not less than three years beyond the end of the pandemic.
- **Child **welfare care** and early childhood development.** Finding high-quality, safe, and affordable child care has been challenging for many of our residents during the pandemic, and it will continue to affect Montgomery County's recovery as families go back to work and school. Federal funding from multiple COVID-19 stimulus packages helped the County to expand options for families, but the pandemic laid bare accessibility issues and inequity challenges that demand a national response. Child care programs continue to struggle economically with 19 Montgomery County center-based child and 75 Family

Child Care programs are closing permanently. Existing child care programs are reporting running at about 40% of their regular enrollment. The pandemic has only exacerbated the strain that already existed in the tuition based child care model. Montgomery County urges our Congressional delegation to advance President Biden's care economy by supporting an extension of the Child Tax Credit, creating a child care and early learning entitlement program for children under six who have not yet started kindergarten, capping the amount families spend on child care, and improving wages for child care workers. For FY23 appropriations, we would request increased appropriations to support early childhood education programs that include the Child Care and Development Block Grant, and the Preschool Development Grant Program.

- **Support aging and disabled residents.** We urge that you support increased appropriations for the U.S. Department of Housing and Urban Development's (HUD) Congregate Housing Services Program (CHSP) that provides programming and staffing for housing individuals with complex needs. CHSP funds critical housing and continuity of care support for frail elderly, nonelderly disabled, and temporarily disabled residents with persistent and pervasive behavioral health issues preventing premature and unnecessary institutionalization.
- **End disparities in oral health for low-income adults.** Federal requirements do not extend to preventative dental care for most Medicaid-eligible adults. In Maryland, Medicaid covers dental benefits for low-income pregnant women, certain former foster care adolescents, and adults with specific rare and expensive health conditions. We urge your support for the Medicaid Dental Benefits Act (S. 3166 sponsored by Senator Cardin) that would require state Medicaid programs to cover dental and oral health services for Medicaid-eligible adults. Importantly, the legislation would increase the Federal Medical Assistance Percentage (i.e., federal matching rate) for these services.

Council staff recommends Council approval of the proposed HHS priorities, with the amendments noted above.

Environment

- **Address climate change using an equity lens.** Montgomery County has been a leader on climate action, and we are continuing our push to develop prioritized, equitable and socially just actions and strategies to meet our greenhouse gas emissions reduction goals of 80% by 2027 and 100% by 2035. Toward that end, we urge your ongoing support for legislation to increase federal funding to local governments for climate change mitigation and resilience actions, including funding for green and resilience banks to facilitate private investment in domestic low-carbon and climate-resilient infrastructure.
- **Mitigate flooding damage.** Extreme weather and climate change impacts are causing increased flood damage in our communities. We urge you to support increased funding for federal programs that assist with planning and implementation of flood mitigation infrastructure, including detailed watershed/sub-watershed infrastructure risk assessments and hydrologic and hydraulic analyses. For FY23 appropriations, we request your advocacy for programs that can be used to address environmental issues caused by climate

change that would include the Federal Emergency Management Agency's (FEMA) Flood Mitigation Assistance Program, and FEMA's Hazard Mitigation Grant Program.

- **Promote nature-based climate solutions.** Ecosystem conservation and management goes together with climate action strategies. We urge your support for funding to establish and protect our natural resources that address climate resilience and carbon sequestration, including forests and trees, wetlands, and sustainable agricultural lands. For 2022, we request increased appropriations in FY23 for programs providing funding and technical assistance for climate adaptation that would include the Urban and Community Forestry Program, and the Clean Water and Drinking Water State Revolving Funds program.
- **Reduce reliance on fossil fuels.** We applaud your continued leadership and advocacy on policies to move away from fossil fuels and toward clean and renewable energy and innovative technology. We urge your support for legislation to help advance building decarbonization and electrification projects in public and private buildings. We seek increased funding opportunities for local governments to offer direct education and incentives to residents and businesses to improve energy efficiency and electrify energy end uses through successful local program platforms like Montgomery Energy Connection (a network of County government and community partners) or a technical assistance hub for building owners. For FY23 appropriations, we request your continued support for Department of Energy programs funding energy efficiency and renewable energy efforts that include the Weatherization Assistance Program, and the Energy Efficiency and Conservation Block Grant program.
- **Environmental conservation corps and support for community and climate justice.** The Bipartisan Infrastructure Law provided robust investment in environmental justice. We urge your support for annual appropriations for environmental restoration conservation corps offering training and education on environmental restoration necessary to address climate change and restore America's ecosystem. For FY23 appropriations, we request your continued advocacy for environmental justice activities, and related funding that would include EPA's Environmental Justice Small Grants Program, and EPA's Technical Assistance Services for Communities program. Additionally, we request your support for funding community justice academies with community ambassadors who will co-create integrated health, equity and quality-of-life solutions that center on the needs and desires of low-income and Black, Indigenous, and People of Color communities.

Council staff recommends Council approval of these environmental priorities, with the amendment noted above.

Telecommunications Technology

- **Cybersecurity.** President Biden has made cybersecurity an important component of information technology (IT) modernization. We urge your continued support for funding cybersecurity investments that will allow local governments to upgrade and maintain network equipment, enhance cybersecurity applications and defenses and response, improve business continuity data recovery infrastructure, assess cybersecurity risks on premise and cloud systems, and expand workforce cybersecurity training/talent to

hardened and better protect local government financial, healthcare, election, water, and electrical systems from criminal and international cybersecurity attacks. For 2022, we request increased appropriations for cybersecurity that includes funding for the Cybersecurity and Infrastructure Security Agency (CISA) which works collaboratively with State and local governments to protect cyber and physical infrastructure.

- **Communications Act and Public, Educational and Government (PEG) channels.** We appreciate that our Congressional delegation has signed on as cosponsors of the Protecting Community Television Act (S. 3361/H.R. 6219) to ensure that cable operators may not charge local governments for the value of PEG channels that cable operators are required to provide under federal law. A statutory change will eliminate the ability of partisan administrations to make arbitrarily changes that negatively impact local community news and information. If the legislation is not enacted, franchised cable television operators may assert that they can deduct the cost of providing PEG channels and free cable television service to schools from the monetary franchise fees they pay to local governments.
- ~~**Radio frequency (RF) and small cell standards.** We urge you to consider transferring the responsibility for setting RF standards from the Federal Communications Commission (FCC) – a regulatory agency – to the National Institute of Standards and Technology (NIST) – the more appropriate standards setting body. Human exposure to RF emissions continues to be of concern to our residents. Additionally, we request that NIST be directed to complete a review of credible published papers on the health effects of RF emissions on humans, including women and children, and tests to measure biological impact on humans, and thermal and biological tests of RF at different frequencies within 6 months. And finally, we ask that NIST be ordered to create and update thermal and biological standards for smart phones, small cells, and household Internet of Things (IoT) devices, Wi-Fi, and Bluetooth devices within 2 years and review and update standards every 5 years thereafter.~~
- **Communications Act and Spectrum Act.** Fully addressing the digital divide locally will require a strong federal partnership. We urge you to work with your colleagues to clarify the Communications Act and Spectrum Act to affirm that local governments are not limited to cost recovery **when charging for Right-of-Way fees to the telecommunications industry**, to enable local governments to charge market-based rents for use of public rights-of-way, streetlight lights, and street furniture and generate funding to address the digital divide locally.

Council staff recommends Council support of the proposed priorities with the amendments noted above. Council staff recommends deleting the proposal regarding transferring certain responsibilities from the FCC to NIST because we do not have sufficient information to evaluate this proposal; however, we note that Mitsuko Herrera of the County’s Office of Broadband Programs supports the proposal and has stated to Council’s staff: *By moving the responsibility for setting scientific standards for regulating RF emissions away from the agency that is responsible for allowing wireless carriers to use the airwaves, to an agency dedicated to “dissemination of ...data, and research” is a better path to getting meaningful RF standards developed.*

Finance

- Tax Cuts and Jobs Act of 2017 (P.L. 115-97) that eliminated the tax-exempt status of Advance Refunding Bonds used by local governments (including Montgomery County) to facilitate the budgeting and financing of long-range investments in infrastructure and facilities necessary to meet public demand. Please consider cosponsoring and supporting S. 479 (Lifting our Communities through Advance Liquidity (LOCAL) Infrastructure Act) that would reinstate tax provisions relating to these bonds. (There is currently no companion bill in the House.)
- **Provide additional flexibility for the Coronavirus State and Local Fiscal Recovery Fund.** We join the National Association of Counties (NACO) in urging your support for the passage of S. 3011/H.R. 5735 (the State, Local, Tribal, and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief Flexibility Act). The legislation calls for increased local control over the Recovery Funds which will provide an opportunity for local governments to fully realize the goals of ARPA.

Council staff recommends Council approval of the proposed priorities regarding finance.

Education

- **Fund Title I and Individuals with Disabilities Education Act (IDEA).** We urge full funding in FY23 appropriations for Title I Grants to Local Education Agencies, and IDEA. These revenue streams provide billions of dollars nationally toward improving the achievement and education of disadvantaged children in our schools. Toward that end, we urge your support in advancing the Keep our Promise to America's Children and Teachers Act (S. 72 sponsored by Senator Van Hollen and H.R. 764 in the House) that will create a 10-year mandatory glide path to fully funding both Title 1 and IDEA.
- **Increase supply of school-based mental health supports and services.** The impact of COVID-19 has exacerbated the need for culturally competent and linguistically appropriate mental health services needed by children and their families. We urge your support for funding higher education degrees in social work and practicum opportunities for masters' degrees for individuals providing mental health services. For FY23 appropriations, we urge your support for programs that will provide training, access to scholarships and loan repayment to mental health and substance use disorder clinicians including the National Health Services Corps, Behavioral Health Workforce Education and Training Program, and the Minority Fellowship Program.
- **Extend USDA Child Nutrition Waivers.** Support federal and local efforts to strengthen funding for, and access to, free and nutritious meals for children.

Council staff recommends Council approval of the proposed education priorities, with the amendments noted above. Councilmember Rice has recommended the proposed addition of Child Nutrition Waivers.

Washington Suburban Sanitary Commission (WSSC)

- **Authorize low-income water utility assistance program.** We applaud Congress for creating the temporary Low Income Household Water Assistance Program (LIHWAP) that helps eligible households afford water and wastewater services. We urge that LIHWAP be made permanent, like the Low Income Home Energy Assistance Program (LIHEAP), and that increased funding be provided for the LIHWAP program in FY23 appropriations.
- **Support direct financial assistance to water utilities as the country recovers from the pandemic.** WSSC Water continues to experience significant economic fallout from COVID-19. The March 2022 WSSC Water Delinquent Accounts Report identifies more than 112,000 past due accounts in WSSC’s bi-county service area. Montgomery County represents about 29,000 of those accounts, of which a bit more than 94 percent are residential customers. Because of these past due amounts, WSSC Water reports \$130 million in lost revenue which has required cuts of approximately \$150 million in FY21 and FY22 budgets, as well as expected cuts of \$23 million in FY23. These actions translate into deferred maintenance on aging infrastructure, delayed capital projects, and no cost-of-living adjustment for essential employees. They have provided a temporary fiscal stopgap, but without additional funds, WSSC predicts a need to either increase rates or decrease preventive maintenance. To avoid that outcome, WSSC urges that Congress create a permanent federal assistance program comparable to existing utility assistance in the energy sector.

Council staff recommends Council approval of these priorities.

Housing

- **Eviction Prevention Assistance and Access to Affordable Housing.** Providing an adequate supply of available and affordable housing has been a challenge both nationally and locally. We urge your support for increased federal appropriations for housing programs that include an expansion of the Low-Income Housing Tax Credit, the HOME Investment Partnership Program, the Housing Choice Vouchers program, the Emergency Solution Grant program, and the Continuum of Care Program Competition. Additionally, we urge that the Emergency Rental Relief Assistance Program be permanently extended to provide emergency assistance to households threatened with eviction and homelessness. Over 50 percent of renters in Montgomery County are cost-burdened – spending more than 30 percent of their income on housing costs, leaving little for unexpected expenses such as medical emergencies, job loss, even car repairs. The COVID-19 pandemic has brought to the forefront the precarious housing situation for thousands of our residents. Montgomery County historically allocated \$4 million for eviction prevention funds. Since May 2020, we have received requests from over 22,000 households for over \$100 million in rental assistance. In just two months between late December 2021 and February 2022, there were

over 14,000 eviction filings in the County. A strong federal partnership must be continued in the years ahead.

- **Affordable Homeownership Gap.** We urge you to consider supporting legislation that could increase the availability of houses for sale. Senator Cardin’s legislation, the Enact Neighborhood Homes Investment Act (S. 98/H.R. 2143) incentivizes affordable homeownership through a new tax credit program to investors that would subsidize the gap between the costs of building or rehabilitating a residential property versus the sale price of the home. It creates practical tax mechanism to spur ownership in certain communities, and we urge your review and consideration.
- **Housing supply shortages and commercial property conversion.** The COVID-19 pandemic led to an exponential growth in teleworking and double-digit commercial property vacancy rates. We urge you to work with your colleagues on legislation to create a special allocation of 9 percent tax credits for conversion of commercial buildings to affordable housing. The tax credits are competitive, and potential conversion projects may be unable to compete in a 9 percent tax credit round due to the State’s limitation on maximum per square foot cost and/or negative points assigned to the project for the high development cost.

Council staff recommends Council approval of these proposed housing priorities.

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DATE

The Honorable Chris Van Hollen
United States Senate
110 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Van Hollen:

The unprecedented federal response to COVID-19 over the past two years has provided local governments with the support we have needed to deliver services that will help to spur an equitable economic recovery across our communities. For that, Montgomery County is grateful to you. The passage of the Bipartisan Infrastructure Law will also allow us to advance long-overdue infrastructure projects that will require significant new investment in transportation, broadband, and environmental and natural resources projects that are linked to climate change. Having a strong federal partnership with our Congressional delegation will continue to be essential for the success of those initiatives.

Montgomery County's federal priorities for 2022 described below are similar to those in 2021, with a few exceptions. This year, the County has included several large-scale transit projects, Glen Echo Park, child welfare and early childhood development, and the growing life sciences sector in Maryland. We welcome the opportunity to further discuss these issues, and our Office of Intergovernmental Relations stands ready to work with you and your staff in the months ahead.

TRANSPORTATION

Invest in bus infrastructure. We appreciate the Congressional delegation's advocacy contributing to the passage of the five-year Bipartisan Infrastructure Law. We urge that Congress appropriate authorized levels of transit funding (e.g., Capital Investment Grants program, Low or No-Emission (Low-No) Bus program, Bus and Bus Facilities program, etc.) that will be critical to advancing improvements to bus transit corridors like Montgomery County's Phase 1 bus rapid transit (BRT) system, and the State of Maryland's Corridor Cities Transitway (CCT). We request that you encourage the U.S. Department of Transportation (USDOT) to follow progressive interpretations of the Bipartisan Infrastructure Law that prioritize climate change, resilience, equity, and safety goals. This includes the Federal Transit Administration's (FTA) use of a new process to allow sponsors to move multiple projects

simultaneously through the Capital Investment Grants program (CIG) pipeline. We also seek your support for planned FY23 applications to USDOT for:

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Promote the use of zero emission vehicles (ZEVs). Implementation of a formula carbon reduction incentive program is critical to advancing projects that will reduce on-road mobile sources of carbon emissions. We encourage you to support the development of regional charging infrastructure facilities that will permit the region's public transit system to charge *en route* and at transit centers. We urge that Congress appropriate funding accelerating the use of ZEVs (including zero emissions charging and alternative refueling networks), and as part of that effort, that low- and moderate-income households will be able to benefit from these new technologies by extending and enhancing federal tax credits and other incentives to encourage the sale of new and used ZEVs. Electric bikes (e-bikes) are also important to our residents, and we support Congress including micromobility devices in federal tax credit and rebate programs.

Fund transit operations and community connections to achieve equity. Pandemic-initiated transit operating funding has provided needed revenue for Montgomery County's Ride On bus service which continues to experience gaps in funding due to ridership losses. We urge that Congress continue this funding during the COVID-19 recovery period. Additionally, we request that you support competitive opportunities for local governments to implement reconfigurations of existing transit networks and explore transit pilot programs using transit as an important equity promotion tool.

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Prioritize safety. The Bipartisan Infrastructure Law provides historic levels of funding that will make our roadways safer and save lives. An integral piece of that outcome will require USDOT to complete its current rulemaking for the Manual on Uniform Traffic Control Devices (MUTCD) that defines standards for installation and maintenance of traffic control devices on public roadways. We urge that you press the Department to complete the task. Additionally, we request that Congress appropriate funding authorized in the Bipartisan Infrastructure Law

prioritizing safety programs, including the new Safe Streets for All competitive grant program and the Complete Streets initiative.

Invest in Transportation Demand Management (TDM). We request your support for the rulemaking requiring suballocation of Congestion Mitigation and Air Quality (CMAQ) program funds to Metropolitan Planning Organizations (MPO) or county and municipal governments. The Maryland Department of Transportation does not allocate CMAQ funds to Montgomery County. Requiring suballocations would allow the County to advance more projects designed to reduce traffic congestion and improve air quality in the region. Additionally, we urge your support for the Bicycle Commuter Act of 2021 (H.R. 384), reinstating the bicycle benefit within federal qualified transportation fringe benefits, and the Bikeshare Transit Act of 2021 (H.R. 382) to include micromobility projects (i.e., bikeshare, e-scooter) under federal transit funds eligibility.

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Supporting the life sciences sector. Montgomery County applauds Congress for providing \$1 billion in FY22 to establish the Advanced Research Projects Agency for Health (ARPA-H) as a new biomedical research agency within the U.S. Department of Health and Human Services. Modeled after the Defense Advanced Research Projects Agency (DARPA) within the U.S. Department of Defense, ARPA-H would focus on funding programs and projects that will transform the life sciences sector by bridging the gap between biomedical breakthroughs and commercial realization.

Authorization language has been introduced in both the House and Senate. Montgomery County supports H.R. 5585, the Advanced Research Project Agency- Health Act, and we thank Representatives Sarbanes and Trone for their cosponsorship. The Senate authorization of ARPA-H is included in a more comprehensive biomedical and health sciences bill, S. 3799, the PREVENT Act. As drafted, however, S. 3799 specifically prohibits the new health agency from locating in the Washington area or being within the National Institutes of Health (NIH). This boundary restriction would ignore Maryland's rich life sciences sector comprised of world-renown research hospitals and universities, primary national and federal laboratories, biotechnology companies, and a talented and expansive labor pool. Montgomery County urges the Maryland Congressional delegation to remove the prohibition and give Maryland the chance to compete for the future location of this transformative biomedical agency- allowing ARPA-H to do for the life sciences what DARPA has been successfully doing for national defense.

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maintenance needs in the park. However, major improvements such as building façade, pavement, and essential park infrastructure are significantly delayed since approval and funding is federal dependent. The Park is very popular, and as a result, experiences significant wear on facilities the County is unable to repair or improve without federal approval or funding, which is quite slow in coming, if at all. Transferring Glen Echo Park to County ownership will result in significant improvements to the structures and infrastructure, while maintaining the historic fabric of Glen Echo Park.

Health and Human Services

Mental health and COVID-19 recovery. We urge that you work with your colleagues to increase funding for health programs directed toward mental and behavior health supports and services for school-aged youth and families struggling with post-pandemic mental health disorders. For FY23 appropriations, we request increased funding for related vital mental health programs that include those funded through the Substance Abuse and Mental Health Services Administration (SAMHSA) (e.g., Community Mental Health Services Block Grant program, National Child Traumatic Stress Initiative, etc.). Considerable national attention will be needed to address wide-ranging mental health impacts including anxiety, anger, depression, and post-traumatic stress symptoms. Federal funding should be extended for not less than three years beyond the end of the pandemic.

Child welfare and early childhood development. Finding high-quality, safe, and affordable child care has been challenging for many of our residents during the pandemic, and it will continue to affect Montgomery County's recovery as families go back to work and school. Federal funding from multiple COVID-19 stimulus packages helped the County to expand options for families, but the pandemic laid bare accessibility issues and inequity challenges that demand a national response. Child care programs continue to struggle economically with 19 Montgomery County center-based child and 75 Family Child Care programs care closing permanently. Existing child care programs are reporting running at about 40% of their regular enrollment. The pandemic has only exacerbated the strain that already existed in the tuition based child care model. Montgomery County urges our Congressional delegation to advance President Biden's care economy by supporting an extension of the Child Tax Credit, creating a child care and early learning entitlement program for children under six who have not yet started kindergarten, capping the amount families spend on child care, and improving wages for child care workers. For FY23 appropriations, we would request increased appropriations to support early childhood education programs that include the Child Care and Development Block Grant, and the Preschool Development Grant Program.

Support aging and disabled residents. We urge that you support increased appropriations for the U.S. Department of Housing and Urban Development's (HUD) Congregate Housing Services Program (CHSP) that provides programming and staffing for housing individuals with complex needs. CHSP funds critical housing and continuity of care support for frail elderly, nonelderly disabled, and temporarily disabled residents with persistent and pervasive behavioral health issues preventing premature and unnecessary institutionalization.

End disparities in oral health for low-income adults. Federal requirements do not extend to preventative dental care for most Medicaid-eligible adults. In Maryland, Medicaid covers dental benefits for low-income pregnant women, certain former foster care adolescents, and adults with specific rare and expensive health conditions. We urge your support for the Medicaid Dental Benefits Act (S. 3166 sponsored by Senator Cardin) that would require state Medicaid programs to cover dental and oral health services for Medicaid-eligible adults. Importantly, the legislation would increase the Federal Medical Assistance Percentage (i.e., federal matching rate) for these services.

Environment

Address climate change using an equity lens. Montgomery County has been a leader on climate action, and we are continuing our push to develop prioritized actions and strategies to meet our greenhouse gas emissions reduction goals of 80% by 2027 and 100% by 2035. Toward that end, we urge your ongoing support for legislation to increase federal funding to local governments for climate change mitigation and resilience actions, including funding for green and resilience banks to facilitate private investment in domestic low-carbon and climate-resilient infrastructure.

Mitigate flooding damage. Extreme weather and climate change impacts are causing increased flood damage in our communities. We urge you to support increased funding for federal programs that assist with planning and implementation of flood mitigation infrastructure, including detailed watershed/sub-watershed infrastructure risk assessments and hydrologic and hydraulic analyses. For FY23 appropriations, we request your advocacy for programs that can be used to address environmental issues caused by climate change that would include the Federal Emergency Management Agency's (FEMA) Flood Mitigation Assistance Program, and FEMA's Hazard Mitigation Grant Program.

Promote nature-based climate solutions. Ecosystem conservation and management goes together with climate action strategies. We urge your support for funding to establish and protect our natural resources that address climate resilience and carbon sequestration, including forests and trees, wetlands, and sustainable agricultural lands. For 2022, we request increased appropriations in FY23 for programs providing funding and technical assistance for climate adaptation that would include the Urban and Community Forestry Program, and the Clean Water and Drinking Water State Revolving Funds program.

Reduce reliance on fossil fuels. We applaud your continued leadership and advocacy on policies to move away from fossil fuels and toward clean and renewable energy and innovative technology. We urge your support for legislation to help advance building decarbonization and electrification projects in public and private buildings. We seek increased funding opportunities for local governments to offer direct education and incentives to residents and businesses to improve energy efficiency and electrify energy end uses through successful local program

platforms like Montgomery Energy Connection (a network of County government and community partners) or a technical assistance hub for building owners. For FY23 appropriations, we request your continued support for Department of Energy programs funding energy efficiency and renewable energy efforts that include the Weatherization Assistance Program, and the Energy Efficiency and Conservation Block Grant program.

Environmental conservation corps and support for community and climate justice. The Bipartisan Infrastructure Law provided robust investment in environmental justice. We urge your support for annual appropriations for environmental restoration conservation corps offering training and education on environmental restoration necessary to address climate change and restore America's ecosystem. For FY23 appropriations, we request your continued advocacy for environmental justice activities, and related funding that would include EPA's Environmental Justice Small Grants Program, and EPA's Technical Assistance Services for Communities program. Additionally, we request your support for funding community justice academies with community ambassadors who will co-create integrated health, equity and quality-of-life solutions that center on the needs and desires of low-income and Black, Indigenous, and People of Color communities.

Telecommunications Technology

Cybersecurity. President Biden has made cybersecurity an important component of information technology (IT) modernization. We urge your continued support for funding cybersecurity investments that will allow local governments to upgrade and maintain network equipment, enhance cybersecurity applications and defenses and response, improve business continuity data recovery infrastructure, assess cybersecurity risks on premise and cloud systems, and expand workforce cybersecurity training/talent to hardened and better protect local government financial, healthcare, election, water, and electrical systems from criminal and international cybersecurity attacks. For 2022, we request increased appropriations for cybersecurity that includes funding for the Cybersecurity and Infrastructure Security Agency (CISA) which works collaboratively with State and local governments to protect cyber and physical infrastructure.

Communications Act and Public, Educational and Government (PEG) channels. We appreciate that our Congressional delegation has signed on as cosponsors of the Protecting Community Television Act (S. 3361/H.R. 6219) to ensure that cable operators may not charge local governments for the value of PEG channels that cable operators are required to provide under federal law. A statutory change will eliminate the ability of partisan administrations to make arbitrarily changes that negatively impact local community news and information. If the legislation is not enacted, franchised cable television operators may assert that they can deduct the cost of providing PEG channels and free cable television service to schools from the monetary franchise fees they pay to local governments.

Radio frequency (RF) and small cell standards. We urge you to consider transferring the responsibility for setting RF standards from the Federal Communications Commission (FCC)- a regulatory agency- to the National Institute of Standards and Technology (NIST)- the more appropriate standards setting body. Human exposure to RF emissions continues to be of concern to our residents. Additionally, we request that NIST be directed to complete a review of credible published papers on the health effects of RF emissions on humans, including women and children, and tests to measure biological impact on humans, and thermal and biological tests of RF at different frequencies within 6 months. And finally, we ask that NIST be ordered to create and update thermal and biological standards for smart phones, small cells, and household Internet-of-Things (IoT) devices, Wi-Fi, and Bluetooth devices within 2 years and review and update standards every 5 years thereafter.

Communications Act and Spectrum Act. Fully addressing the digital divide locally will require a strong federal partnership. We urge you to work with your colleagues to clarify the Communications Act and Spectrum Act to affirm that local governments are not limited to cost recovery, to enable local governments to charge market-based rents for use of public rights-of-way, streetlight lights, and street furniture and generate funding to address the digital divide locally.

Finance

Restore Advance Refunding Bonds. We urge the reversal of the detrimental provision of the Tax Cuts and Jobs Act of 2017 (P.L. 115-97) that eliminated the tax-exempt status of Advance Refunding Bonds used by local governments (including Montgomery County) to facilitate the budgeting and financing of long-range investments in infrastructure and facilities necessary to meet public demand. Please consider cosponsoring and supporting S. 479 (Lifting our Communities through Advance Liquity (LOCAL) Infrastructure Act) that would reinstate tax provisions relating to these bonds. (There is currently no companion bill in the House.)

Provide additional flexibility for the Coronavirus State and Local Fiscal Recovery Fund. We join the National Association of Counties (NACO) in urging your support for the passage of S. 3011/H.R. 5735 (the State, Local, Tribal, and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief Flexibility Act). The legislation calls for increased local control over the Recovery Funds which will provide an opportunity for local governments to fully realize the goals of ARPA.

Education

Fund Title I and Individuals with Disabilities Education Act (IDEA). We urge full funding in FY23 appropriations for Title I Grants to Local Education Agencies, and IDEA. These revenue streams provide billions of dollars nationally toward improving the achievement and education of disadvantaged children in our schools. Toward that end, we urge your support in advancing the Keep our Promise to America's Children and Teachers Act (S. 72 sponsored by

Senator Van Hollen and H.R. 764 in the House) that will create a 10-year mandatory glide path to fully funding both Title 1 and IDEA.

Increase supply of school-based mental health supports and services. The impact of COVID-19 has exacerbated the need for mental health services needed by children and their families. We urge your support for funding higher education degrees in social work and practicum opportunities for masters' degrees for individuals providing mental health services. For FY23 appropriations, we urge your support for programs that will provide training, access to scholarships and loan repayment to mental health and substance use disorder clinicians including the National Health Services Corps, Behavioral Health Workforce Education and Training Program, and the Minority Fellowship Program.

Washington Suburban Sanitary Commission (WSSC)

Authorize low-income water utility assistance program. We applaud Congress for creating the temporary Low Income Household Water Assistance Program (LIHWAP) that helps eligible households afford water and wastewater services. We urge that LIHWAP be made permanent, like the Low Income Home Energy Assistance Program (LIHEAP), and that increased funding be provided for the LIHWAP program in FY23 appropriations.

Support direct financial assistance to water utilities as the country recovers from the pandemic. WSSC Water continues to experience significant economic fallout from COVID-19. The March 2022 WSSC Water Delinquent Accounts Report identifies more than 112,000 past due accounts in WSSC's bi-county service area. Montgomery County represents about 29,000 of those accounts, of which a bit more than 94 percent are residential customers. Because of these past due amounts, WSSC Water reports \$130 million in lost revenue which has required cuts of approximately \$150 million in FY21 and FY22 budgets, as well as expected cuts of \$23 million in FY23. These actions translate into deferred maintenance on aging infrastructure, delayed capital projects, and no cost-of-living adjustment for essential employees. They have provided a temporary fiscal stopgap, but without additional funds, WSSC predicts a need to either increase rates or decrease preventive maintenance. To avoid that outcome, WSSC urges that Congress create a permanent federal assistance program comparable to existing utility assistance in the energy sector.

Housing

Eviction Prevention Assistance and Access to Affordable Housing. Providing an adequate supply of available and affordable housing has been a challenge both nationally and locally. We urge your support for increased federal appropriations for housing programs that include an expansion of the Low-Income Housing Tax Credit, the HOME Investment Partnership Program, the Housing Choice Vouchers program, the Emergency Solution Grant program, and the Continuum of Care Program Competition. Additionally, we urge that the Emergency Rental Relief Assistance Program be permanently extended to provide emergency assistance to households threatened with eviction and homelessness. Over 50 percent of renters in Montgomery County are cost-burdened – spending more than 30 percent of their income on

housing costs, leaving little for unexpected expenses such as medical emergencies, job loss, even car repairs. The COVID-19 pandemic has brought to the forefront the precarious housing situation for thousands of our residents. Montgomery County historically allocated \$4 million for eviction prevention funds. Since May 2020, we have received requests from over 22,000 households for over \$100 million in rental assistance. In just two months between late December 2021 and February 2022, there were over 14,000 eviction filings in the County. A strong federal partnership must be continued in the years ahead.

Affordable Homeownership Gap. We urge you to consider supporting legislation that could increase the availability of houses for sale. Senator Cardin's legislation, the Enact Neighborhood Homes Investment Act (S. 98/H.R. 2143) incentivizes affordable homeownership through a new tax credit program to investors that would subsidize the gap between the costs of building or rehabilitating a residential property versus the sale price of the home. It creates practical tax mechanism to spur ownership in certain communities, and we urge your review and consideration.

Housing supply shortages and commercial property conversion. The COVID-19 pandemic led to an exponential growth in teleworking and double-digit commercial property vacancy rates. We urge you to work with your colleagues on legislation to create a special allocation of 9 percent tax credits for conversion of commercial buildings to affordable housing. The tax credits are competitive, and potential conversion projects may be unable to compete in a 9 percent tax credit round due to the State's limitation on maximum per square foot cost and/or negative points assigned to the project for the high development cost.

We appreciate your consideration of Montgomery County's 2022 federal priorities. We have worked closely and effectively with our Congressional delegation over many years, and we value our partnership. Please let us know how we can work with you to advance these issues.

Sincerely,

MONTGOMERY COUNTY 2021 FEDERAL PRIORITIES

TRANSPORTATION

- **Invest in bus infrastructure.** Appropriate funding for infrastructure investments to improve bus transit, with an emphasis on Bus Rapid Transit (BRT) corridors like Montgomery County's Phase 1 BRT system and the State of Maryland's Corridor Cities Transitway (CCT). Provide increased funding in fiscal year 2022 (FY22) for competitive discretionary programs as well as formula grant programs. Appropriate funding to and expand the Federal Transit Administration's (FTA) Capital Investment Grant program to fund new transit systems, particularly New Starts and Small Starts, with a focus on BRT. Increase funding for the U.S. Department of Transportation's BUILD Discretionary Grant program.
- **Improve Commuter Rail.** Expand funding availability to improve the quality and effectiveness of the State of Maryland's MARC Commuter Rail system including capacity expansion of the Brunswick line and its station and park-and-ride facilities. These improvements would allow all-day, two-way train service and the addition of stations in high-priority growth areas like Shady Grove and White Flint. Coupled with investments in run-through service in Washington, D.C., better Commuter Rail could be the key to increasing the connectivity between the dynamic activity centers within the National Capital Region.
- **Support clean vehicle fueling networks.** Develop clean fueling (hydrogen and electric) networks through implementation of charging and fueling infrastructure grants that promote phasing out gas-powered vehicles. Improve access to economies of scale so local jurisdictions can benefit and apply for resulting technologies. Fund local governments' ability to develop and implement long-range plans to accelerate deployment of charging and refueling infrastructure, with priority to infrastructure at workplaces, existing multi-unit dwellings and low-income communities. Include funding for utility infrastructure upgrades.
- **Fund transit operations and community connections to achieve equity.** Continue funding sustaining transit as the Country recovers from COVID-19 to avoid loss of services to transit-dependent communities and to avoid increased reliance on single occupancy vehicles. Provide competitive opportunities for local governments to explore transit pilot programs that use transit as a tool to promote equity. To promote investment in and adoption of transit in a way that will have positive effects on quality of life and climate change, treat transit as a public service available to all, similar to public schools and libraries. Implement Community Connectivity Pilot Program for planning and construction of projects to restore connections between communities historically impacted by highway development.

- **Reauthorize Passenger Rail Investment Improvement Act (PRIIA).** Adopt a multi-year PRIIA reauthorization of at least \$150 million each year. Annual appropriations will be matched by local jurisdictions and should increase gradually to support the transit backbone of the Washington Metropolitan region.
- **Prioritize safety.** Provide a safety incentive program with formula funding for States and Metropolitan Planning Organizations (MPOs) with a significant portion of funding to be suballocated, to support improving transportation safety for vulnerable users (e.g., people walking, bikers, and with disabilities) by including Vision Zero priorities and actions to work towards ending traffic deaths. Provide funding opportunities to support local governments in developing and employing a universal design approach so that public infrastructure is accessible, understandable, safe, and useful for all. Shift funding priorities to support investment in modification of existing infrastructure to better accommodate safe travel by all roadway users.
- **Invest in Transportation Demand Management (TDM).** Support creation of a TDM formula grant program (separate from the Congestion Mitigation and Air Quality (CMAQ) program) as a cost-effective approach to promote use of alternatives to personal-auto-focused transportation modes including teleworking, qualified transportation fringe benefits, and improved cycling and pedestrian infrastructure. Reinststate the bicycle benefit within federal qualified transportation fringe benefits and adopt H.R. 384, the Bicycle Commuter Act or similar proposal to expand the benefit to include entire range of low- or no-emissions micromobility devices. Pass H.R. 382, the Adopt the Bikeshare Transit Act or similar proposal to amend federal code to include micromobility projects (i.e. bikeshare, e-scooter) under the umbrella of transit improvements eligible for federal transit funds. TDM strategies will advance climate goals, expand racial equity and health benefits, and encourage more effective use of existing infrastructure.
- **Fund programs that renew infrastructure and support adaptation and resilience in response to climate change.** Modify programs to prioritize funds invested in existing maintenance backlog for pavement, storm drain systems, and street tree maintenance. Develop or expand funding programs for systematic safety programs and programs that measure, or reduce vehicle miles travelled (VMT), while prioritizing access to jobs and economic opportunity. Provide formula and discretionary programs for local governments to improve resilience of critical infrastructure including transit systems, bridges and culverts, roadway, and trail networks.
- **Promote use of electric vehicles (EVs) and zero emission vehicles (ZEVs).** Implement a formula carbon reduction incentive program for projects that reduce on-road mobile source of carbon emissions from transportation. Support legislation to accelerate the use of EVs and ZEVs. Include provisions to enable low- and moderate-income households to benefit from these technologies and extend and enhance tax credits and other incentives (e.g., cash grants for eligible lower income recipients) for sale of new and used ZEVs and for charging and alternative refueling facilities. Include e-bikes in federal tax credit and rebate programs for lower cost solutions for those not requiring cars.

- Increase appropriations for FTA’s Bus and Bus Facilities program to support purchases of low- or no-emission buses and necessary bus facilities through its discretionary program for low- or no-emissions bus deployment projects (Federal Transit Act §5339). Expand reauthorization to allow for expansion of electric bus fleets and charging infrastructure without penalty for age and quality of existing fleets.

TELECOMMUNICATIONS TECHNOLOGY

- **Radio frequency (RF) and small cell standards.** Request responsibility for setting RF standards be transferred from the Federal Communications Commission (FCC)- a regulatory agency- to the National Institute of Standards and Technology (NIST)- a standards setting body. Direct NIST to complete a review of credible published papers on the health effects of RF emissions on humans, including women and children, and tests to measure biological impact on humans, and thermal and biological tests of RF at different frequencies within 6 months. Further direct NIST to create and update thermal and biological standards for smart phones, small cells, and household Internet-of-Things (IoT) devices, Wi-Fi, and Bluetooth devices within 2 years and review and update standards every 5 years thereafter.
- **Communications Act and Spectrum Act.** Clarify Communications Act and Spectrum Act to affirm that local governments are not limited to cost recovery, to enable local governments to charge market-based rents for use of public rights-of-way, streetlight lights, and street furniture and generate funding to address the digital divide locally.
- **Communications Act and Public, Educational and Government (PEG) channels.** Clarify Communications Act to ensure that cable operators may not charge local governments for the value of PEG channels that cable operators are required to provide under federal law. Under the Biden administration, the new FCC has been tasked with undoing harm created by the previous administration. A statutory change will eliminate the ability of partisan administrations to make arbitrarily changes that negatively impact local community news and information.

ENVIRONMENT

- **Address climate change.** Advance legislation increasing federal funding to local governments for climate change mitigation and resilience actions including funding for green and resilience banks to facilitate private investment in domestic low-carbon, climate-resilient infrastructure. Adopt legislation to phase out gas-powered vehicles, establish a carbon tax, and expand federal tax credits for solar installations.
- **Create environmental conservation corps.** Support funding for an environmental restoration conservation corps offering training and education on environmental restoration necessary to address climate change and restore America’s ecosystems.

EDUCATION

- **Fund Title I and Individuals with Disabilities Education Act (IDEA).** Support full funding for Title I and IDEA which provides billions of dollars nationally to public education for disadvantaged children and disabled children.
- **Increase supply of school-based social workers.** Fund higher education degrees in social work and practicum opportunities for masters' degrees for individuals serving K-12 students. Anticipate shortage of social workers to meet students' mental health needs due to unfinished learning challenges from the pandemic.

LIBRARIES

- **Fund Institute for Museum and Library Services (IMLS).** Support Library Services and Technology Act providing funds for crucial library services during the pandemic including expanded access to digital content, digital service, and Wi-Fi lending. Adopt S. 284/H.R. 1003 or similar proposal supporting library services and technology needs stemming from COVID-19.

HEALTH AND HUMAN SERVICES

- **Adopt immigration reform.** Support comprehensive immigration reform legislation, including a pathway for permanent residence and citizenship, and eligibility for unemployment benefits and healthcare coverage through Medicaid and the Children's Health Insurance Program (CHIP). Our economy benefits from the spending power of immigrant consumers, and our communities are stronger and more resilient when every resident has access to affordable healthcare.
- **Support aging and disabled residents.** Increase appropriations for U.S. Department of Housing and Urban Development's (HUD) Congregate Housing Services Program (CHSP) providing programming and staffing for housing individuals with complex needs. CHSP funds critical housing and continuity of care support for frail elderly, nonelderly disabled, and temporarily disabled residents with persistent and pervasive behavioral health issues preventing premature and unnecessary institutionalization. Support legislation in 117th Congress addressing access to ALS critical therapies (introduced as H.R. 8662/S. 4867 in the 116th Congress). Support legislation in 117th Congress addressing dependency and indemnity compensation from the Department of Veterans Affairs (introduced as H.R. 3221/S. 1047 in the 116th Congress).
- **Address mental health issues after COVID-19.** Fund federal health programs directed toward mental and behavior health for school-aged youth and families struggling with long-term trauma from extended isolation, death of family and friends, economic hardship, and housing instability. Funding should extend for not less than three years beyond end of pandemic.

HOUSING

- **Address and prevent homelessness.** Increase FY22 appropriation for HUD's Housing Trust Fund by \$20 billion, and HUD's Section 8 Housing Choice Voucher program. Support President Biden's plan for universal housing vouchers addressing housing inequities and poverty. Specifically, require direct portion of additional Housing Choice Vouchers for conversion to project-based vouchers for use by non-profit and for-profit affordable housing developers.
- **Adopt the Neighborhood Homes Investment Act (S. 98).** Sponsored by Senator Cardin, S. 98 would create a tax credit program to incentivize affordable homeownership by providing a tax credit to investors that subsidize the gap between what it costs to build or rehab and what the home can sell for. This could be a game changer on ownership in certain communities. We urge our Congressional delegation to support this initiative.
- **Address housing affordability.** Increase annual federal funding for key housing and community development programs needed to address recovery in communities most impacted by COVID-19 (e.g., Home Investment Partnerships (HOME) program, and Community Development Block Grant (CDBG) program).

FINANCE

- **Restore Advance Refunding Bonds.** Reverse provision of Trump tax cuts and adopt S. 479 or similar proposal amending the Internal Revenue Code of 1986 to restore tax-exempt status of Advance Refunding Bonds. Restoring tax-exempt treatment of advance refunding bonds provides County flexibility to restructure and manage its debt.

WSSC

- **Authorize low-income water utility assistance program.** Make permanent the temporary Low-Income Water Utility Bill Assistance program included in CRRSAA and ARPA. Provide FY22 appropriations helping customers cover drinking water and wastewater utility bills.
- **Support direct financial assistance to water utilities during pandemic.** WSSC Water experiencing significant economic fallout from COVID-19. Expected consequences are rate increases or decreases in preventive maintenance. Establish permanent federal assistance program comparable to utility assistance in energy sector.
- **Increase funding for critical waste and wastewater repair, replacement, and rehabilitation.** Adopt comprehensive multi-year infrastructure package authorizing water and wastewater program funding. Critical to environmental health, public health, and national economy.

4/16/21

MONTGOMERY COUNTY 2020 FEDERAL PRIORITIES

TRANSPORTATION

- Washington Metropolitan Area Transit Authority (WMATA) and the Passenger Rail Investment and Improvement Act (PRIIA). Seeking reauthorization of PRIIA that would include the annual \$150 million federal match for WMATA, as well as a \$150 million appropriation in FY21 for WMATA
- Federal infrastructure Investment- Support House Democrats' five-year "Moving Forward Framework" proposal that would authorize \$760 billion in infrastructure investment (e.g., highways, transit, rail, airports, harbor water & wastewater, broadband & communications, etc.). Legislation expected at the end of February
- Federal Parkway Rehabilitation and Federal Lands Access Funding- Seeking adequate levels of federal funds for maintenance of transportation assets managed by the National Park Service (e.g., Clara Barton Parkway, George Washington Memorial Parkway, etc.)
- DCA Overflight Noise- continue partnership with Congressional delegation to advance FAA noise mitigation procedures and press for the completion of FAA studies on health impacts and aircraft overflight noise as directed under the FAA Reauthorization Act of 2018

TELECOMMUNICATIONS

- Deployment of Small Cell Wireless Antennas- Urge Congressional delegation to continue to legislatively challenge FCC's small cell orders preempting local authority to manage the placement and size of small cells in public rights-of-way. Request support and cosponsorship of H.R. 530, Accelerating Wireless Broadband Development by Empowering Local Communities Act of 2019, and S. 2012, Restoring Local Control Over Public Infrastructure Act of 2019
- Cable in-kind franchise fees- Urge Congressional delegation to continue its efforts to legislatively challenge the FCC's Order granting cable operators the right to reduce their franchise obligations which will have a significant fiscal impact on local governments' ability to fund cable services to government buildings and schools, discounts for seniors, veterans and poor families and other obligations (S. 3218/H.R. 5659)

PUBLIC SAFETY

- Reducing Mental Illness in Jails- Urge Congressional delegation to support full funding of the Justice and Mental Health Collaboration Program, as well as supporting legislative efforts to restore health benefits for justice-involved individuals

ENVIRONMENT

- “Forever Chemicals”- Urge Congressional delegation to pursue legislation in 2020 to address the public health threat of PFAS (per- and polyfluoroalkyl Substances) contamination. These toxic, super- resilient, man-made chemicals contaminating drinking water and other media have been linked to cancer, kidney disease, and birth and developmental disorders, and have triggered significant national concern. Federal action is needed to address PFAS “lifecycle” issues from production to disposal that would include providing federal funding for remediation of PFAS-contaminated drinking water supplies.
- Water affordability- Urge Congressional delegation to seek increased federal investment in water affordability programs similar to the home energy affordability program LIHEAP

HOUSING

- Housing Affordability- Urge Congressional delegation to continue its work on expanding the supply of affordable housing through increased federal funding for key housing and community development programs (e.g., Home Investment Partnerships (HOME) program, Community Development Block Grant (CDBG) program, and Homeless Assistance and Section 8 Vouchers), as well as supporting legislation that would expand the Low Income Housing Tax Credit used to encourage more private sector investment in new construction, acquisition, and rehabilitation of rental housing affordable to low-income households. Request their support and cosponsorship of the Affordable Housing Credit Improvement Act (S. 1703 and H.R. 3077) pending the 116th Congress

HEALTH

- Older American Act reauthorization- Urge our Congressional delegation to support this reauthorization that is a major vehicle for the delivery of social and nutrition services for seniors in the County
- Medicaid, Medicare, SNAP- Urge our Congressional delegation to continue their opposition to program cuts contained in the President’s FY21 budget which would have a significant impact on health outcomes and access to care services
- Health inequities- Following-up on a staff-level meeting between Dr. Travis Gayles and senior legislative staff from our Congressional delegation, the County would urge our delegation to support federal programs aimed at addressing challenging health disparities in our communities. Specifically, urging the delegation to examine the eligibility requirements of HRSA’s Maternal, Infant, and Early Childhood Home Visiting Program to ensure that communities with pockets of poverty are served, increasing the funding levels for CDC programs addressing sexually transmitted infections and tuberculosis, and supporting the HHS initiative “Ending the HIV Epidemic: A Plan for America” aimed at reducing HIV infections by 90% by 2030

EDUCATION

- Title I and Individuals with Disabilities Education Act (IDEA)- Urge Congressional delegation to support full funding for Title I and IDEA which provides billions of dollars nationally to public education for disadvantaged children and disabled children

6/8/20

ADDENDUM

MEMORANDUM

April 2, 2022

TO: Councilmembers

FROM: Christine Wellons, Senior Legislative Attorney

SUBJECT: Federal Priorities – 2022; Federal Earmarks FY23

This addendum encloses for the Council’s consideration:

(1) Additional information, provided by the County Executive’s Office on April 1, regarding the potential federal priority to acquire Glen Echo Park from the National Park Service; and

(2) A list of proposed County departmental federal earmark requests for FY22. This list was reviewed and approved by the County Executive on April 2.

Enclosures

Briefing re: Glen Echo Park (from County Executive staff)
List of Departments’ Proposed Federal Earmark Requests

Page

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©A3

*Briefing Information for
potential transfer of Glen Echo Park to Montgomery County Maryland
from the National Park Service*

Background:

There is an existing cooperative agreement signed in 2018 between the NPS and the County which obligates the County to manage and maintain the Park and the grounds. Negotiated with the assistance of Senator Van Hollen and Representative Raskin, the agreement grants the County day-to-day oversight of the Park. A 501(c)3 organization, the Glen Echo Park Partnership for Arts and Culture (GEPPAC), is the County's management entity at the site.

The County began our 20-year partnership to manage the property in 2002 with the initial cooperative agreement. To reverse years of neglect and deterioration, the County (in partnership with the Congressional delegation) created the management structure and invested over \$7 million in capital improvements.

Under the current agreement, the park remains Federal property with all the attendant requirements as a property owned by the National Park Service. This includes extensive review processes for activities, improvements, and enhancements to the site. Planning is hindered significantly by the existing structure of the agreement. The NPS review is lengthy, and it is oftentimes unclear how to move project planning forward.

About the property:

The Park is home to numerous resident organizations and non-resident partners who utilize the historic Spanish Ballroom, the historic Dentzel carousel, the former Arcade building, historic Bumper Car Pavilion and the 9-acre property. The property is uniquely located where the County abuts Washington DC and adjacent to Virginia along a major roadway which enables the site to attract a wide audience.

Resident partners include Adventure Theatre MTC (ATMTC), the Puppet Co., the Washington Conservatory of Music, Glen Echo Pottery, Photoworks, SilverWorks Studio, Yellow Barn Studio, the Art Glass Center, Glen Echo Glassworks, and Washington Revels and the Glen Echo Park Aquarium (GEPA). Non-resident partners include hundreds of instructors and presenters who provide social dance, music, art instruction, and other genres at the site.

The Park is the site of civil rights protests in the 1960's at the former amusement park which was privately owned. The current program content includes civil rights and social justice education and related historic content.

Attendance at the Park for all programs exceeds 350,000 per year (pre-pandemic).

Q&A Section:

What does approval of prioritizing this obligate the County to?

The prioritization of exploring the potential transfer of the property to the County with our federal delegation does not obligate the County to anything new – it merely gives the go-ahead to look into this opportunity.

What are the budget implications of a future transfer?

The operational budget implications do not change significantly if land is transferred – the County is currently obligated to maintain and repair the buildings and property. The only addition would be the large parking lot adjacent to the town of Glen Echo. Additionally, some consideration will be given to the Clara Barton House property as a separate matter that could be folded into the transfer. The County along with GEPPAC provide all maintenance, repair, grounds maintenance, and long-term maintenance.

Future capital budget items would need to be approved separately as with any County property. The transfer would enable the operating partner to raise private matching funds more easily than is the case under NPS ownership.

What would the transfer cost the County?

There are examples in which a transfer of federal land does not cost anything. The legal issues have been researched with cases of this provided as a basis for the transfer. In some situations, there may need to be purchase or swap of land. This is not the scenario proposed at this time.

Why is this being sought right now?

The Park is reaching a point where further improvements and development are needed to fully realize the programmatic potential and serve the many groups, artists, and patrons. Even small improvements such as re-paving lots and improving the landscaping are unable to move forward through the NPS processes in any timely fashion. Placing the Park under the County could provide a clearer path forward to ensure the Park is maintained and meets its full potential.

Also, private investment is difficult to obtain currently with the unclear mandate and approvals that the NPS ownership structure provides. GEPPAC has completed an initial conceptual master planning process with pro bono designers and are poised to seek funding but must have clearer approvals to garner donations.

Community Project Funding (House)/Congressionally Directed Spending (Senate)
Fiscal Year 2023
(Developing proposals for online submission to Congressional Delegation)

Department of Transportation

- Secure Bike Parking Facilities in Silver Spring and Bethesda. Fund the construction of a secure bike parking facility in downtown Silver Spring, adjacent to the Silver Spring Transit Center and the Metropolitan Branch Trail, and the fit-out of the Bethesda Secure Bike Parking Facility, located adjacent to the Bethesda Red and Purple Line stations and the Capital Crescent Trail. These two facilities will provide a secure area for registered users to park their bikes when riding to jobs, retail, entertainment, and transit in two of the County's biggest job centers. Secure bike parking is essential in shifting mode share to cycling, as people will not make trips by bicycle if they fear their bike will be stolen. Both facilities are adjacent to major transit hubs and are also connected to regional recreational and commuter bike trails. Total Project Cost: \$535,000. Silver Spring Secure Bike Parking Facility - \$350,000 and Bethesda/CCT Secure Bike Parking Facility - \$185,000.
- Ride On Driving Simulator Safety Program. Purchase Bus Driving Simulators to promote the County's commitment to reducing transit crashes and mitigating safety risks. Develop and implement a driving simulator training program within the Ride On Operations Safety and Training Program. These simulators will be able to train for high-risk events in a safe environment, enabling bus operators to provide improved, safer service. Total Project Cost: \$953,300.
- Flash Expansion to Howard County Maryland. The expansion of Flash service to Howard County requires purchase of additional buses and physical infrastructure to support the new service. Request funding for four new zero-emission buses to be owned and operated by Montgomery County to expand service from Burtonsville to Columbia along US 29. Total Project Cost: \$4,000,000.
- Family E-Cargo Bike Borrowing Program. Purchase fleet of electric-assist cargo bikes and implement pilot program to lend cargo bikes to County residents for a short-term trial. Goal to promote adoption of e-biking for young families who otherwise may shift from walking/biking/transit into personal auto travel because of logistics of transporting children. Collect data and feedback on usage. Make it possible to try these bikes and allow families to see firsthand if they can replace auto trips with biking, giving families the confidence to make the investment in cargo bikes (even if they still use personal auto as well). Total Project Cost: \$500,000

Montgomery College

- Building an Inclusive Healthcare Workforce: Lifting Underrepresented Residents into Healthcare Careers. Proposed by [Primary Care Coalition](#), [Nexus Montgomery](#), and [Montgomery College](#) will open doors to opportunity for residents and address critical workforce shortages in the health care sector. Montgomery County requires more health care workers—an issue seen across the nation that has only grown more critical because of the pandemic. Concurrently, residents need access to education and training to be able to fill those jobs. This program will provide residents with the needed-access to both quality training and career support that will allow them to move swiftly into employment—more people will thrive while also filling workforce gaps. Our un/underemployed residents need the planned outreach to engage them in the low and no-cost training proposed in *Building an Inclusive Healthcare Workforce: Lifting Underrepresented Residents into Healthcare Careers*. The program will infuse the workforce with 200 newly launched health care professionals with degrees or certificates. And it will leave a long-lasting mark on educational access by providing additional training labs that will add to Montgomery College’s long-term capacity to prepare *future* homegrown healthcare workers. The total cost of the program will be approximately \$1 million.

Department of Environmental Protection

- Flood Control Study – Watershed by Watershed Management Plans. Project will support the development of watershed-by-watershed management plans to address damage created by flooding and to build resiliency and improve public safety. Project scope aligns with a CIP project proposed in the FY 23-28 capital budget. Project would include identifying areas at risk of flooding, quantifying that risk, developing mitigation alternatives, and conducting cost benefit analyses including evaluation of impacts to disadvantaged communities.
- Agrivoltaic Demonstration Project. Project will assess the viability of growing table crops beneath ground mounted solar arrays in the County’s Agricultural Reserve as well as the higher installation costs associated with the unique configuration and height of the solar panels. Project will complement a research framework being developed with the National Renewable Energy Lab and the University of Maryland College of Agriculture and Natural Resources.
- Support Electrification and Indoor Air Quality in Low Income Housing. Project will launch a pilot electrification retrofit program for low- and moderate-income housing to support energy efficiency projects that both improve housing climate resiliency and indoor air quality and home comfort for its residents. The Department of Environmental

Protection will partner with the Department of Housing and Community Affairs to work with a multi-family Housing project to install energy efficient appliances and heating and cooling systems in low-income residential units.

- Continuation of the Energy Connection program. Energy Connection program was initiated with funds from the Pepco/Exelon merger. Montgomery Energy Connection is a network of County Government and community partners, created to provide customized education on the benefits of energy efficiency, availability of programs and opportunities for assistance. The program has helped hundreds of residents in the County. The funds from the merger will be expended in the coming year. The funds will be used to continue the successful efforts to date and ensure that all our residents have a place to go to learn about Energy programs.

County Executive's Office

- Institute for Intelligent and Immersive Computing for Life Sciences and Medicine: A Montgomery County and State of Maryland Partnership for Economic Resurgence at White Flint. Transformative partnership is proposed between the State of Maryland, Montgomery County, and the University of Maryland to establish White Flint as a national epicenter of computationally enabled life sciences research. A request for \$3 million to fund startup costs for artificial intelligence computational infrastructure in leased space.

Department of Police

- License Plate Reader expansion. MCPD would build out over several years an existing program using fixed license plate readers in high crime areas and common thoroughfares in/out of neighboring jurisdictions. Working with Prince George's County and Metropolitan Police Department (D.C.), MCPD would create a regional LPR alerting system so officers could react to LPR hits near the borders in real time. The LPR expansion would serve MCPD's real time crime program and serve as a component of a wider technology program such as public security cameras and real time regional data and mapping. Funding for additional fixed LPR units and supportive technologies such as servers, storage, wireless technology connections, etc. would serve not only Montgomery County but the greater NCR.