

MEMORANDUM

To: Chairman Joe A. Martinez, Board of County Commissioners
cc: Joe Rasco, Phillip Drujak, Bill Couch, Tiffany Machado
From: Patton Boggs LLP
Date: March 22, 2012
Subject: February 2012 Monthly Report

Below please find an update of our activities for the month of February:

Budget and Appropriations

Patton Boggs provided a comprehensive analysis of President Obama's FY 2013 Budget Proposal, highlighting the particular themes of relevance to local government interests.

We also provided an update on February 2 announcement by Senate Appropriations Committee Chairman Daniel Inouye (D-HI) to extend the ongoing earmark ban through FY 2013 (at the beginning of the 112th Congress, the House imposed an earmark ban to cover FY 2011 through FY2013; the Senate soon followed with a ban that encompassed FY 2011 and FY 2012). We also reported on the subsequent Senate rejection (via an amendment vote to the STOCK Act) of a permanent earmark ban.

Transportation Reauthorization

Patton Boggs continued to monitor and provide updates and analyses of Congressional action with regard to the transportation reauthorization. We provided a summary of the Senate Banking, Housing, and Urban Affairs Committee markup of the transit provisions of SAFETEA-LU reauthorization, as well as an in-depth analysis of House transportation reauthorization as proposed by the Transportation and Infrastructure Committee (H.R. 7). We also provided timely updates as opposition to H.R. 7 intensified, including the release of a White House Statement of Administration Policy in opposition to the bill.

Delegation Outreach

As the House and Senate bill(s) moved, we provided updates on potential amendments that would either benefit or harm local governments, particularly those with greatest impact to Miami Dade. Following discussions with county staff on its transportation policy priorities based on provisions in

the legislation, we reached out to delegation offices on behalf of the county in support / opposition to pending amendments.

We requested support from the Miami Dade congressional delegation on two House amendments: (1) to restore dedicated funding for pedestrian and bicycle activities, particularly the Safe Routes to School Program; and (2) to maintain the current division of Surface Transportation Program funds between urbanized areas (62.5%) and “any area in the state” (37.5%) (the House bill would shift the division to 50% - 50%).

Floor consideration of the House bill was delayed due to opposition of many provisions, including one which would remove the transit funding allocation from the Highway Trust Fund. We will continue to monitor the status of the bill and maintain a dialogue with congressional offices on the County’s priorities.

On the Senate side, Patton Boggs weighed in with Senators Bill Nelson and Marco Rubio on behalf of Miami Dade with respect to three amendments: (1) to support restoration of Transportation Enhancements and Safe Routes to Schools as eligible activities; (2) to support the current division of Surface Transportation Program funds between urbanized areas (62.5%) and “any area in the state” (37.5%) (the Senate bill also shifted this to a 50% - 50% split); and (3) to oppose the reduction of funding for the New Starts/Small Starts program by \$300 million and the State of Good Repair program by \$412.5 million.

Following days of negotiations over amendments, the bill was brought to the floor with a Manager’s amendment including approximately 35 agreed-upon amendments and an additional 30 amendments were voted on by the full Senate. The amendment to restore Transportation Enhancement funding was included in the Manager’s amendment (the County supported this amendment); the amendment to maintain the Surface Transportation Program split was not included in either the Manager’s amendment or the list of floor amendments (bad news, but, as noted above, there is a pending amendment in the House which addresses this issue); and the amendment to reduce New Starts / Small Starts funding was not raised as part of the final bill although the Manager’s amendment did remove a smaller amount (\$75 million) from New Starts to create a new bus discretionary program.

Operation Port of Call

Patton Boggs followed up on the County’s interest in having Miami Dade as a location for the Navy’s Port of Call. We followed up on data concerning ship visits, and cost elements of Navy visits to non-Navy domestic ports. We drafted, edited and reviewed a letter to OPNAV Deputy for Surface Ships on the subject.

Urban Area Security Initiative (UASI) and FEMA First Responder Funding

Patton Boggs was happy to report the Miami Dade/Ft Lauderdale UASI received \$5,401,304 for FY 2012. We also followed up in a conference call with Curt Sommerhoff and Jonathan Lord and

reported additional detail on the Department of Homeland Security (DHS)'s plan to consolidate a number of FEMA first responder programs, including UASI, into one comprehensive program in FY 2013. We worked closely throughout February with DHS, the U.S. Conference of Mayor's (USCM), and other City/County representatives to further flesh out the details of the FY 2013 program and advocate for local stakeholder input as the program guidance is developed.

White House Summer Jobs+ Initiative

Patton Boggs participated in and reported on a conference call with White House officials and Secretary of Labor Hilda Solis on the Summer Jobs+ initiative to provide summer jobs to low-income and underprivileged youth. We specifically highlighted action items for local government involvement in the program.

General Federal Legislative and Regulatory Monitoring

Throughout February we provided timely updates on federal regulatory and legislative action and the status of legislation of relevance to local government interests. For example, we kept County staff apprised of talks leading up to consideration of a payroll tax / unemployment benefits agreement and the potential inclusion of spectrum provisions. Upon adoption of the bill, we provided a detailed report of these provisions and the impact on local governments. We also advised the City of Federal Transit Agency (FTA) Notice of Proposed Rulemaking concerning the New Starts and Small Starts program.

Coalition Support Recommendations

Patton Boggs highlighted several coalition and U.S. Conference of Mayors-led advocacy letters that aligned with City priorities for the Mayor's signature. These letters focused on (1) D Block spectrum legislation (H.R. 3630/S. 911) and (2) provisions in the House transportation reauthorization.

Grant Report

Throughout February we advised the City on federal grant award solicitations.