



Pikes Peak Area
Council of Governments
Communities Working Together

MEETING AGENDA
PPACG LEGISLATIVE COMMITTEE
March 4, 2024, 8:30 a.m.

In Person

PPACG Upper Conference Room – 15 S. 7th St., Colorado Springs, CO 80905

Microsoft Teams (Video and Audio)

www.microsoft.com/en-us/microsoft-teams/join-a-meeting

Meeting ID: 225 943 896 459

Passcode: tc5eWW

Dial in (Audio Only)

Phone Number: (929) 242-8427

Conference ID: 429 240 529

Meeting will be held in a hybrid format to allow in-person attendance as well as a remote option.

This meeting is for PPACG directors, PPACG staff and PPACG's lobbyists to develop positions on legislation for consideration by the PPACG's Board of Directors. Guests are welcomed to attend and listen in, but guest participation is at the discretion of the chair/co-chair and attending directors.

1. Call to Order – Legislative Committee Co-Chairs, Commissioner Stone and/or Mayor Dixon
2. Updates from the Colorado General Assembly – Dan Jablan and/or Suzanne Hamilton, Cherry Point Strategies
3. Action Items
 - A. Review of introduced bills ☒
 - B. Review of existing bills ☒
4. Information Items
 - A. Federal updates handout ☒
5. Member open discussion
6. Next meeting and potential topics
 - A. March 11, 2024, 8:30 a.m.
7. Adjournment

The Pikes Peak Area Council of Governments will not discriminate against qualified individuals with disabilities. Meetings are available to join remotely via Microsoft Teams, and meetings include live transcription for remote and in-person attendees using automated software. Should you require any additional auxiliary aids or services to participate, please contact ppacg@ppacg.org or (719) 471-7080 x139 as soon as possible so that we can do our best to accommodate your needs.

Si necesita ayuda con traducción, llame por favor al (719) 471-7080 x139 o correo electrónico ppacg@ppacg.org.



Current as of March 1, 2024

Jump to:

- [New bills for committee consideration](#)
- [Bills PPACG is supporting](#)
- [Bills PPACG is amending](#)
- [Bills PPACG is opposing](#)
- [Bills PPACG is monitoring](#)

New bills for committee consideration

Bill #	Topic	Bill Summary	Sponsors	Status
HB24-1230	<p>Protections for Real Property Owners</p> <hr/> <p>PPACG Legislative Theme: Construction Defect Reform</p>	<p>Current law declares void any express waivers of or limitations on the legal rights or remedies provided by the "Construction Defect Action Reform Act" or the "Colorado Consumer Protection Act". Sections 1 and 4 make it a violation of the "Colorado Consumer Protection Act" to obtain or attempt to obtain a waiver or limitation that violates the aforementioned current law. Section 4 also requires a court to award to a claimant that prevails in a claim arising from alleged defects in a residential property construction, in addition to actual damages, prejudgment interest on the claim at a rate of 6% from the date the work is finished to the date it is sold to an occupant and 8% thereafter.</p> <p>Current law requires that a lawsuit against an architect, a contractor, a builder or builder vendor, an engineer, or an inspector performing or furnishing the design, planning, supervision, inspection, construction, or observation of construction of an improvement to real property must be brought within 6 years after the claim arises. Section 2 increases the amount of time in which a lawsuit may be brought from 6 to 10 years. Current law also provides that a claim of relief arises when a defect's physical manifestation was discovered or should have been discovered. Section 2 also changes the time when a claim of relief arises to include both the discovery of the physical manifestation and the cause of the defect. Section 3 voids a provision in a real estate contract that prohibits group lawsuits against a construction professional. Section 5 of the bill prohibits governing documents of a common interest community from setting different or additional requirements than those in current law for a construction defect action.</p>	<p>House: Parenti-D Bacon-D</p>	<p>Scheduled for March 6, House Judiciary</p>
HB24-1338	<p>Cumulative Impacts & Environmental Justice</p> <hr/> <p>PPACG Legislative Theme: Air Quality</p>	<p>House Bill 21-1266, enacted in 2021, authorized the creation of the environmental justice action task force to develop recommendations for measures to achieve environmental justice in the state. The task force completed its work and published a final report on November 14, 2022, which report included a recommendation for the development of</p>	<p>House: Rutinel-D Velasco-D</p>	<p>Scheduled for March 14, House Energy & Environment</p>

		<p>environmental equity and cumulative impact analyses (EECIA) in the state. Section 2 of the bill creates the office of environmental justice (office) in the department of public health and environment (CDPHE) and section 1 requires the office to oversee a process to develop at least 2 EECIAs for specific geographic locations in the state. Once an EECIA is developed, various state agencies will be able to rely on the EECIA in conducting cumulative impact analyses regarding potentially polluting activities.</p> <p>The office must choose as locations for the EECIAs communities that are disproportionately impacted communities, with priority given to communities that have a heightened potential for widespread human exposure to environmental contaminants. After selecting a location for an EECIA, CDPHE must contract with an academic institution or other third party to develop an EECIA. In developing an EECIA, the applicable contractor must perform a scientifically rigorous analysis that includes most of the recommendations made by the environmental justice action task force.</p> <p>Section 3 makes a technical change regarding the assessment of civil penalties for air quality law violations.</p> <p>On or after January 1, 2026, section 4 authorizes the elected officials of a city, town, county, or city and county (local governing body) to request that the air quality control commission (commission) impose limits on any new or increased operational emissions of certain health-related air pollutants that would affect individuals located in the geographic region governed by the local governing body. To obtain approval of such a request, the local governing body must demonstrate to the commission's satisfaction that:</p> <ul style="list-style-type: none"> • The geographic region over which the local governing body has jurisdiction is cumulatively impacted by pollution; and • An agency of the local government governed by the local governing body has a process to review exemption requests from the limits on any new or increased operational emissions. <p>An approved request for limits expires after 5 years and the local governing body must renew its request to further continue the limits. The commission may rescind its approval of the limits if the commission determines that the local governing body is not complying with its own processes regarding the limits.</p> <p>On or before January 1, 2025, the division of administration (division) in CDPHE is required under section 5 to hire a petroleum refinery regulation expert to examine whether a specific petroleum refinery rule should be adopted by the commission and examine other regulatory or nonregulatory measures performed. Section 5 requires a petroleum refinery in the state to comply with certain monitoring requirements to provide real-time emissions monitoring data to the division. Section 5 also requires the division to establish a rapid response inspection team to respond quickly to air quality complaints received. Once the team is established, the team is required to develop processes and best practices for quickly responding to such complaints and to engage in outreach to communities regarding events and conditions that lead to excess air pollution emissions in communities.</p>	<p>Senate: Michaelson Jenet-D</p>	
--	--	---	---	--

<p>HB24-1339</p>	<p>Disproportionately Impact Community Air Pollution PPACG Legislative Theme: Air Quality</p>	<p>Under current law, the air quality control commission (commission) consists of 9 members. As of October 1, 2024, section 2 of the bill increases the membership of the commission to 11 members to include:</p> <ul style="list-style-type: none"> • One member who represents a disproportionately impacted community and the interests of communities of color and who does not derive income from an entity that the commission regulates; and • One climate scientist employed by an organization that does not derive income from an entity that the commission regulates. <p>Under current law, the commission is required to adopt rules regulating greenhouse gas (GHG) emissions from the industrial and manufacturing sector (sector). Section 3 requires the commission to adopt rules, to be implemented by January 1, 2025, that:</p> <ul style="list-style-type: none"> • Prohibit GHG emissions from the sector from increasing in the near term and require sector-wide emissions not to exceed 97 million metric tons of total carbon dioxide equivalent cumulatively between 2025 and 2030; • Prohibit a sector source from complying with GHG emissions compliance obligations by making a payment unless the payment is made in exchange for GHG credit that is surrendered as part of a GHG credit trading program; and • Establish source-specific GHG emission reduction requirements that must be met through direct reductions of GHG emissions for a sector source that adversely affects a disproportionately impacted community. <p>Section 3 also clarifies the definition of "GHG credit", as applied to the requirement for commission rule-making, to include an allowance to emit one metric ton of carbon dioxide equivalent of GHG by a regulated source.</p>	<p>House: Weissman-D Rutinel-D</p> <p>Senate: Winter-D</p>	<p>Scheduled for March 14, House Energy & Environment</p>
<p>HB24-1343</p>	<p>Wildfire Evacuation Modeling Grant Program PPACG Legislative Theme: Transportation</p>	<p>The bill creates the wildfire evacuation modeling grant program (program) within the office of emergency management (office) for the purpose of awarding grants to eligible recipients to perform wildfire evacuation modeling and generate reports that include times, maps showing evacuation routes, and any other relevant metrics for the area for which the modeling is being conducted. The program is initially administered as a pilot program and the office must establish a limited number of eligible recipients to receive grants. On or before December 1, 2025, the office must submit a report to the house of representatives agriculture, water, and natural resources committee and the senate agriculture and natural resources committee, or their successor committees, regarding the pilot program, which may include recommendations for improving the program and recommendations on whether to continue the program.</p> <p>The bill also creates the wildfire evacuation modeling grant program cash fund (fund) for the purposes of awarding grants and covering administrative costs of the office for administering the program. On August 15, 2024, the state treasurer shall transfer \$120,000 from the general fund to the fund.</p>	<p>House: Snyder-D</p>	<p>Assigned to House Agriculture, Water & Natural Resources</p>

Bills PPACG is supporting

Bill #	Topic	Bill Summary	Sponsors	Status
HB24-1166	<p>Expand Homestead Exemptions PPACG Legislative Theme: Aging</p>	<p>For property tax years commencing during property tax reassessment cycles (cycles) that begin on or after January 1, 2025, the bill changes the amount of the exemptions for the owner-occupied primary residence (residence) of a qualifying senior, a veteran with a disability, or the surviving spouse of a United States armed forces service member who died in the line of duty or veteran whose death resulted from a service-related injury or disease (exemptions) from 50% of the first \$200,000 of actual value of the residence to 50% of an amount of actual value of the residence equal to 50% of the estimated state median home value (median home value) for the state; except that, if the median home value declines, the exemption amount continues to be calculated based on the median home value used to calculate the exemption amount for the property tax years included in the prior cycle.</p> <p>The state constitution currently only allows a senior who has owned and occupied the senior's residence for 10 years, or the surviving spouse of such a senior, to claim the exemption. If at the 2024 general election the voters of the state approve a referred constitutional amendment to allow a senior, or the surviving spouse of such a senior (surviving spouse), who has previously qualified for the exemption for 2016 or any later year for a prior residence to claim the exemption for the senior's or surviving spouse's current residence regardless of how long the senior or surviving spouse has owned and occupied that residence, the bill makes the statutory changes needed to conform to the constitutional amendment.</p>	<p>House: DeGraaf-R Luck-R</p>	<p>Scheduled for March 4, House Finance</p>
HB24-1312	<p>State Income Tax Credit for Caregivers PPACG Legislative Theme: Aging</p>	<p>The bill creates a refundable income tax credit that is available for income tax years commencing on or after January 1, 2024, but prior to January 1, 2029, for a qualifying resident individual (individual) working in the care workforce in the amount of \$1,500.</p> <p>To be eligible for the credit, an individual must:</p> <ul style="list-style-type: none"> • Have an annual gross income of no more than \$75,000 as a single filer or \$150,000 as a joint filer; • Be employed in the care workforce as a child care worker, home health-care worker, personal care aide, certified nursing assistant, or other qualifying personal care worker including a family member, friend, and neighbor who provides care; and • File a signed attestation stating that the taxpayer claiming the credit worked in a qualifying occupation in the state for at least 6 months of the tax year. 	<p>House: Sirota-D Garcia-D</p> <p>Senate: Rodriguez-D</p>	<p>Assigned to House Finance</p>
SB24-040	<p>State Funding for Senior Services PPACG Legislative Theme: Aging</p>	<p>The bill requires the general assembly to annually adjust for inflation the general fund appropriation for state funding for senior services.</p> <p>No later than August 2024, and each August every 3 years thereafter, the bill requires the department of human services (department), the office of state planning and budgeting, and representatives from area agencies on aging to review the adequacy of the appropriation for senior services for the prior 3 fiscal years to address the needs of senior citizens who request services pursuant to the "Older Coloradans' Act". The department is required to report the findings of the adequacy review to the general assembly.</p>	<p>Senate: Danielson-D Ginal-D</p> <p>House: Willford-D Young-D</p>	<p>Moved out of Senate Health & Human Services on Jan. 25 8-1, assigned to Senate Appropriations</p>

		<p>For the 2024-25 state fiscal year, the bill appropriates \$5 million from the general fund to the department of human services for state funding for senior services.</p>		
<p>SB24-106</p>	<p>Right to Remedy Construction Defects PPACG Legislative Theme: Aging, Attainable Housing</p>	<p>In the "Construction Defect Action Reform Act" (act), Colorado law establishes procedures for bringing a lawsuit for a construction defect (claim). Section 2 of the bill clarifies that a person that has had a claim brought on the person's behalf is also considered a claimant, and therefore, the act applies to the person for whom the claim is brought. Sections 3 and 6 create a right for a construction professional to remedy a claim made against the construction professional by doing remedial work or hiring another construction professional to perform the work. The following applies to the remedy:</p> <ul style="list-style-type: none"> • The construction professional must notify the claimant and diligently make sure the remedial work is performed; and • Upon completion, the claimant is deemed to have settled and released the claim, and the claimant is limited to claims regarding improper performance of the remedial work. <p>Currently, a claim may be held in abeyance if the parties have agreed to mediation. Section 3 also adds other forms of alternative dispute resolution for which the claim would be held in abeyance. Alternative dispute resolution is binding. If a settlement offer of a payment is made and accepted in a claim, the payment constitutes a settlement of the claim and the cause of action is deemed to have been released, and an offer of settlement is not admissible in any subsequent action or legal proceeding unless the proceeding is to enforce the settlement.</p> <p>To bring a claim or related action, section 4 requires a unit owners' association (association) to obtain the written consent of at least two-thirds of the actual owners of the units in the common interest community. The consent must contain the currently required notices, must be signed by each consenting owner, and must have certain attestations.</p> <p>Under the act, a claimant is barred from seeking damages for failing to comply with building codes or industry standards unless the failure results in:</p> <ul style="list-style-type: none"> • Actual damage to real or personal property; • Actual loss of the use of real or personal property; • Bodily injury or wrongful death; or • A risk of bodily injury or death to, or a threat to the life, health, or safety of, the occupants. <p>Section 5 requires the actual property damage to be the result of a building code violation and requires the risk of injury or death or the threat to life, health, or safety to be imminent and unreasonable.</p> <p>Under current law, an association may institute, defend, or intervene in litigation or administrative proceedings in its own name on behalf of itself or 2 or more unit owners on matters affecting a common interest community. For a construction defect matter to affect a common interest community, section 7 requires that the matter concern real estate that is owned by the association or by all members of the association. Section 7 also establishes that, when an association makes a claim or takes legal action on behalf of unit owners when the matter does not concern real estate owned by the association:</p>	<p>House: Bird-D</p> <p>Senate: Zenzinger-D Coleman-D</p>	<p>Scheduled for March 5, Senate Local Government & Housing</p>

		<ul style="list-style-type: none"> The association and each claim are subject to each defense, limitation, claim procedure, and alternative dispute resolution procedure that each unit owner would be subject to if the unit owner had brought the claim; and <p>The association has a fiduciary duty to act in the best interest of each unit owner.</p>		
SB24-112	<p>Construction Defect Action Procedures PPACG Legislative Theme: Aging, Attainable Housing</p>	<p>Section 1 of the bill adds disclaimers to the "Construction Defect Action Reform Act" that:</p> <ul style="list-style-type: none"> Are not intended to impose an obligation upon construction professionals to provide an express or implied warranty; Apply to implied warranty claims; and Do not amend or change the terms of or limitation upon an express or implied warranty. <p>The bill states that a construction professional is not vicariously liable for the acts or omissions of a licensed design professional for any construction defects.</p> <p>Under current law regarding common interest communities, a unit owners' association (association) must follow a process to obtain the approval of a majority of the unit owners before initiating a construction defect action (action). The approval process:</p> <ul style="list-style-type: none"> Requires that a meeting be held to consider whether or not to bring the action (meeting); Requires the association to give the unit owners information about the proposed action and certain notices and disclosures before the meeting; Allows the association to amend or supplement the proposed action after the meeting; and Allows the association to omit nonresponsive votes from the total vote count, but allows construction professionals to challenge whether the association made diligent efforts to contact the nonresponsive unit owners. <p>In connection with this process, section 2 :</p> <ul style="list-style-type: none"> Requires the association to give notice to unit owners and reobtain unit owner approval to amend or supplement a proposed action after the meeting; Raises the number of unit owners who need to approve the action from a majority to a two-thirds majority; Requires a unit owner to sign the unit owner's vote; Requires the association to give the construction professionals a list of nonresponsive unit owners; and When unit owners' nonresponsiveness is challenged in court: Requires the court to stay the action against the construction professionals and requires the notification and voting process to be performed again unless the court holds that the association diligently contacted the unit owners; and <p>Requires the association to disclose to the construction professionals all information relevant to the unit owners' nonresponsiveness within 21 days after the challenge has been filed.</p>	<p>Senate: Lundeen-R</p>	<p>Scheduled for March 14, Senate Local Government & Housing</p>
HB24-1211	<p>State Funding for Senior Services Contingency Fund PPACG Legislative Theme: Aging</p>	<p>Signed Feb. 27, 2024</p>		

Bills PPACG is amending

Bill #	Topic	Bill Summary	Sponsors	Status
--------	-------	--------------	----------	--------

Bills PPACG is opposing

Bill #	Topic	Bill Summary	Sponsors	Status
HB24-1152	<p>Accessory Dwelling Units</p> <p>PPACG Legislative Theme: Aging, Transportation, Water Quality, Attainable Housing</p>	<p>Section 1 of the bill creates a series of requirements related to accessory dwelling units. The bill establishes unique requirements for subject jurisdictions and for qualifying as an accessory dwelling unit supportive jurisdiction (supportive jurisdiction).</p> <p>As established in the bill, a subject jurisdiction is either:</p> <ul style="list-style-type: none"> • A municipality that has a population of 1,000 or more and that is within the area of a metropolitan planning organization; or • The portion of a county that is both within a census designated place with a population of ten thousand or more, as reported in the most recent decennial census, and within the area of a metropolitan planning organization. <p>The bill requires a subject jurisdiction to allow, subject to an administrative approval process, one accessory dwelling unit as an accessory use to a single-unit detached dwelling in any part of the subject jurisdiction where the subject jurisdiction allows single-unit detached dwellings. The bill also prohibits subject jurisdictions from enacting or enforcing certain local laws that would restrict the construction or conversion of an accessory dwelling unit.</p> <p>In order to qualify as a supportive jurisdiction, a jurisdiction must submit a report to the division of local government in the department of local affairs (the division) demonstrating that the jurisdiction:</p> <ul style="list-style-type: none"> • Has complied with the accessory dwelling unit requirements the bill imposes on subject jurisdictions; and • Has implemented one or more strategies to encourage and facilitate the construction or conversion of accessory dwelling units. <p>Section 1 also creates the accessory dwelling unit fee reduction and encouragement grant program within the division. The purpose of this grant program is for the division to provide grants to supportive jurisdictions for offsetting costs incurred in connection with developing pre-approved accessory dwelling unit plans, providing technical assistance to persons converting or constructing accessory dwelling units, or waiving or reducing accessory dwelling unit associated fees and other required costs. Section 2 grants the Colorado economic development commission the power to expend \$8 million to contract with the Colorado housing and finance authority to operate and establish the following programs to benefit the residents of supportive jurisdictions:</p> <ul style="list-style-type: none"> • An accessory dwelling unit loss reserve program that offers affordable loans for the construction or conversion of accessory dwelling units; 	<p>Senate: Mullica-D Exum-D</p> <p>House: Amable-D Weinberg-R</p>	<p>Moved out of House Transportation, Housing & Local Government on Feb 27 on 9-2 vote with amendments, referred to House Appropriations</p>

		<ul style="list-style-type: none"> • A program that allows for the buying down of interest rates on loans made in connection with the construction or conversion of accessory dwelling units; • A program that offers down payment assistance in connection with accessory dwelling units; and • A program through which the Colorado housing and finance authority offers direct loans in connection with the construction or conversion of accessory dwelling units. <p>Section 3 prohibits a planned unit development resolution or ordinance for a planned unit development from restricting the permitting of an accessory dwelling unit more than the local law that applies to accessory dwelling units outside of the planned unit development. Section 4 states that any prohibition on accessory dwelling units or the implementation of restrictive design or dimension standards by a unit owners' association in a supportive jurisdiction is void as a matter of public policy.</p>		
HB24-1168	<p>Equal Access to Public Meetings PPACG Legislative Theme: Local Control</p>	<p>The bill requires state and local public bodies (public bodies) to ensure that the following accessibility requirements are implemented by July 1, 2025:</p> <ul style="list-style-type: none"> • Any public meeting at which public business is discussed, formal action may be taken, or recommendations to the governing body of the public body may be discussed (meeting) held by a public body is required to be accessible in real time by live streaming video or audio that is recorded and accessible to individuals with disabilities; • A public body is required to post on its website, at least 24 hours before a meeting, any documents that will be distributed during the meeting; • For any meeting of a public body during which public testimony will be heard, the public body is required to allow any individual to participate in the meeting and offer public testimony by using a video conferencing platform unless the meeting occurs in a geographic location that lacks broadband internet service; and • A public body is required to provide any auxiliary aids or services requested in time for the meeting for which they were requested. A public body may require that a request for auxiliary aids or services to attend a meeting of the public body with the use of the video conferencing platform be made up to 7 days before the date of the meeting. <p>Nothing in the bill prohibits a public body from promulgating rules for the administration of public testimony so long as the rules apply to both in-person and remote testimony, and nothing in the bill requires a public body to provide hardware or software or internet or phone access at an individual's home.</p> <p>The failure of any public body to comply with the applicable requirements of the bill constitutes discrimination on the basis of disability. Any individual who is subjected to a violation is entitled to seek relief as currently provided in law.</p>	<p>Senate: Hinrichsen-D</p> <p>House: Froelich-D Rutinel-D</p>	<p>Assigned to House Transportation, Housing & Local Government</p>
HB24-1304	<p>Minimum Parking Requirements PPACG Legislative Theme: Transportation, Local Control</p>	<p>The bill prohibits a county or municipality, on or after January 1, 2025, from enforcing minimum parking requirements for real property that is within a metropolitan planning organization. This prohibition does not prohibit a county or municipality from:</p>	<p>House: Vigil-D Woodrow-D</p>	<p>Scheduled for March 5 in House Transportation,</p>

		<ul style="list-style-type: none"> Lowering the protections provided for persons with disabilities; Preventing a county or municipality from enacting or enforcing a maximum parking requirement; or Preventing a county or municipality from enacting or enforcing a minimum parking requirement for bicycles. <p>The bill also allows a municipality or county, on or after January 1, 2025, to impose the following requirements on a motor vehicle parking space that is voluntarily provided in connection with a development project:</p> <ul style="list-style-type: none"> That the owners of such a motor vehicle parking space charge for the use of the space; and That such a motor vehicle parking space allow for vehicle charging stations in accordance with existing law. <p>The bill requires a county or municipality that is subject to the bill, on or after June 30, 2025, to submit a report to the department of local affairs detailing the county or municipality's compliance with the requirements of the bill. The bill provides a process for the review of such a report.</p>	<p>Senate: Priola-D Hinrichsen-D</p>	<p>Housing & Local Government</p>
<p>HB24-1313</p>	<p>Housing in Transit-Oriented Communities PPACG Legislative Theme: Transportation, Local Control</p>	<p>Section 1 of the bill establishes a category of local government: A transit-oriented community. As defined in the bill, a transit-oriented community is either a local government that:</p> <ul style="list-style-type: none"> Is entirely within a metropolitan planning organization; Has a population of 4,000 or more; and Contains at least 75 acres of certain transit-related areas; or <p>If the local government is a county, contains either a part of:</p> <ul style="list-style-type: none"> A transit station area that is both in an unincorporated part of the county and within one-half mile of a station that serves a commuter rail service or light rail service; or A transit corridor area that both is in an unincorporated part of the county and is fully encompassed by one or more municipalities. <p>The bill requires a transit-oriented community to meet its housing opportunity goal and relatedly requires the department to:</p> <ul style="list-style-type: none"> On or before July 31, 2024, publish a map that designates transit areas that transit-oriented communities shall use in calculating their housing opportunity goal; and On or before December 31, 2024, publish models and guidance to assist a transit-oriented community in meeting its housing opportunity goal. <p>A housing opportunity goal is a zoning capacity goal determined based on an average zoned housing density and the amount of transit-related areas within a transit-oriented community. The bill requires a transit-oriented community to meet its housing opportunity goal by ensuring that enough areas in the transit-oriented community qualify as transit centers. In order to qualify as a transit center, an area must:</p> <ul style="list-style-type: none"> Be composed of zoning districts that uniformly allow a net housing density of at least 15 units per acre; Identify the net housing density allowed by law; Meet a housing density established by the transit-oriented community; Not include any area where local law exclusively restricts housing occupancy based on age or other factors; 	<p>House: Woodrow-D Jodeh-D</p> <p>Senate: Hansen-D Winter-D</p>	<p>Scheduled for March 6 in House Transportation, Housing & Local Government</p>

		<ul style="list-style-type: none"> • Have an administrative approval process for multifamily residential property development on parcels that are 5 acres or less in size; • Be composed of contiguous parcels, if located partially outside of a transit area; and • Be located wholly within a transit area and not extend more than one-quarter mile from the edge of a transit area, unless the department allows otherwise. <p>A transit-oriented community is required to demonstrate that it has met its housing opportunity goal by submitting a housing opportunity goal report to the department of local affairs (department). A housing opportunity goal report must include:</p> <ul style="list-style-type: none"> • The housing opportunity goal calculation that the transit-oriented community used in determining its housing opportunity goal; • Evidence that the transit-oriented community has met its housing opportunity goal; • A map that identifies the boundaries of any transit centers within the transit-oriented community; • If relevant, a plan to address potential insufficient water supplies for meeting the transit-oriented community's housing opportunity goal; • Affordability strategies that the transit-oriented community will implement in meeting its housing opportunity goal. The transit-oriented community shall select some of these strategies from the standard and long-term affordability strategies menus in the bill, and the transit-oriented community shall include an implementation plan describing how it will implement these strategies. • Any displacement mitigation strategies that the transit-oriented community has or will adopt from the displacement mitigation strategies menu in the bill and an implementation plan describing how it will implement these strategies. <p>Additionally, the bill requires a transit-oriented community to submit a progress report to the department every 3 years.</p> <p>After receiving a transit-oriented community's housing opportunity goal report, the department shall either approve the report or provide direction to the transit-oriented community for amending and resubmitting the report and require the transit-oriented community to resubmit the report. If a transit-oriented community does not submit a housing opportunity goal report to the department on or before December 31, 2026, or if the department does not approve a transit-oriented community's housing opportunity goal report, the department will designate the transit-oriented community as a nonqualified transit-oriented community. Similarly, if a transit-oriented community does not submit a progress report to the department every 3 years, or if the department does not approve a transit-oriented community's progress report, the department will designate the transit-oriented community as a nonqualified transit-oriented community.</p> <p>The state treasurer shall transfer any money that a nonqualified transit-oriented community would have otherwise been allocated from the highway users tax fund instead to the transit-oriented communities highway users tax account (account). The department shall not use any</p>		
--	--	--	--	--

		<p>money in the account that is attributable to a specific nonqualified transit-oriented community until 180 days after the transit-oriented community became a nonqualified transit-oriented community. If a nonqualified transit-oriented community no longer qualifies as a nonqualified transit-oriented community during that 180-day period, the treasurer shall issue a warrant to the transit-oriented community for the amount of money that was diverted from the transit-oriented community to the account.</p> <p>If the department does not approve a transit-oriented community's housing opportunity goal report on or before December 31, 2027, the department may seek an injunction requiring the transit-oriented community to comply with the requirements of the bill.</p> <p>In addition to designating an area as a transit center for purposes of meeting a housing opportunity goal, the bill allows local governments to designate an area as a neighborhood center so long as the local government ensures that the area:</p> <ul style="list-style-type: none"> • Has an average zoned housing density sufficient to increase public transit ridership; • Has an administrative approval process for multifamily residential property development on parcels that are no larger than a size determined by the department; • Has a mixed-use walkable neighborhood; and • Satisfies any other criteria required by the department. <p>The bill also creates the transit-oriented communities infrastructure fund grant program (grant program) within the department. The purpose of the grant program is to assist local governments in upgrading infrastructure within transit centers and neighborhood centers. In administering the grant program, the department shall prioritize grant applicants based on the information in the reports described in the bill. Grants from the grant program are awarded from money in the transit-oriented communities infrastructure fund (fund). The fund consists of gifts, grants, and donations along with money that the general assembly may appropriate or transfer to the fund and money in the account described in the bill. The fund is continuously appropriated. On July 1, 2024, the state treasurer shall transfer \$35 million from the general fund to the fund.</p> <p>Section 2 prohibits a planned unit development resolution or ordinance for a planned unit development that is adopted on or after the effective date of the bill and that applies within a transit-oriented center or neighborhood center from restricting the development of housing more than the local law that applies to that transit-oriented center or neighborhood center. Section 3 states that any restriction by a unit owners' association within a transit-oriented center or neighborhood center on the development of housing that is adopted on or after the effective date of the bill and is beyond the local law that applies to that transit-oriented center or neighborhood center is void as a matter of public policy. Sections 4 and 5 require the Colorado housing and financing authority to allocate tax credits under the state affordable housing tax credit to qualified housing developments within transit centers.</p>		
--	--	---	--	--

Bills PPACG is monitoring

Bill #	Topic	Bill Summary	Sponsors	Status
HB24-1002	<p>Social Work Licensure Compact</p> <p>PPACG Legislative Theme: Military</p>	<p>The bill enacts the "Social Work Licensure Compact" (compact). The compact is designed to:</p> <ul style="list-style-type: none"> Eliminate the necessity for social workers to obtain licenses from multiple states by providing for the mutual recognition of licenses from other states that have signed the compact (member states); Facilitate the exchange of licensure and disciplinary information among member states; Authorize member states to hold a regulated social worker accountable for abiding by a member state's laws, regulations, and applicable professional standards in the member state in which the client is located at the time care is rendered; and Allow for the use of telehealth to facilitate increased access to regulated social work services. <p>The bill authorizes the state board of social work examiners (board) to promulgate rules and to facilitate Colorado's participation in the compact, including notifying the Compact Commission (commission) established by the compact of any adverse action taken by the board against a Colorado regulated social worker. The commission includes a delegate from each member state and has the powers and duties set forth in the bill.</p> <p>The compact becomes effective on the date the compact is enacted in the seventh member state.</p>	<p>Senate: Marchman-D Rich-R</p> <p>House: Sirota-D Martinez-D</p>	<p>Moved out of House Appropriations March 1 on 8-2 with amendments, assigned to House Committee of the Whole</p>
HB24-1006	<p>Assist Rural Community Wildfire-Related Grant Application</p> <p>PPACG Legislative Theme: Wildfire Mitigation</p>	<p>The bill directs the rural opportunity office (office) in the Colorado office of economic development to assist rural communities with identifying and applying for state or federal grants for wildfire mitigation, prevention, response, or risk management efforts (wildfire-related grants).</p> <p>On or before July 1, 2025, and on or before July 1 of every odd year thereafter, the office is required to prepare a report summarizing its work to assist rural communities with identifying and applying for wildfire-related grants. The report must include information about the rural communities that the office assists and the grants awarded to rural communities that the office assists. The office is required to submit the report to the wildfire matters review committee or, if the committee no longer exists, to the legislative committees with jurisdiction over natural resources matters.</p>	<p>Senate: Cutter-D Will-R</p> <p>House: Velasco-D Snyder-D</p>	<p>Scheduled for March 6 in House Agriculture, Water & Natural Resources</p>
HB24-1012	<p>Front Range Passenger Rail District Efficiency</p> <p>PPACG Legislative Theme: Transportation</p>	<p>To improve the operational efficiency of the front range passenger rail district (district):</p> <ul style="list-style-type: none"> Section 1 of the bill replaces the requirement that the board of the district (board) hold annual joint meetings with the transportation commission, the board of directors of the I-70 coalition or any successor entity, and the board of directors of the regional transportation district with a requirement that the board provide an annual update, which may be provided by district staff and may be provided electronically, to each of those entities; 	<p>Senate: Simpson-R Zenzinger-D</p> <p>House: Mauro-D Boesenecker-D</p>	<p>Moved out of House Feb. 12 on 54-8-3 vote amended, Scheduled for March 4, Senate Transportation & Energy</p>

		<ul style="list-style-type: none"> • Section 2 eliminates the requirement that board directors appointed by transportation planning organizations be confirmed by the senate; clarifies when the terms of board members begin and end; and prohibits an advisory nonvoting member of the board from participating in an executive session if the board determines that a particular matter to be discussed in the executive session concerns the appointing authority for the advisory nonvoting member and should not be discussed when the advisory nonvoting member is present; • Section 3 establishes that the board exercises its powers by a majority vote of a quorum of its voting directors rather than by a majority vote of a quorum of its total membership and, in conjunction with section 4, clarifies that the board has discretion to delegate its power to enter into contracts and agreements other than intergovernmental agreements and contracts for public-private partnerships to the officers and employees of the district; and • Section 5 changes the name of a state-required district plan for developing rail service to avoid potential confusion that could be caused by similarity between the current name of the plan and the name of a federally required plan. <p>(Note: This summary applies to this bill as introduced.)</p>		
<p>HB24-1021</p>	<p>Motor Vehicle Minor Driver Education Standards PPACG Legislative Theme: Transportation</p>	<p>Currently, a minor who is under 18 years of age may be issued a driver's license or temporary driver's license if the minor has held an instruction permit for 12 months and has completed 50 hours of supervised driving, including 10 hours of night driving. To obtain an instruction permit, current law requires a minor to meet one of the following conditions:</p> <ul style="list-style-type: none"> • A minor who is at least 15 and one-half years of age but under 16 years of age must have completed a driver education course or a 4-hour driver awareness course; or • A minor who is 15 years of age or older but under 15 and one-half years of age must have completed a driver education course, including 30 hours of driving instruction and 6 hours of behind-the-wheel driving training with a driving instructor, or, if the minor lives more than 30 miles from a business offering driving instruction, the minor may choose to have at least 12 hours of training from a parent, legal guardian, or responsible adult. <p>Therefore, to obtain a driver's license, the minor must meet these requirements. The bill replaces the current requirements to be issued an instruction permit with requirements that a minor applicant 18 years of age or younger must:</p> <ul style="list-style-type: none"> • Complete a 30-hour driver education course, which may include an online course, approved by the department of revenue (department); and • Receive at least 6 hours of behind-the-wheel driving training with a driving instructor, or, if the minor lives more than 30 miles from a business offering driving instruction, the minor may choose to have at least 12 hours of training from a parent, legal guardian, or responsible adult. <p>The bill also adds a requirement that a minor who is 18 years of age or older and under 21 years of age must successfully complete a 4-hour</p>	<p>House: Lindsay-D</p>	<p>Moved out of House Transportation, Housing & Local Government Jan. 31 10-0 with amendments, assigned to House Appropriations</p>

		<p>authority offers direct loans for the conversion of accessory dwelling units on owner-occupied land.</p>		
<p>SB24-165</p>	<p>Air Quality Improvements PPACG Legislative Theme: Air Quality</p>	<p>On or before December 31, 2028, the bill requires the air quality control commission (AQCC) in the department of public health and environment (department) to adopt by rule certain emission standards and requirements for in-use, off-road, diesel-fueled fleets.</p> <p>On or before December 31, 2025, the AQCC must adopt rules for controlling emissions from facilities, buildings, structures, installations, or real property that generates mobile source activity that results in emissions of air pollutants (indirect source) within the 8-hour ozone Denver metro/north front range nonattainment area (covered nonattainment area). The rules must include emission reduction targets for indirect sources to achieve and a process for the division of administration (division) in the department to review alternative approaches proposed by an owner or operator of an indirect source. The commission may establish a fee for indirect sources within the covered nonattainment area to cover the division's costs in implementing the rules.</p> <p>The bill also defines "ozone season" as the period beginning May 1 and ending September 30 of each year (ozone season). Beginning in the 2025 ozone season, and in each ozone season thereafter, any oil and gas preproduction activity within the covered nonattainment area must pause for the duration of the ozone season.</p> <p>On or before June 30, 2024, and on or before each June 30 thereafter, an oil and gas operator in the state is required to submit an oil and natural gas annual emission inventory report (inventory report) to the division that includes, for the previous calendar year, the emissions of certain air pollutants from oil and gas operations under the control of the oil and gas operator.</p> <p>On or before October 1, 2024, and on or before each October 1 thereafter, the division, in coordination with the energy and carbon management commission (ECMC), must prepare a report regarding the inventory reports received by the division for the previous calendar year and certain other information.</p> <p>On or before November 30, 2024, and on or before each November 30 thereafter, for the ozone season of the subsequent year, an oil and gas operator that controls oil and gas operations in the covered nonattainment area must submit a report to the division estimating emissions of nitrogen oxides from the oil and gas operator's operations in the covered nonattainment area (estimates).</p> <p>For the 2025 ozone season, and for each ozone season thereafter, the ECMC, in consultation with the division, must develop an ozone season nitrogen oxides emission budget (budget) for the emissions of nitrogen oxides by oil and gas operations in the covered nonattainment area, which budget must set certain maximum average emission levels of nitrogen oxides by oil and gas operations.</p> <p>On or before February 1, 2025, and on or before each February 1 thereafter, the division must prepare a nitrogen oxides report regarding the estimates received by the division for use by the ECMC in</p>	<p>House: Rutinel-D Garcia-D</p> <p>Senate: Priola-D Cutter-D</p>	<p>Assigned to Senate Transportation & Energy</p>

		<p>determining if the total estimates received exceed the budget for the ozone season of the current year.</p> <p>Beginning in February 2025, and in each February thereafter, the ECMC, in consultation with the division, must act to limit emissions of nitrogen oxides from oil and gas operations in the covered nonattainment area in a manner that prevents an exceedance of the current year's budget.</p> <p>The bill also requires the department of transportation to establish vehicle miles traveled reduction targets for the covered nonattainment area and to develop policies and programs to assist applicable metropolitan planning organizations in meeting the targets.</p>		
--	--	--	--	--



Pikes Peak Area Council of Governments

Communities Working Together

Federal updates compiled by Pikes Peak Area Council of Governments

March 1, 2024

Jump to:

- [Updates from National Association of Regional Councils](#)
- [Updates from federal delegation](#)
 - [Senator Bennet](#)
 - [Senator Hickenlooper](#)
 - [Senators Bennet / Hickenlooper](#)
 - [Representative Lamborn](#)
 - [Representative Pettersen](#)
 - [Representative Buck](#)

Updates from National Association of Regional Councils

CONGRESS

The House and Senate are in session.

Transportation and Infrastructure Committee to Hold Markup This Week

Transportation and Infrastructure Committee held a full committee markup to consider the following legislation:

- The Fiscal Year 2025 Views and Estimates of the Committee on Transportation and Infrastructure
- House Congressional Resolution 83, Authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition
- General Services Administration Capital Investment and Leasing Program Resolutions

More information about the markup, including full legislative text and a link to the live webcast, will be posted [here](#) as it becomes available.

House Transportation and Infrastructure Committee Full Committee Hearing Announcement

The Committee on Transportation and Infrastructure will hold a hearing entitled, "Department of Transportation Discretionary Grants: Stakeholder Perspectives" at 10:00am ET on Thursday, March 7, 2024, in 2167 of the Rayburn House Office Building.

More information about the hearing will be available in next week's newsletter.

Hill Leaders Reach Deal on Final Spending Bill Hang-ups

Congressional leaders reached an agreement on final fiscal 2024 appropriations bills Wednesday that will pave the way for lawmakers to wrap up the process in two packages in the coming days and weeks. Leaders on Wednesday released the two-tiered stopgap extension [bill \(HR 7463\)](#), which the House could vote on as soon as today under suspension of the rules. The Senate is expected to follow by the end of the week. However, any one senator could always delay passage, which would result in a short lapse, the effects taking place Monday, when federal workers would return to work.

Funding for agencies covered by the Agriculture, Energy-Water, Military Construction-VA and Transportation-HUD bills would be extended from March 1 through March 8 in a stopgap bill. Those agencies' full-year bills would then join the Interior-Environment and Commerce-Justice-Science bills in the first tranche to be voted on next week.

Appropriators are aiming to release text for the first batch of bills by Sunday in order for the House to be able to turn around and vote Wednesday, before Thursday gets swallowed up by President Joe Biden's State of the Union address. This would give the Senate time to get the first package to Biden's desk before the new March 8 deadline.

Stopgap funding for the remaining six bills, which had been set to lapse after March 8, would last through March 22. That package would consist of the Defense, Labor-HHS-Education, Homeland Security, Financial Services, State-Foreign Operations and Legislative Branch measures.

On the Brink, for the Fourth Time This Year

It's that time again. The federal government is faced with a partial government shutdown. Unless Congress can come up with some type of spending agreement by Friday, the Departments of Agriculture, Transportation, Energy, and Housing and Urban Development, along with the Veterans Administration, the Food and Drug Administration, and Military Construction programs will run out of money and be forced to shut down.

The agreement that congressional leadership reached in January, which seemed to move the appropriations process along, was only for the topline numbers. Since then, the House and Senate, and Republicans and Democrats have not been able to come to an agreement on specific department and program funding levels.

Congressional leaders and appropriations staff did work through this past weekend to try to come to an agreement. However, talks ultimately broke down over some of the specific funding levels, but perhaps even more so, because of House conservatives demands to include several policy riders that Democrats refused to accept.

As happens each time we come close to a government shutdown all sides – the House and Senate, and Republicans and Democrats – are blaming each other. In response to the deadlock, President Biden has invited the Speaker of the House, the House Minority Leader, the Senate Majority Leader, and the Senate Minority Leaders to the White House on Tuesday to try to hammer out a last-minute deal.

As NARC reported last week, time is of the essence. The House is expected to move first on the spending bills, but won't be back in session until Wednesday, leaving no time to come up with a solution by March 1. The Senate, in the meantime, must deal, one way or another, with the impeachment of Homeland Security Secretary Alejandro Mayorkas, which must take precedence over all other Senate business. And if funding agreements between the House and Senate and the White House can be reached in time (which is highly unlikely), Speaker of the House Mike Johnson (R-LA) will have to rely heavily on Democrats to get these appropriations bills passed, and that you may recall was what ended former Speaker Kevin McCarthy's speakership.

Right now, the only thing that Congress can do to prevent a partial government shutdown is to pass a short-term stopgap measure – the fourth this fiscal year, something Speaker Johnson promised not to do again.

ADMINISTRATION

[United States and California Announce Diesel Engine Manufacturer Cummins Inc. Agrees to Pay a Record \\$1.675 Billion Civil Penalty in Vehicle Test Cheating Settlement](#)

The Justice Department, Environmental Protection Agency (EPA), California Air Resources Board (CARB), and the California Attorney General's office today released the details of a proposed settlement with diesel engine maker Cummins Inc., for alleged violations of the Clean Air Act and California law. Cummins will not only pay a \$1.675 billion civil penalty but will also spend more than \$325 million to remedy the violations. The violations included the use of software "defeat devices" that circumvented emissions testing and certification requirements. The settlement also requires Cummins to complete a nationwide vehicle recall to repair and replace the engine control software in hundreds of thousands of RAM 2500 and RAM 3500 pickup trucks equipped with the company's diesel engines. They will also extend the warranty period for certain parts in the repairs vehicles, fund and perform projects to mitigate excess ozone-creating nitrogen oxides (NOx) emitted from vehicles and employ new internal procedures designed to prevent future emissions cheating. For more information about the settlement, [click here](#).

[FAA Gives Boeing 90 Days to Develop Plan to Address 'System Quality-control Issues'](#)

The Federal Aviation Administration (FAA) ordered Boeing to create a comprehensive plan to address its "systemic quality-control" issues to meet FAA's non-negotiable safety standards. FAA Administrator Mike Whitaker told Boeing he expects to receive the plan within 90 days that will incorporate results of the FAA production-line audit and the latest findings from the expert review panel report. The plan must also include steps Boeing will take to mature its Safety Management System (SMS) program, which it committed to in 2019. The company must also integrate its SMS program with a Quality Management System, which will ensure the same level of rigor and oversight is applied to the company's suppliers and create a measurable, systemic shift in manufacturing quality control. Boeing CEO and President David Calhoun said in a statement to The Hill that Boeing has a "clear picture of the necessary steps for the future."

[EPA Announces New Program to Help Marginalized Communities Have Access to Clean Water.](#)

A new program recently implemented by the [Environmental Protection Agency](#) (EPA), entitled [WaterTA](#), has been designed to assist marginalized communities protect their access to clean water. According to EPA, "[the Bipartisan Infrastructure Law](#) presents an unprecedented opportunity to address water infrastructure needs by providing \$50 billion in new funding – the [largest federal investment in water in the history of our nation](#). New and existing

EPA [Water Technical Assistance \(WaterTA\) programs](#) will be utilized to support effective implementation of the Bipartisan Infrastructure Law.”

The program offers support to communities to help them identify water challenges, “develop plans, build technical, managerial, and financial capacity, and develop application materials to access water infrastructure funding.

OTHER FEDERAL NEWS

As Traffic Fatalities Remain High, States and Feds Meet to Swap Road Safety Ideas

State and federal officials met last week to discuss ideas for reducing road deaths, from speeding enforcement in work zones to building safer intersections on four-lane highways. Deputy Secretary Polly Trottenberg hosted the convening to mark the second anniversary of the Biden administration’s plan to improve roadway safety. The Department of Transportation reported a decline in the number of traffic deaths for six straight quarters since the plan was unveiled. The federal road safety blueprint stresses the need for “safer people, safer roads, safer vehicles, safer speeds, and better post-crash care.” Nebraska Governor Jim Pillen reported a 5.4% decrease in the state’s road deaths between 2022 and 2023. The Nebraska state transportation department used common treatments such as cable median barriers, rumble strips on interstates, and added reflective strips to the posts of thousands of stop signs in rural areas. The state has also increasingly installed roundabouts and restricted crossing U-turn (RCUT) intersections for busy four-lane roads. Both state and federal officials are working to reverse the spike in fatalities that began early during the pandemic.

Governors Adopt Legislative Priorities at Winter Conference

During the annual winter meeting of the National Governors Association, governors adopted [several federal legislative priorities](#) that could impact cities, counties, and regions. Some of the most important were:

- Accelerating infrastructure project delivery.
- Reauthorizing the Economic Development Administration.
- Safeguarding water resources.
- Addressing so-called forever chemicals (PFAS).
- Improving disaster recovery for all.
- Enhancing cybersecurity resiliency.
- Strengthening healthcare infrastructure including improving child and maternal health outcomes.
- Reauthorizing the Farm Bill.
- Reauthorizing the Workforce Innovation and Opportunity Act; and
- Supporting efforts to finance new housing.

NLC: Homelessness Impacts Child Health and Developmental Outcomes.

A new [brief](#) by the National League of Cities on how homelessness impacts child health and developmental outcomes, lays out some of the most consequential impacts that homelessness has on children, including the fact that the impact of homelessness begins during a woman’s pregnancy. The lack of access to transportation to health care facilities by homeless women and discrimination by health care providers impact prenatal development of the fetus. Following birth, those children who are homeless in the first year of life experience significantly greater health problems that impact later growth and development. The children are also exposed to “toxic stress” that disrupts the brain’s development and causes 50 percent of homeless children to experience developmental delays.

The brief also provides resources for addressing the impact of homelessness on children. Noting that local governments have a significant role to play in addressing this problem, NLC has provided resources for cities, counties, and regions to draw upon. These include:

- [“An Overview of Homelessness for City Leaders”](#).
- The [Federal Funding Sources for Addressing Homelessness Tool](#); and
- The [Local Eviction Prevention Policy and Program Tool](#).

How to Develop Trust in Government

Last week we reported on a study that found [trust in all levels of government lacking](#). To no surprise, trust in local government was higher than for all other levels of government, but still lower than it has been in the past. The [second part of that report](#) offers recommendations designed to address the lack of trust. These include:

- Enhanced local government transparency.
- Greater access to government workers by the residents they are working for, including increased interaction between them.
- Improved local government web sites that provide information on what services exist, how residents can access them, and who they should contact to ensure they are able to obtain those services.
- More opportunities for residents to make their opinions known to local elected officials, while understanding that marginalized individuals may still experience significant barriers to local elected officials.
- Enhanced use of social media to get information out to residents in an efficient and timely way, while understanding that some communities may lack access to social media.
- Better understanding by residents of what local governments do and how they differ from the state and federal governments; and
- Ongoing efforts by local governments to improve service delivery.

Updates from federal delegation

SENATOR BENNET

[Bennet, Colleagues Urge President Biden to Prioritize Border Security, Fentanyl Crackdown in Fiscal Year 2025 Federal Budget](#)

Washington, D.C. — Colorado U.S. Senator Michael Bennet joined U.S. Senator Bob Casey (D-Pa.) alongside 15 of their Senate colleagues in a letter calling on President Joe Biden to provide robust funding for border security and drug interdiction efforts in the upcoming Fiscal Year 2025 federal budget.

“In order to meaningfully address the fentanyl crisis, law enforcement officers at our Nation’s borders must be equipped to combat the flow of fentanyl and other illicit drugs. We must also support the law enforcement agencies that are investigating these smuggling and trafficking crimes and working to disrupt the transnational criminal networks that threaten our country and our communities,” wrote Bennet, Casey, and the senators.

Last year, U.S. Customs and Border Protection seized 240,000 pounds of drugs at the southwest border, which included an estimated 1.1 billion doses of fentanyl. In 2022, there were 981 overdose deaths involving illegally-made fentanyl in Colorado. The Centers for Disease Control and Prevention estimated that synthetic opioids like fentanyl contributed significantly to the more than 112,000 Americans who died of a drug overdose between August 2022 and August 2023. This trend is especially increasing among youth exposed to accidental overdoses. In 2022, there were 156 overdose deaths involving illegally manufactured fentanyl among individuals aged 15 to 24 years.

“In the interest of our Nation’s public health, and to protect our youth and our communities who are increasingly being exposed to deadly drugs laced with fentanyl, we must strengthen our borders and work to eliminate the transnational criminal organizations that produce fentanyl and traffic it into our country,” concluded the senators. “[W]e urge you to support strong investments in border security measures, especially personnel increases and technology upgrades, that will enhance operations along our borders and enable law enforcement officers to keep our Nation safe.”

In addition to Bennet and Casey, U.S. Senators Tammy Baldwin (D-Wis.), Cory Booker (D-N.J.), Maria Cantwell (D-Wash.), Christopher Coons (D-Del.), Catherine Cortez Masto (D-Nev.), Martin Heinrich (D-N.M.), Mark Kelly (D-Ariz.), Amy Klobuchar (D-Minn.), Ben Ray Lujan (D-N.M.), Jon Ossoff (D-Ga.), Jacky Rosen (D-Nev.), Jeanne Shaheen (D-N.H.), Mark Warner (D-Va.), Raphael Warnock (D-Ga.), and Ron Wyden (D-Ore.) also signed this letter.

The text of the letter is available [HERE](#) and below.

Dear President Biden,

As you develop your budget request for fiscal year 2025, we write to urge you to prioritize robust funding for border security and drug interdiction initiatives. Much of the fentanyl that is destroying so many communities across the Nation is being smuggled through border checkpoints. In order to meaningfully address the fentanyl crisis, law enforcement officers at our Nation’s borders must be equipped to combat the flow of fentanyl and other illicit drugs. We must also support the law enforcement agencies that are investigating these smuggling and trafficking crimes and working to disrupt the transnational criminal networks that threaten our country and our communities.

The misuse of opioids has long been a public health crisis in the United States, but the situation is rapidly worsening with the proliferation of fentanyl and fentanyl analogues. The Centers for Disease Control and Prevention estimated that between August 2022 and August 2023, over 112,000 people died of a drug overdose, with synthetic opioids like fentanyl involved in the vast majority of these deaths. Another concerning aspect of this trend is the rapid increase in youth accidental overdose deaths, which more than doubled between the third quarter of 2019 and the third quarter of 2022. A key factor in this crisis is that, due to its widespread availability and low cost, fentanyl is being mixed with other illicit drugs to increase their potency, often without the knowledge of the user. These include illegal pills, mass-produced by cartels, made to look like legitimate prescription opioids like OxyContin and

Xanax. In 2023, the Drug Enforcement Administration seized more than 78 million fentanyl-laced fake pills and estimated that 70 percent contained a lethal dose of fentanyl, up from 60 percent in 2022 and 40 percent in 2021.

The proliferation of fentanyl and increasing overdose deaths are being driven, at least in part, by trafficking activities at our borders. Most of the fentanyl entering the U.S. is trafficked through official land border crossings on the southwest border by transnational criminal organizations, including Mexican cartels. In fiscal year 2023, U.S. Customs and Border Protection (CBP) seized 240,000 pounds of drugs at the southwest land border, which included an estimated 1.1 billion doses of fentanyl. Forty-four percent of total drug seizures and 99 percent of fentanyl seizures occurred at the southwest land border. While transnational criminal organizations smuggle illicit drugs into the U.S, they also illegally export currency from drug proceeds and firearms which they use to outgun local authorities. This illegal trade occurs at official ports of entry, alongside legitimate trade and transit, and we must do more to fortify our ports of entry and support the officers who are tasked with both intercepting this illegal trade and safeguarding our Nation.

In the interest of our Nation's public health, and to protect our youth and our communities who are increasingly being exposed to deadly drugs laced with fentanyl, we must strengthen our borders and work to eliminate the transnational criminal organizations that produce fentanyl and traffic it into our country. To do this, we must prioritize additional funding for the Department of Homeland Security for its critical border security operations. We urge you to invest in hiring CBP personnel, procuring non-intrusive inspection scanning technology, and supporting infrastructure needs at ports of entry. Officers at our ports of entry must have the resources they need to enforce our laws, interdict fentanyl and other contraband coming into the country, and seize firearms and currency leaving the country before they make it into the hands of dangerous criminals. We also urge you to make strong investments into the agencies and programs that investigate trafficking crimes and conduct broader investigations of transnational criminal organizations.

We have long supported increased funding and new policies to address the complex challenges at our southwest border. To respond to the deadly and growing plague of fentanyl entering the United States, we urge you to support strong investments in border security measures, especially personnel increases and technology upgrades, that will enhance operations along our borders and enable law enforcement officers to keep our Nation safe. Thank you for your attention to our request and these critical funding needs.

SENATOR HICKENLOOPER

[Hickenlooper Backs Bill to Protect IVF From Republican Bans](#)

Access to Family Building Act would protect reproductive help in post-Roe America

WASHINGTON – This week, U.S. Senator John Hickenlooper cosponsored the Access to Family Building Act, legislation that would establish a statutory right to access in-vitro fertilization (IVF) and other assisted reproductive technology (ART) services and ensure no hopeful parent or doctor is punished for trying to start or grow a family.

“Like so many others, my wife and I wouldn’t have our beautiful baby son without IVF,” said Hickenlooper.

“Alabama’s extreme ruling is the next MAGA Republican attempt to roll back reproductive freedoms. Attacks like this will only become more frequent unless Congress passes new protections.”

The [Access to Family Building Act](#) would:

- Establish a statutory right for an individual to access, without prohibition or unreasonable limitation or interference, assisted reproductive technology services, such as IVF, and for a health care provider to provide ART services;
- Establish an individual’s statutory right regarding the use or disposition of their reproductive genetic materials, including gametes;
- Allow the Department of Justice to pursue civil action against any state, government official, individual or entity that violates protections in the legislation; and
- Create a private right of action for individuals and health care providers in states that have limited access to ART.

Hickenlooper is also an original cosponsor of the [Women's Health Protection Act](#), legislation that would guarantee access to abortion nationwide.

[Hickenlooper Advances Renomination of Su to Lead Labor Dept](#)

WASHINGTON – Today, U.S. Senator John Hickenlooper voted to advance Acting Secretary Julie Su to serve as the next Secretary of Labor. Su has served as Acting Secretary since March 2023 when former Secretary Walsh left the position. Republicans previously refused to support Su's nomination, preventing her final confirmation. Today's HELP Committee vote once again advances Su towards a full Senate confirmation vote.

"Julie Su is a tried-and-true leader who understands the challenges of workers and small business owners," said Senator Hickenlooper. "For decades she's been advocating for workers and investing in the workforce of tomorrow."

Su brings decades of experience to the department, including work on wage theft, anti-trafficking measures, and training partnerships that connect Americans to good-paying jobs, with or without a four-year degree. Su also has a proven track record representing workers and organized labor groups while serving as deputy secretary at the Department of Labor.

SENATORS BENNET / HICKENLOOPER

[Bennet, Colleagues Urge President Biden to Prioritize Election Security Funding in Fiscal Year 2025 Federal Budget](#)

Washington, D.C. — Colorado U.S. Senator Michael Bennet, a member of the Senate Committee on Rules and Administration with oversight over federal elections, alongside 37 of his Senate colleagues called on President Biden to include significant funding for election grants in the upcoming Fiscal Year (FY) 2025 federal budget. These resources would help state and local governments maintain and improve election infrastructure, keep pace with emerging technology such as artificial intelligence, and enhance cybersecurity to combat new threats.

"With the 2024 elections now underway, state and local officials are already spending significant resources so that every eligible American can make their voices heard when they cast their ballots," wrote Bennet and the senators. "This funding is critical for hardworking officials to prepare and plan effectively for their ongoing responsibilities on the frontlines of our democracy."

"These resources are also important to hire and train new election officials and poll workers, as well as to protect the security of election officials who are facing ongoing threats and harassment for simply doing their jobs," continued the senators. "One survey of local election officials last year found that nearly one in three said they have been abused, harassed, or threatened and one in five know someone who left their job over safety concerns."

In addition to Bennet, U.S. Senators Amy Klobuchar (D-Minn.), Mark Warner (D-Va.), Jeff Merkley (D-Ore.), Alex Padilla (D-Calif.), Jon Ossoff (D-Ga.), Peter Welch (D-Vt.), Laphonza Butler (D-Calif.), Raphael Warnock (D-Ga.), Jack Reed (D-R.I.), Richard Blumenthal (D-Conn.), Tim Kaine (D-Va.), Bob Casey (D-Pa.), Angus King (I-Maine), Kirsten Gillibrand (D-N.Y.), Jeanne Shaheen (D-N.H.), Cory Booker (D-N.J.), Elizabeth Warren (D-Mass.), John Hickenlooper (D-Colo.), Ed Markey (D-Mass.), Tina Smith (D-Minn.), Ron Wyden (D-Ore.), Debbie Stabenow (D-Mich.), Chris Van Hollen (D-Md.), Mazie Hirono (D-Hawaii), Ben Cardin (D-Md.), Chris Coons (D-Del.), Sheldon Whitehouse (D-R.I.), Tammy Baldwin (D-Wis.), Ben Ray Lujan (D-N.M.), Bernie Sanders (I-Vt.), Tammy Duckworth (D-Ill.), Sherrod Brown (D-Ohio), Dick Durbin (D-Ill.), Mark Kelly (D-Ariz.), Maria Cantwell (D-Wash.), Gary Peters (D-Mich.), and Martin Heinrich (D-N.M.).

The text of the letter is available [HERE](#) and below.

Dear Mr. President:

We write to urge you to prioritize funding to support our free and fair elections in your budget for Fiscal Year (FY) 2025, including by providing the highest possible funding level for grants to be distributed to states by the Election

Assistance Commission. With the 2024 elections now underway, state and local officials are already spending significant resources so that every eligible American can make their voices heard when they cast their ballots. This funding is critical for hardworking officials to prepare and plan effectively for their ongoing responsibilities on the frontlines of our democracy.

The continued successful administration of our elections requires a steady stream of resources to support this year-round work. This funding is needed to maintain and improve election infrastructure, keep pace with emerging technology like artificial intelligence, and enhance cybersecurity to combat new threats. Election security is integral to national security and it is critical that we invest meaningfully to ensure that they continue to run smoothly.

These resources are also important to hire and train new election officials and poll workers, as well as to protect the security of election officials who are facing ongoing threats and harassment for simply doing their jobs. One survey of local election officials last year found that nearly one in three said they have been abused, harassed, or threatened and one in five know someone who left their job over safety concerns. Last fall over a dozen letters were reportedly sent to election offices or government buildings in six states, some containing fentanyl and other unidentified substances, that not only threatened the health and safety of election officials but also caused some delays in ballot counting.

While we are also working to strengthen our democracy and are committed to advancing legislation to expand access to the ballot and improve the security of election officials and workers, we recognize that the critical work being done to administer our elections successfully is happening now, despite years of underinvestment. We urge you to include in your budget the funding that is needed to not only maintain the safe and secure administration of our elections, but also to address emerging threats and to invest in future elections.

Thank you for your attention to this critical issue.

REPRESENTATIVE LAMBORN

[Congressman Lamborn Votes to Avert Government Shutdown](#)

Washington, D.C. – Today, Congressman Doug Lamborn joined his House Republican colleagues to pass the [Extension of Continuing Appropriations and Other Matters Act, 2024](#), H.R. 7463 by a vote of 320-99. This extension of the current continuing resolutions would provide federal funding at the current levels and prevent a government shutdown.

“Nobody wins in a government shutdown. Shutdowns are detrimental to our service members, their families, the healthcare sector, and countless other essential workers,” said Congressman Lamborn. “This extension of the Continuing Resolutions ensures that government operations remain fully functional as we finalize the yearly funding bills. We will continue to fight for border security and to reduce the deficit in the final appropriations bills for FY ‘24. It remains imperative that conservative priorities are secured while not holding our military and essential workers hostage.”

The Extension of Continuing Appropriations and Other Matters Act provides federal funding at existing Fiscal Year 2023 levels. The bill fully funds our military operations, servicemember pay, all veterans’ and healthcare programs, border security efforts, and ensures our national parks stay open.

[Congressman Lamborn’s Opening Statement During House Armed Services Committee Hearing on Secretary Austin’s Unannounced Absence](#)

Washington, D.C. – Today, Congressman Doug Lamborn, Chairman of the Strategic Forces Subcommittee, delivered the following remarks during the House Armed Services Committee’s hearing on Secretary Austin’s recent concealed absences from command.

Congressman Lamborn’s remarks as prepared:

I would concur with many of the points brought up by the Chairman. I believe most Members of this committee, are bewildered at how these events could transpire.

I am primarily concerned with the effect of your actions, and the actions of your closest advisor, on the confidence of the American people. At a time when overall trust in our government is declining, Americans must still believe the government can protect them from the growing threats in this world. One of the most serious threats is that of a missile attack from Russia, China or North Korea.

I chair the Strategic Forces Subcommittee and am charged by the Chairman with the oversight of our entire nuclear arsenal - including the command and control of our nuclear forces.

Everyday our servicemembers who maintain and operate the weapon systems that employ these destructive weapons are ready to act within minutes of receiving a valid order from the President that flows down through you or your designated representative.

Today, many on this dais will speak about disruptions in chains of command. I will say the most dangerous chain of command to break is that which communicates orders to our missile silos, ballistic missile submarines and strategic bombers.

We will only deter attacks on our homeland if our adversaries are assured that we are capable and willing to respond in kind - massively if necessary.

Not only is our homeland threatened by adversary's ballistic missiles, but it will increasingly be threatened by hypersonic missiles. All of these attacks are a matter of minutes, not hours.

We cannot afford to have the continuity of our nuclear command and control fail for even a minute. My district of Colorado Springs is home to the Cheyenne Mountain Complex, which is the primary site of our Missile Warning Center.

The Missile Warning Center maintains an unblinking eye that buys the President and the Secretary of Defense critical minutes. In a crisis, they initiate the conference between the National Military Command Center and those in the chain of command.

To watch today's hearing, click [here](#).

REPRESENTATIVE PETERSEN

[Reps. Pettersen, Grothman, Owens Introduce Bipartisan Bill to Increase Flexibility and Lower Costs for Students](#)

WASHINGTON—U.S. Representatives Brittany Pettersen (D-CO), Glenn Grothman (R-WI), and Burgess Owens (R-UT) have introduced the bipartisan Empowering Learners Through Competency-Based Education Act, which will assist universities in cultivating learning environments that will allow students to learn at their own pace, called competency-based education (CBE), in an effort to more quickly lead young Americans to meaningful careers with less student loan debt.

“Students learn at different paces, but a one-size-fits-all higher education system fails to cater to this fact. This bipartisan bill will create more options for those seeking higher education by fostering learning environments that allow students to self-pace and develop specific skills and knowledge in a shorter timeframe,” said Pettersen. “As a mom, I want my son, and every kid, to have as many options as possible when they graduate high school. This bill will not only give more flexibility to students, but will also help us combat the student debt crisis by creating affordable options for those wishing to enter the workforce.”

“Ensuring students receive a top-notch education without accruing significant debt is a top priority of mine. Competency-based education offers a transformative approach to higher education, addressing the staggering student loan debt crisis that burdens so many graduates. By allowing students to progress at their own pace and demonstrate mastery of subjects, CBE programs enable them to complete degrees in significantly less time with less debt,” said Grothman “The Empowering Learners Through Competency-Based Education Act will streamline CBE implementation, empowering students, easing financial burdens, and fostering innovation in education.”

“To build and maintain the greatest economy in the world, America needs to align our education standards with our workforce demands,” said Owens. “This bill addresses fundamental issues plaguing our nation's higher education system, providing a much-needed departure from an unaffordable, inflexible, and outdated structure that does not benefit students. Colleges across the country are beginning to challenge the traditional credit hour model and emphasize skills mastery as a more relevant metric for academic progress, and it's working. This legislation represents the forward-looking approach needed to close the skills gap, connect employer needs with employee competencies, and inject a bold approach into how we develop future generations of Utahns and Americans that will stand the test of time.”

“Our postsecondary education system is outdated, too expensive, and far too bureaucratic. Competency-based education is the type of innovative reform we need in postsecondary education. This knowledge-based model rewards students for their mastery of the subject, not for how many hours they sit in a classroom. CBE keeps colleges and universities from becoming degree mills and instead helps students acquire the skills and competencies needed to be prepared for a successful career. By measuring students' success through the competencies acquired in their program, students may be able to speed up the time it takes to get through the program and into a job. This will strengthen our workforce and do much to solve the skills gap and labor shortage that is preventing our economy from reaching its true potential,” said Education and the Workforce Committee Chairwoman Virginia Foxx (R-NC).

“Higher Learning Advocates enthusiastically supports Representatives Grothman's, Owen's, and Pettersen's Empowering Learners through Competency-Based Education Act,” said Julie Peller, Executive Director of Higher Learning Advocates. “Competency-Based Education affords today's students the opportunity to learn at their own pace and earn credentials of value. We commend his commitment to high-quality and innovative education models, and for providing a space to identify and test effective practices that can shape the future of Competency-Based Education and will benefit today's — and tomorrow's — learners.”

Background Information

The nationwide average amount of student loan debt that has yet to be paid off is [over \\$37,000](#) per borrower. CBE alleviates the burden of student loan debt by allowing students to learn at their own pace and often obtain the same degree in a much shorter amount of time.

Under a CBE program, students benefit from a personalized learning experience tailored to their individual needs, strengths, and interests. Unlike traditional class time models, CBE allows students to progress based on mastery rather than time spent in class. Moreover, CBE programs often integrate continuous assessment and feedback mechanisms, enabling students to monitor their progress and make ongoing improvements. This approach fosters a deeper understanding of the material and better prepares students for future coursework and careers. Additionally, CBE programs are known for their cost-effectiveness and time efficiency. Students may complete their degrees in less time, thereby reducing overall tuition costs and enabling them to enter the workforce sooner.

Specifically, the Empowering Learners Through Competency-Based Education Act would:

- Define CBE programs to better enable institutions to develop this type of educational model.
- Require the Department of Education to collect, verify, and make publicly available important program outcomes information on CBE programs, including the percentage of students completing these programs and being employed within six months.

- Establish a CBE demonstration project at the Department of Education to assist institutions in developing CBE programs, while also disseminating reliable information as a result of this demonstration for further evaluation to enhance the understanding of CBE.

[Rep. Pettersen, Colleagues Urge Banking Regulators to Quickly Revamp Bank Merger Review Procedures Following Proposed Capital One Merger with Discover](#)

WASHINGTON—Following Capital One’s recent announcement that they plan to purchase Discover, today, U.S. Representative Brittany Pettersen (CO-07), alongside 15 of her colleagues on the House Financial Services Committee, sent a [letter](#) urging the U.S. Department of Justice and our nation’s banking regulators, including the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to move quickly to update their outdated bank merger review procedures in order to protect consumers from the continued trend of megabank mergers.

In the [letter](#), the lawmakers highlight the harm consumers and entrepreneurs face when the nation’s biggest financial institutions get even bigger through mergers – making it easier for these institutions to rip off consumers as they charge higher prices, as we have seen large credit card companies do in recent years.

“We write to express our strong concerns about the lack of progress your agencies have made in updating your outdated bank merger review procedures. For far too long, these procedures have been equated by experts to be a rubber-stamping process, where virtually all applications are approved while industry consolidation continues.¹ More than two and a half years ago, President Biden issued Executive Order (EO) 14036 to promote competition in the American economy,² and encouraged your agencies to review and update your bank merger review procedures,” wrote the lawmakers. “Additionally, some of us along with consumers, small business, and worker advocates called on your agencies to put a moratorium on approving large bank mergers until you updated these procedures.³ No moratorium was imposed, and since then, more large bank mergers have been approved.⁴ Just a few days ago, we learned of another megamerger involving Capital One Financial Corporation (Capital One) trying to buy Discover Financial Services (Discover), which would create the sixth largest U.S. commercial bank with a major role in the credit card market. Accordingly, we strongly encourage your agencies to put away the rubber stamp and promptly finalize robust merger review procedures before all we are left with is an oligopoly of megabanks to serve our constituents.”

The letter concludes with a call for regulators to demonstrate their commitment by updating their bank merger review process to ensure that it is robust and promotes competition, consumer protection, and financial stability, which includes consulting with other regulators where appropriate and giving consumers, small business owners, workers, and others a meaningful opportunity to weigh in. The lawmakers request that regulators provide a response to the concerns outlined, along with a timeline for updating bank merger review procedures.

Full list of signers: Ranking Member Maxine Waters (D-CA) and Representatives Brittany Pettersen (D-CO), Nydia Velázquez (D-NY), Brad Sherman (D-CA), Stephen Lynch (D-MA), Al Green (D-TX), Emanuel Cleaver (D-MO), Bill Foster (D-IL), Joyce Beatty (D-OH), Juan Vargas (D-CA), Sean Casten (D-IL), Ayanna Pressley (D-MA), Steven Horsford (D-NV), Rashida Tlaib (D-MI), Sylvia Garcia (D-TX), and Nikema Williams (D-GA).

See the full letter [here](#) and below:

Attorney General Garland, Assistant Attorney General Kanter, Chair Powell, Vice Chair Barr, Acting Comptroller Hsu, and Chair Gruenberg:

We write to express our strong concerns about the lack of progress your agencies have made in updating your outdated bank merger review procedures. For far too long, these procedures have been equated by experts to be a rubber-stamping process, where virtually all applications are approved while industry consolidation continues. More than two and a half years ago, President Biden issued Executive Order (EO) 14036 to promote competition in the American economy, and encouraged your agencies to review and update your bank merger review procedures.

Additionally, some of us along with consumers, small business, and worker advocates called on your agencies to put a moratorium on approving large bank mergers until you updated these procedures. No moratorium was imposed, and since then, more large bank mergers have been approved. Just a few days ago, we learned of another megamerger involving Capital One Financial Corporation (Capital One) trying to buy Discover Financial Services (Discover), which would create the sixth largest U.S. commercial bank with a major role in the credit card market. Accordingly, we strongly encourage your agencies to put away the rubber stamp and promptly finalize robust merger review procedures before all we are left with is an oligopoly of megabanks to serve our constituents.

We've seen the harm that unbridled market consolidation poses to consumers and entrepreneurs when the biggest financial institutions get even bigger through mergers. Wells Fargo, for example, grew quickly through multiple mergers and eventually became too big to manage, repeatedly breaking the law by defrauding millions of consumers. We've also seen consolidation harm consumers in the credit card market, which the proposed merger between Capital One and Discover may contribute to. In 1994, the largest credit card issuers controlled 57% of the market, and as of 2022, they controlled more than 82%. Meanwhile, the largest credit card issuers charge consumers higher interest rates compared to smaller issuers, resulting in many consumers paying \$400 to \$500 more every year in additional financing costs for effectively the same service. Additionally, your agencies should consider other aspects of a proposed merger that may be anti-competitive, like the vertical integration concerns raised by the proposed merger of Capital One and Discover. In allowing one of our largest banks to control a credit card network, that would enable them to influence multiple points of the marketplace by setting prices for credit card customers as well as merchants that swipe their cards.

Moreover, the Dodd-Frank Wall Street Reform and Consumer Protection Act requires banking regulators to consider financial stability when reviewing bank merger applications. According to the latest data, a merger of Capital One and Discover would result in a \$625 billion bank, which is nearly \$100 billion larger than the combined size of the three banks that failed last year – Silicon Valley Bank, Signature Bank and First Republic. The failure of those so-called mid-sized banks required our government to use its emergency tools to stabilize the banking system to prevent contagion. This underscores the need to extensively consider the financial stability impact of any bank merger application, especially large ones like Capital One's proposed purchase of Discover.

Given the myriad issues we have identified with Capital One's proposed purchase of Discover, it is critical your agencies demonstrate that you will not revert to your old ways of rubber stamping their bank merger application or any other. We acknowledge some of your agencies have taken some steps at reform, but we encourage your agencies to pick up the pace and finalize robust merger review procedures soon. For example, the OCC recently proposed some reforms to its bank merger review process, which would give the agency more time to carefully review a proposal. However, consumer advocates have noted those reforms are too modest if the goal is to fulfill your statutory obligations to carefully review these merger applications, which is a concern we share.

As you work to update your bank merger review procedures, your revised process should ensure your agencies collect all relevant evidence you need to make an informed decision that is in the public's interest, including consumer complaints, compliance track records, community reinvestment exams, supervisory findings, consent orders, settlements, and community benefit agreements. We encourage you to closely consult with other regulators when appropriate. For example, your agencies should consult closely with the Consumer Financial Protection Bureau (CFPB) and other members of the Financial Stability Oversight Council (FSOC) when reviewing Capital One's proposed purchase of Discover, given the significant consumer protection and financial stability implications the merger poses. We also encourage you to give consumers, small business owners, workers, and other affected individuals a meaningful opportunity to review these proposed mergers and share their perspectives, including by convening public hearings especially with respect to large bank mergers, as you have done on occasion in the past.

In closing, we appreciate your attention to this matter to ensure the bank merger review process is meaningful and will promote competition for the benefit of consumers, among other objectives. We respectfully ask that you provide us with a response to our concerns, along with a timeline on when your agencies will update your bank merger review procedures. We look forward to your prompt response.

Sincerely,

REPRESENTATIVE BUCK

[Buck Introduces House Resolution Urging VP & Cabinet to Invoke the 25th Amendment Removing Biden](#)

WASHINGTON — Today, Congressman Ken Buck (R-CO) introduced a resolution in the U.S. House of Representatives calling on Vice President Harris and the Cabinet to invoke the 25th amendment:

“The Hur report officially addressed what many Americans have long witnessed with their own eyes - that President Biden is no longer fit to successfully discharge the critical duties of his office. Numerous instances were articulated in the report, and have played out in full public view, showing President Biden’s apparent cognitive decline and lack of mental stamina.

“The societal challenges and security threats our country faces are innumerable and require a chief executive with both strong mental and physical faculties. The time has come for the vice president and the Cabinet to put our country first and move forward on invoking the 25th Amendment.”

Read the full resolution [HERE](#).

Read Special Council Hur's Report on President Biden [HERE](#).