
1909 K Street, NW
12th Floor
Washington, DC 20006-1157
TEL 202.661.2200
FAX 202.661.2299
www.ballardspahr.com

Brent R. Heberlee
Tel: 202.661.2249
Fax: 202.661.2299
heberlee@ballardspahr.com

MEMORANDUM

TO Legislative Committee

FROM Brent R. Heberlee

DATE April 3, 2019

RE Federal Legislative Update

This memo provides a Federal Legislative Update on the items appearing on the agenda for the April 8, 2019, Legislative Committee meeting.

1. Dream and Promise Act / SECURE Act

The Dream and Promise Act was recently introduced in the House with over 200 cosponsors, including Rep. Jimmy Panetta. The legislation would provide a pathway to citizenship for eligible Dreamers who entered the U.S. under the age of 18 and who were continuously present in the U.S. for 4 years prior to the date of the bill's enactment. Dreamers would be provided conditional permanent resident status and would need to fulfill an education, employment, or military track to adjust to permanent resident status. In addition, the legislation would secure permanent residency for people with Temporary Protected Status (TPS) and Deferred Enforced Departure (DED). TPS is a temporary, legal status granted to foreign citizens who are endangered by conditions in their home country such as ongoing armed conflict, environmental disaster, epidemic, or other extraordinary events. DED is a humanitarian program authorized under the President's power to conduct foreign relations. After 5 years, those permanent residents would be eligible to apply to become citizens.

Senator Feinstein and several of her colleagues recently introduced the Safe Environment from Countries Under Repression and in Emergency (SECURE) Act. This legislation would allow qualified TPS and DED recipients to apply for legal permanent residency. Currently, there are approximately 437,000 people with TPS in the United States from ten designated countries: El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, Sudan, South Sudan, Syria, and Yemen. Liberians, originally granted TPS in 1999, are currently the only country protected by DED. Under the bill, all TPS and DED recipients

who qualified under the most recent designation and who have been continuously present in the United States for at least three years would be eligible to apply for legal permanent residency.

2. Fighting Homelessness Through Services and Housing Act

Senator Feinstein recently introduced the Fighting Homelessness Through Services and Housing Act, which authorizes a new funding stream for supportive housing models that provide comprehensive services and intensive case management.

Specifically, the bill authorizes \$750 million in grants annually for the next five years for local governments to combat homelessness. The grants may be used for any combination of operations and capital building costs, as long as housing and services requirements are fulfilled. Services must address issues including mental health, substance use disorders, disabling or other chronic health conditions, educational and job training/employment outcomes, and life skills classes. Grants for services and housing would require a 25% match from non-federal funds.

Senator Feinstein's office has requested the County's support for the bill. County staff has reviewed the bill and is supportive.

3. SAFE Banking Act

With bipartisan support, the House Financial Services Committee recently approved the SAFE Banking Act, which would allow lawful state-authorized cannabis businesses, along with their service providers, to access banking services and products. The bill seeks to harmonize federal and state law by prohibiting federal banking regulators from engaging in certain actions against financial institutions serving state-authorized cannabis businesses. The legislation provides a safe harbor for financial institutions to offer their products and services to well-regulated cannabis-related businesses. The legislation also adds protections for ancillary businesses, specifies how businesses on tribal land could qualify, and requires the Federal Financial Institution Examination Council (FFIEC) to develop uniform guidance and exam procedures to help financial institutions lawfully serve cannabis-related legitimate businesses. Furthermore, the bill clarifies protections for service providers, electronic payments, and armored cars, as well as requires reports to Congress on access to financial services and barriers to marketplace entry for potential and existing minority-owned and women-owned cannabis-related legitimate businesses.

The bill is expected to be considered on the House floor in the near future. It currently has 155 cosponsors, including Rep. Panetta.

4. Livable Incomes for Families Today (LIFT) the Middle Class Act

Senator Kamala Harris has re-introduced the LIFT the Middle Class Act, legislation that provides middle class and working families with a tax credit to address the rising cost of living. The legislation would provide up to \$6,000 a year per family, in the form of a refundable tax credit. The tax credit applies to households earning under \$100,000 annually, and it provides up to \$3,000 for single filers earning under \$50,000 per year. The tax credit can be accessed each month or at the end of the year -- families can receive up to \$500 per month and individuals can receive up to \$250 per month.

Senator Harris has noted that the advance credit each month would also provide families an alternative to taking out predatory payday loans. The median payday loan borrowed is \$350 and interest on these loans can be as high as 780% annually, which often force borrowers deeper in debt.

Attachments:

- Fighting Homelessness Through Services and Housing Act support letter
- LIFT Act support letter
- Federal Bill/Issues Track