

**WASHINGTON WEEKLY REPORT
MAY 14TH – MAY 18TH, 2012**

Below is an informal overview of the Washington D.C. activities of the Miami-Dade County Office of Intergovernmental Affairs:

THE SENATE WAS IN SESSION THIS WEEK

THE HOUSE WAS IN SESSION THIS WEEK

(ATTACHED, PLEASE FIND THE FEDERAL CONTRACT LOBBYIST REPORTS FOR THE MONTH OF APRIL)

HOUSE APPROVES 'STATE-SPONSORS OF TERRORISM' AMENDMENT TO DEFENSE AUTHORIZATION BILL

On Friday, the U.S. House of Representatives approved an amendment by Miami-Dade County Rep. David Rivera to the 2013 Defense Authorization Bill that prohibits Department of Defense contracts with companies that do business with state-sponsors of terrorism. The U.S. State Department lists Cuba, Iran, Sudan and Syria as State Sponsors of Terrorism. Rep. Rivera's amendment closes a loophole that allowed foreign companies like Repsol, which conducts over \$300 million in business with the Department of Defense, to partner with state-sponsors of terrorism and profit from U.S. taxpayers through different subsidiaries. In comments on the House floor before the amendment was agreed to by a voice vote, Rep. Rivera made the following remarks:

“Mr. Chairman, right now, I believe many Americans would be surprised, perhaps shocked to know that there are foreign businesses that also do business with terrorist nations that are currently engaged in contract and procurement activity with the Pentagon, with the Department of Defense. This, I believe, and I think most Americans would believe, is not only a threat to American security, but it is also threatening American jobs because these foreign businesses are taking opportunities from American-based businesses that could be contracting and procuring with the Pentagon.

This amendment would prohibit businesses that engage in business activity with terrorist nations—and those are nations that have been officially designated as sponsors of terrorism by our own government—from contracting and procurement opportunities with the Department of Defense.

This is an issue of protecting not only American security but of protecting American jobs, and I encourage its passage.”

The text of the amendment is provided below...

**AMENDMENT TO H.R. 4310, AS REPORTED
OFFERED BY MR. RIVERA OF FLORIDA**

At the end of subtitle A of title VIII (page 297, after line 23), insert the following new section:

SEC. 802. PROHIBITION ON CONTRACTING WITH PERSONS THAT HAVE BUSINESS OPERATIONS WITH STATE SPONSORS OF TERRORISM.

(a) *PROHIBITION.*—The Department of Defense may not enter into a contract for the procurement of goods or services with any person that has business operations with a state sponsor of terrorism.

(b) *DEFINITIONS.*—In this section:

(1) *STATE SPONSOR OF TERRORISM.*—The term “state sponsor of terrorism” means any country the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism pursuant to—

(A) section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)) (as continued in effect pursuant to the International Emergency Economic Powers Act);

(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);
or

(C) section 40 of the Arms Export Control Act (22 U.S.C. 2780).

(2) *BUSINESS OPERATIONS.*—The term “business operations” means engaging in commerce in any form, including acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

(3) *PERSON.*— The term “person” means—

(A) a natural person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))); and

(C) any successor, subunit, parent entity, or subsidiary of, or any entity under common ownership or control with, any entity described in subparagraph (A) or (B).

COMMISSIONER DIAZ JOINS FORCES WITH WHITE HOUSE INITIATIVE

Following April’s White House meeting with Captain Brad Cooper, Executive Director of Joining Forces, Commissioner Diaz and Captain Cooper wrote a joint letter (drafted in both English and Spanish) addressed to Miami-Dade County’s business owners encouraging them to take advantage of tax credits included in the American Jobs Act passed by Congress and signed into law by President Obama last November.

Joining Forces is a comprehensive national initiative led by First Lady Michelle Obama and Dr. Jill Biden, to mobilize public, private and higher education sectors to provide our service members and their families with the opportunity to obtain employment, human services, job skills training and continuing education. An excerpt from the letter reads:

“As a Marine and Miami-Dade County’s Military Liaison, and as a Naval Captain as well as the Executive Director of the Joining Forces Initiative, reporting directly to First Lady Michelle Obama, we are both uniquely aware of the sacrifice and dedication our nation’s veterans have bestowed upon the alter of freedom. The purpose of this letter is to make the citizens of Miami-Dade County aware of information regarding an initiative that will help military veterans get back to work while providing you with financial relief.”

The American Jobs Act includes the new Returning Heroes Tax Credit and a Wounded Warriors Tax Credit which can provide a tax credit of \$5,400 for hiring an unemployed veteran and up to \$9,600 for hiring a veteran with service-connected disabilities.

REP. DIAZ-BALART APPLAUDS ENACTMENT OF THE U.S. – COLOMBIA FREE TRADE AGREEMENT

Miami-Dade County Rep. Mario Diaz-Balart applauded the enforcement of the U.S. – Columbia Free Trade Agreement (FTA), which went into effect on Tuesday, May 15th. From the Congressman’s press release: *“The United States is Colombia’s largest trading partner, and Colombia is the United States’ third-largest export market in Latin America. The Agreement is also expected to increase U.S. GDP by \$2.5 billion...”*

The Miami-Dade County Board of County Commissioners and the Greater Miami Chamber of Commerce, along with many other South Florida civic and business leaders, worked very hard over the years to advocate for implementation of the Colombia, Panama and South Korea FTAs, due to the substantial positive impact these FTAs will have on Miami-Dade’s economy.

Indeed, Colombia boasts a consumer market of 45 million people and is already Miami-Dade County’s number two trading partner. Of all the flowers sent to the U.S. from Colombia, 96% of those goods come through South Florida, primarily through the Miami International Airport. The \$5.2 billion a year generated from trade with Colombia helps to support 282,000 jobs in South Florida alone. The Colombia FTA will eliminate duties on 80% of U.S. exports to Colombia, with almost all of the remaining duties and tariffs removed within ten years. Already, 93% of Colombia’s exports enter the U.S. duty free.

“DEAR COLLEAGUE” LETTER IN SUPPORT OF PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE

OIA, on behalf of PortMiami and the Coalition for America's Gateways & Trade Corridors (CAGTC), asked the county's Congressional delegation to join a bicameral "Dear Colleague" letter to the conferees negotiating the transportation reauthorization bill. The letter expresses support of the Projects of National and Regional Significance (PNRS) provision included in the Senate's transportation reauthorization bill S. 1813, MAP-21.

As outlined in the letter, "According to the Bureau of Transportation Statistics, "productivity growth in freight transportation has long been a driving force for the growth of U.S. overall productivity and contributed directly to the growth of the U.S. GDP." Yet, we have failed to adequately provide the necessary resources for the safe and efficient movement of freight.

"Critical freight infrastructure projects are often large in scale, multimodal and fall under more than one jurisdiction. As a result, these projects have difficulty receiving funds allocated to the states through existing formula programs. Multijurisdictional projects face complex funding issues and have less federal financial assistance programs at their disposal. The PNRS program included in MAP-21 provides states with an important tool to address large capital investment needs and freight projects which meet rigorous criteria and eligibility requirements.

"Maintaining the competitive and merit-based PNRS program found in MAP-21 will help strengthen nationally-vital transportation projects, improve U.S. productivity, and increase our global competitiveness."

This effort is being led by CAGTC, Senators Whitehouse (RI) and Merkley (OR), and Reps. Adam Smith (WA) and Geoff Davis (KY). The PNRS provision is strongly supported by the Miami-Dade County, as it could serve as a potential funding/financing source for existing and future projects to be carried out at PortMiami.

HOUSE FOREIGN RELATIONS WESTERN HEMISPHERE SUBCOMMITTEE HOLDS HEARING ON "CUBA'S GLOBAL NETWORK OF TERRORISM, INTELLIGENCE AND WARFARE" -- MIAMI-DADE REPS. RELEASE STATEMENTS CONDEMNING VISAS PROVIDED TO HIGH- RANKING CUBAN REGIME OFFICIALS

On Thursday, the Western Hemisphere Subcommittee, chaired by Rep. Connie Mack, held a hearing titled, "Cuba's Network of Terrorism, Intelligence and Warfare." Miami-Dade County Rep. Ileana Ros-Lehtinen, Chairman of the House Foreign Affairs Committee, made remarks at the subcommittee hearing, which touched on a recent decision by the U.S. State Department to grant visas to Cuban officials. The representatives also sent a letter to Secretary of State Hillary Clinton expressing outrage that the Obama Administration provided entry visas to high-level Cuban Communist Party operatives Josefina Vidal Ferreiro, Eusebio Leal, and Mariela Castro

Espin. The following statements were released by Reps. Ros-Lehtinen, Rivera and Diaz-Balart:

“I am opposed to the granting of visas by the State Department to three high-level Cuban regime officials in recent weeks. This ‘open door’ policy for operatives of a state-sponsor of terrorism is dangerous and has granted the Castro brothers and their espionage activities direct access to the United States. Josefina Vidal Ferreiro, Eusebio Leal, and Mariela Castro Espin are part of a regime that denies its citizens basic human rights and actively undermines the interests of the U.S. at every turn. Granting visas to the oppressors of the Cuban people is an affront to all the freedom fighters in Cuba who work to rid their nation of that despised dictatorship. The State Department needs to wake up from its delusional love fest with the dictators in Havana. I urge them to immediately revoke these visas.” –Rep. Ros-Lehtinen

“It is appalling that the Obama administration is welcoming high-level agents of the Castro dictatorship onto U.S. soil. While the Cuban people are struggling for basic freedoms in the face of increasingly brutal repression, and American humanitarian aid worker Alan Gross languishes in prison, the Obama administration has made a reckless and dangerous decision to embrace regime operatives. This is yet another example of the administration's misguided policy of rewarding the murderous Castro dictatorship for its atrocious human rights record and persistent attacks on U.S. interests worldwide.” –Rep. Diaz-Balart

“By granting entry visas to Cuban Communist Party representatives Josefina Vidal Ferreiro, Eusebio Leal and Mariela Castro Espin, the State Department is sending a message that is contradictory to established U.S. policy—specifically the Cuban Liberty and Democratic Solidarity Act and Presidential Proclamation 5377—which suspends entry of and denies visas to officers and employees of the Cuban dictatorship and the Cuban Communist Party. Vidal Ferreiro, Leal and Castro Espin are all vocal advocates for the tyrannical and oppressive Castro regime. The State Department should not be putting out the welcome mat for officials from countries that have officially been designated as State Sponsors of Terrorism.” –Rep. Rivera

FY 2013 APPROPRIATIONS - HOMELAND SECURITY

On Wednesday, the House Appropriations Committee amended and approved its FY 2013 Homeland Security Appropriations bill. Earlier this week, the Senate Homeland Security Appropriations Subcommittee released a summary of its FY 2013 spending bill (a full committee markup was postponed). Among the amendments adopted during the House Committee markup was a bipartisan proposal to retain the SAFER language that has been in effect since 2009 to allow grant funds to be used to retain firefighters and waive certain budgetary eligibility requirements.

Following is a preliminary comparative analysis of the House and Senate bills relating to programs of relevance to local government interests. Additional information will be available when the Senate approves its Committee Report and the bills reach floor consideration:

Customs and Border Protection (CBP) - \$11.97 billion (Senate) / \$10.2 billion (House) (both bills provide funds for “21,370 Border Patrol agents, sustaining the increased levels approved in the FY 2010 Supplemental and 21,186 CBP officers working at ports of entry”).

FEMA State and Local Programs - \$1.41 billion (Senate) / \$1.63 billion following 7.02 percent transfer to Salaries and Expenses (House) (\$1.35 billion in FY 2012)

Operation Stonegarden - \$55 million (Senate) / \$55 million with no State admin costs (House) (\$55 million in FY 2012)

First Responder Grants - While both the House and the Senate rebut the Administration’s proposal to consolidate FEMA first responder programs into one National Preparedness Grant Program (NPGP)**, the House maintains the consolidated program structure that was implemented in FY 2012. The Senate, however, funds each program as a separate line item. The House also maintains language that no less that \$150 million (\$100 million in FY 2012) of State and Local program funds be directed to areas at the highest risk of a terrorist attack.

- The House provides approximately \$1.2 billion for the consolidated FEMA First Responder Grants; the Senate provides over \$1.36 billion.
- State Homeland Security Grant Program (SHSGP) / \$415 million (Senate)
- UASI / \$664 million (Senate)
- Metropolitan Medical Response System (MMRS) / TBD – not identified in Senate highlights
- Citizen Corps Program / TBD – not identified in Senate highlights
- Public Transportation Security Assistance and Railroad Security Assistance / \$119 million (Senate)
- Over-the-Road Bus Security Assistance / TBD – not identified in Senate highlights
- Port Security Grants / \$132 million (Senate)
- Driver's Licenses Security Grants / TBD – not identified in Senate highlights
- Interoperable Emergency Communications / TBD – not identified in Senate highlights
- Emergency Operations Centers / TBD – not identified in Senate highlights
- Buffer Zone Protection Programs / TBD – not identified in Senate highlights
- Organizations determined by the Secretary to be at high risk of a terrorist attack / \$13 million (Senate)
- Urban Search and Rescue Response System - TBD – not identified in Senate highlights / \$27.5 million (no admin costs) (House) (\$41.25 million in FY 2012)

Firefighter Assistance Grants - \$675 million - \$337.5 million each for SAFER and AFG (Secretary discretion to administer waivers) (Senate) / \$670 million - \$335 million each for SAFER and AFG (administrative costs limited to 4.7%; the Committee encourages FEMA to include a veterans' hiring preference in its program guidance) (House) (\$675 million in FY 2012)

Emergency Management Performance Grants (EMPG) - \$350 million (Senate) / \$350 million (administrative costs limited to 2.7%) (House) (\$350 million in FY 2012)

National Pre-disaster Mitigation - \$35 million (Senate) / \$14.3 million (administrative costs limited to 3%) (House) (\$35.5 million in FY2011)

Emergency Food and Shelter - \$150 million (Senate) / \$120 million (administrative costs limited to 3.5%) (House) (\$120 million in FY 2012)

**In its Committee Report, the House denies the NPGP program due to lack of authorization and specifically expresses concern with the lack of stakeholder outreach prior to the program's introduction. (*Compiled by Patton Boggs Federal Lobbying Team*)

HOUSE DEFENSE APPROPRIATIONS BILL LANGUAGE COULD HELP MIAMI INTERNATIONAL AEROSPACE SHOW

Language that could bolster efforts by Miami-Dade County and the Beacon Council to host the Miami International Aerospace Show (MIAS) was included in the House Appropriations Defense Subcommittee bill earlier this week. In March, Rep. Ileana Ros-Lehtinen urged for the inclusion of report language that would encourage the Department of Defense (DoD) to partner with State and Local governments for use of DoD facilities that would result in local job creation, without the use of Federal dollars. The nature of the language could have statewide impacts due to the large number of defense installations throughout Florida. The Congresswoman asked that the following language be included in FY13 House Defense Appropriations bill:

STATE AND LOCAL PARTNERSHIPS

The Committee encourages the Secretary of Defense, in conjunction with the Services, to consider entering cooperative agreements with State and local governments for use of certain multi-use military facilities for public affairs activities that benefit local job creation, including commercial activities that promote American technology. The Committee expects any such agreements would be at no cost to the military and would not create an undue burden to accomplishing the inherent mission of the facility.

In late April, Sen. Bill Nelson also urged the Senate Appropriations Committee to include report language in the Senate Appropriations Committee – Defense (SAC – D) bill. The SAC-D language would encourage DoD to examine job-creating partnerships between local and state governments and DoD facilities, which could include Miami-

Dade County and the Beacon Council's ongoing efforts to host the MIAS at Homestead Air Reserve Base.

CONGRESSWOMAN WILSON'S STATEMENT ON THE ANNIVERSARY OF BROWN V. BOARD OF EDUCATION

On Thursday, Rep. Frederica Wilson issued the following statement on the anniversary of the 1954 U.S. Supreme Court decision in *Brown v. Board of Education* that racially-segregated public schools were unconstitutional:

"Today in 1954, the Supreme Court ruled in Brown v. Board of Education that 'separate-but-equal' public schools were unconstitutional. Their landmark decision was a watershed moment in the civil rights movement, leading to all kinds of integration – from schools to buses to water fountains to restaurants to restrooms to theaters. These changes made our country stronger and gave everyone a real chance at achieving the American Dream regardless of the color of their skin.

"Now, we must turn our attention to another form of public school segregation. For-profit charter schools – segregated into white, black and Hispanic – are mushrooming across Miami and the state of Florida, and they are chipping away at the foundation of public education. These for-profit charter schools are undermining the intent of the Supreme Court's ruling in Brown v. Board of Education. We cannot go back to the days of public school segregation."

SEN. RUBIO HOLDS "FED ASSIST" HOURS AT STEPHEN P. CLARK CENTER

On Thursday May 17th from 9:30 a.m. – 2:30 p.m. Sen. Marco Rubio's South Florida Regional Office met with Miami-Dade County residents at the Stephen P. Clark Center in downtown Miami. The purpose of the "Fed Assist" office hours is to provide help to any constituents who may have an issue with Social Security, Medicare, Veterans Benefits, immigration, the IRS or any federal agency. Sen. Rubio's office holds these 'mobile office hours' to engage local communities and provide constituent services to people throughout Florida.

CLIMATE COMMUNITIES

"The U.S. Department of Energy (DOE) Grants Available to Overcome Alternative Fuel Vehicle Challenges: Overview, Competitive Tips & Case Study" was the title of this week's Climate Communities webinar. DOE recently announced the availability of up to \$5 million to help communities reduce barriers to alternative fuel vehicle use. The funding will help cut red tape and streamline permitting processes for homeowners and businesses, provide training for mechanics and first responders, and support community planning to expand fueling infrastructure for alternative fuel vehicles. DOE anticipates awarding 10 to 20 projects, ranging from \$250,000 to \$500,000. Localities are

encouraged to team with a Clean Cities coalition, as well as other relevant partners. This funding opportunity does not provide resources for the purchase or installation of vehicles or infrastructure. The webinar provided an overview of this funding opportunity and offered tips to make communities more competitive for this funding.

NEXT WEEK'S CALENDAR: MAY 21ST – MAY 25TH

The House will not be in session next week.

The Senate will not be in session next week.

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**WASHINGTON WEEKLY REPORT
MAY 21ST – MAY 25TH, 2012**

Below is an informal overview of the Washington D.C. activities of the Miami-Dade County Office of Intergovernmental Affairs:

THE SENATE WAS IN SESSION THIS WEEK

THE HOUSE WAS NOT IN SESSION THIS WEEK

**STARTUP ACT 2.0 – SENS. RUBIO, COONS, MORAN AND WARNER,
OFFER BIPARTISAN JOB CREATION PLAN**

This week, Florida Senator Marco Rubio, along with Senators Chris Coons (Del.), Jerry Moran (Kan.) and Mark Warner (Va.) introduced the bipartisan Startup Act 2.0 – a bill that would seek to jumpstart the economy through job creation and growth of new businesses. The following statement was released by Sen. Rubio:

“When Senator Coons and I introduced the AGREE Act last fall, we hoped it would lead to greater cooperation on job creation policies that already enjoy broad bipartisan support,” Sen. Rubio said. “Teaming up with Senators Moran, Warner and Coons on Startup Act 2.0 is a worthy effort to break through Washington’s gridlock and help entrepreneurs create new jobs through key reforms to our tax, visa and regulatory systems. Startup Act 2.0 is built on ideas that have bipartisan support and could become law tomorrow if Washington stopped playing games and started working for the people.”

Startup Act 2.0 is endorsed by the Consumer Electronics Association, TechAmerica, Financial Services Forum, the National Small Business Association, CONNECT, the Consumer Telecommunications Industry Association (CTIA), Computer and Communications Industry Association, the Greater Kansas City Chamber of Commerce and the Austin Chamber of Commerce.

Startup Act 2.0 includes the following provisions:

- Creates a new STEM visa so that U.S.-educated foreign students, who graduate with a master’s or Ph.D. in science, technology, engineering or mathematics, can

receive a green card and stay in this country where their talent and ideas can fuel growth and create American jobs;

- Creates an Entrepreneur's Visa for legal immigrants, so they can remain in the United States, launch businesses and create jobs;
- Eliminates the per-country caps for employment-based immigrant visas – which hinder U.S. employers from recruiting the top-tier talent they need to grow;
- Makes permanent the exemption of capital gains taxes on the sale of startup stock held for at least five years – so investors can provide financial stability at a critical juncture of firm growth;
- Creates a targeted research and development tax credit for young startups less than five years old and with less than \$5 million in annual receipts. This R&D credit is designed to allow startups to offset employee taxes – freeing up resources to help these young companies expand and create jobs;
- Uses existing federal R&D funding to support university initiatives designed to bring cutting-edge research to the marketplace more quickly where it can propel economic growth;
- Requires all government agencies to conduct a cost-benefit analysis of all proposed “major rules” with an economic impact of \$100 million or more. This new requirement will help determine the efficacy of regulations and their potential impact on the formation and growth of new businesses; and
- Directs the U.S. Department of Commerce to assess state and local policies that aid in the development of new businesses. Through the publication of reports on new business formation and the entrepreneurial environment, lawmakers will be better equipped to encourage entrepreneurship with the most successful policies.

REP. DIAZ-BALART PROMOTES NATIONAL HURRICANE PREPAREDNESS WEEK

Earlier this week, Miami-Dade County Congressman Mario Diaz-Balart released the following statement that encourages families and individuals to prepare for Hurricane Season and promotes [National Hurricane Preparedness Week](#), which begins on May 27 and runs through June 2. Hurricane Season starts next Friday, June 1.

“The Hurricane Season of 2012 is upon us, and as Floridians, we know this is something that should not be taken lightly. I remain hopeful that our communities will be spared from a serious storm, but we must nonetheless be prepared to reduce the effects of a natural disaster,” said Rep. Diaz-Balart.

NOAA kicked off their annual National Hurricane Preparedness Week to create awareness leading up to the start of the season. More information and ideas can be found at www.ready.gov/hurricanes. Information on the different types of severe weather such as tornadoes, severe thunderstorms and flooding is available at www.weather.gov and www.ready.gov/hurricanes or the Spanish-language web site www.listo.gov.

HOMELAND SECURITY APPROPRIATIONS SUBCOMMITTEE MARK UP

On Wednesday, the Senate Appropriations Committee approved the FY2013 Homeland Security Appropriations Bill.

The Senate bill does not consolidate FEMA's State and Local grant programs as proposed in the President's FY2013 budget – an outcome favored by Miami-Dade County. The President's proposal would have consolidated 16 Homeland Security grant programs into one "National Preparedness Grant Program". Instead, the Senate bill includes language directing DHS to continuing working with the Congressional authorizing committees and stakeholders on its grant reform proposal.

The Senate bill provides \$1.41 billion for the State and Local grant programs, a \$369 million increase about the FY2012 level. Included in this total is:

- \$415 million for State Homeland Security Grants;
- \$55 million for Operation Stonegarden;
- \$664 million for the Urban Area Security Initiative (UASI);
- \$13 million for Non-profit Security Grants;
- \$119 million for Transit and Rail Security Grants;
- \$13 million for Amtrak security; and
- \$132 million Port Security grants.

The bill also provides a total of \$675 million for firefighter grants -- \$377.5 million for the fire equipment grants and \$337.5 million for firefighter hiring (SAFER) grants. \$35 million for Predisaster Mitigation grants that can be used for disaster mitigation planning and mitigation projects prior to a disaster event.

The Senate bill includes \$150 million for the Emergency Food and Shelter program that provides funding to public and private local social service organizations help people in

need of emergency assistance. It also provides \$6.089 billion for FEMA's Disaster Relief Fund.

The bill is now pending before the full Senate for consideration. It is not clear when the Senate will debate the Homeland Security appropriations bill. The Senate will probably consider the Commerce-Justice-Science and Military Construction-Veterans Affairs bills first.

The House Appropriations Committee passed its version of the FY2013 Homeland Security Appropriations bill on May 16. The House Rules Committee will consider the bill on May 30, along with Military Construction-VA and Energy-Water bills. The House floor debate will be scheduled after the Rules Committee meeting. With the House in recess again the week of June 11th, some of these bills may not be considered until late June.

Like the Senate bill, the House bill does not consolidate the homeland security grants into one National Preparedness Grant Program as proposed by the Administration. The House Committee also rejected the proposal because it lacked Congressional authorization and the necessary details to start a new grant program. It encourages DHS to work with the authorizing Committee on its proposal.

The House bill provides \$1.8 billion for State and Local Grants, which is more than the Senate bill. However, it does not provide specific funding amounts for each of the grant programs – similar to the FY2012 bill. It simply provides an overall amount and sets aside \$55 million for Operation Stonegarden and \$150 million for "areas at the highest threat of terrorist attack."

The House bill provides \$670 million, same as the President's budget request, for firefighter assistance grants.

The House bill includes \$120 million for the Emergency Food and Shelter program, which is less than the Senate, but \$20 million more than the budget request.

The House bill includes the same as the Senate – \$6.089 billion – for FEMA's Disaster Relief Fund. (*Compiled by Akerman Senterfitt Federal Lobbying Team*)

APPROPRIATIONS UPDATE

This past week the House was in recess. It will return on Wednesday of next week, May 30th. The Senate was in session this week, but will be out next week. Both bodies continue to make progress on the appropriations bills, although it is still expected that most of the bills will not be completed until after the election, and long after Fiscal Year 2013 starts on October 1st, 2012.

As noted previously, there are 12 appropriations bills that, taken together, make up the federal budget. In the House, the full House has considered and passed one bill -- the Commerce, Justice, Science bill. Another five bills have been marked up and reported out of the House Appropriations Committee. They are:

- Defense
- Energy and Water
- State and Foreign Operations
- Homeland Security
- Military Construction/Veterans Affairs

One more bill, the one that funds the activities of the Legislative Branch, has been considered in its subcommittee of jurisdiction. Together, a total of seven bills have moved partially through the process.

In the Senate, seven of the bills have been marked up and reported out of the Senate Appropriations Committee. They are:

- Agriculture
- Commerce, Justice, Science
- Energy and Water
- Transportation, HUD
- Military Construction/Veterans Affairs
- Homeland Security
- State, Foreign Operations

Thus both chambers have marked up seven of the twelve bills that make up the budget. While this is significant progress it is still expected that most of the bills will not be completed until after the election. There are major differences between most of the House and the Senate versions of the bills.

In one or two cases, the bills are close enough that a final version can be agreed to by both houses before the start of the fiscal year. For example, the bill that funds Veterans Programs is nearly identical. But for the most part, the bills will not be completed until after the election. When Fiscal Year 2013 starts on October 1, the government will be operating under a Continuing Resolution. (*Compiled by Akerman Senterfitt Federal Lobbying Team*)

LAUREL WILT DISEASE AND THE RED BAY AMBROSIA BEETLE – A MAJOR THREAT TO COUNTY’S AVOCADO INDUSTRY AND THE ENVIRONMENT

Miami-Dade County Agriculture Manager Charles LaPradd and OIA reached out to Max T. Holtzman, Senior Advisor to the Secretary, U.S. Department of Agriculture (USDA) regarding the Red Bay Ambrosia Beetle and the threat that it poses to the county's agricultural industry and natural environment.

The beetle is a vector for an invasive disease known as Laurel Wilt, and it is reaching commercial avocado groves and more than 11 infected trees on 4 separate properties in the County. The trees have succumbed to the disease and are being removed and destroyed. Most swamp bay trees in the eastern everglades have been affected and are dead or dying as well. There is serious concern within the industry regarding the potential damage this disease could inflict on growers. USDA provides more than \$40 million to eradicate the Asian Longhorn Beetle in the Northeast and the county is exploring an advocacy strategy to obtain an increase in its share of federal funding to combat this invasive pest. If not adequately addressed, the county is going to lose an entire industry, 12% of the tree canopy in the county, in addition to vital everglades tree species. OIA and the federal lobbying team is gearing up to advocate on behalf of the industry to request assistance from USDA and ensure continued adequate funding for trapping and monitoring of the vector, as well as research for maintenance and eradication.

SURFACE TRANSPORTATION REAUTHORIZATION UPDATE – SEN. BOXER EXPRESSES OPTIMISM

As reported previously, the House passed a “shell bill” (H.R. 4348) as a vehicle to get to conference on surface transportation reauthorization. H.R. 4348 was technically an extension of current law until September 30, 2012, but in reality was a means to get the long-stalled reauthorization out of the House and into conference with the Senate on its two-year, \$109 billion bill known as Moving Ahead for Progress in the 21st Century or “MAP-21” (S. 1813), which passed the Senate by a vote of 74-22 on March 14. H.R. 4348 also included a provision directing approval of the Keystone XL Pipeline and prohibiting the Environmental Protection Agency (EPA) from regulating coal ash as a hazardous waste, as well as the aggressive National Environmental Policy Act (NEPA) streamlining elements from H.R. 7, the original American Energy and Infrastructure Jobs Act, that was unable to move out of the House. As expected, these environmental provisions are the highest-profile and most controversial elements of the Conference, but it is increasingly expected that if the Conference leads to a Conference Report, it will include at least one of the two Keystone or coal ash provisions.

On May 24, Senate Environmental and Public Works (EPW) Committee Chairman Barbara Boxer (CA), who is also Chair of the Conference Committee, held a press

conference to discuss progress in the Conference and her discussions with Speaker of the House John Boehner (OH). Chairman Boxer repeated her optimism about getting a bill done and reiterated that June 30 – the expiration of the current extension – remains the deadline she is driving towards. She also said that Speaker Boehner told her that he had instructed the House Conferees to work to get a bill done.

Simple time constraints, however, will make meeting the June 30 deadline challenging. Chairman Boxer has called for the substantive agreements to be reached by June 7 in order for the work to be done of writing the final Conference Report and explanatory materials, securing approval and signatures of the Conferees, moving it through both chambers, and having it enrolled and signed by the President before June 30. In addition to the simple time constraints on conferencing a 1,600 page bill in this timeframe, there are a host of complicated and controversial issues that must be

Conference Process

Conference work began in early May, with the first (and potentially only) public session of the Conference Committee taking place on May 8. At the outset, the primary debate was over the “scope” of the Conference. With the House not having passed its own bill and therefore without its own bill position on almost all issues, Senate Democrats initially took the position that the “scope” of the Conference is between the Senate bill and current law. Chairman Mica and House leaders, by contrast, stated that everything from H.R. 7 was on the table in their view and that they would work to include as much policy from H.R. 7 as possible.

At this point, Conference work is proceeding first with a side-by-side and comparison of provisions from MAP-21 and H.R. 7. It is widely believed that “scope” of the Conference arguments, intended to prevent consideration of certain language from H.R. 7, will largely emerge as an issue on more controversial and contentious provisions – but not for the 80 percent of relatively non-controversial and technical issues in Conference.

Conference Prospects

Chairman Boxer has continually expressed her commitment and conviction that a Conference Report be completed before the June 30 expiration of the current extension. All reports are that the House and Senate Conferees, on a bipartisan basis, are working hard and in good faith to produce a Conference Report by June 30. As discussed above, the primary obstacles are timing and a series of controversial issues.

On the timing front, it is simply a question of conferencing a very complex 1,600 page bill with only a little more than a month left until the current extension expires. There are, however, a range of contentious provisions in the Conference that are generally the last to be addressed and resolved. These provisions include most notably the Keystone Pipeline and coal ash provisions, the former of which will likely be decided at the leadership level between Speaker Boehner, Majority Leader Reid and the White House. The extent of NEPA streamlining is also a very significant point of contention between

the House and Senate, as are other provisions in the highway, transit safety and hazardous materials titles.

The revenue title is also a very significant point of contention, with House Conferees questioning both specific pay-fors and more generally raising concern with paying for 18 months or two years of transportation spending with offsets that take place over 10 years. On this point, while leading stakeholders, including the U.S. Chamber of Commerce, have urged the Conferees to create a bill that extends beyond the end of FY 2013 – and while Chairman Boxer has expressed some optimism that this might be possible – the revenue hole quickly becomes deeper and the revenue question quickly becomes more challenging the longer the bill extends.

In all, most observers expect a continuing, good faith effort to produce a Conference Report by June 30 -- but all observers also recognize that with the time limitations and series of contentious issues to resolve, the Conferees have a great deal of work ahead of them. *(Provided by the Patton Boggs Federal Lobbying Team)*

NATIONAL FLOOD INSURANCE PROGRAM EXTENSION - UPDATE

On May 24, 2012, the Senate passed a two-month extension of the NFIP program, through July 31, 2012, by a unanimous consent vote. The Senate's decision to seek a short-term extension came after Senate Majority Leader Harry Reid (NV) was unable to advance legislation in recent weeks that would have extended the program through the calendar year. Senator Tom Coburn (OK) had objected to the bill due to its lack of reforms and both he and Senator David Vitter (LA) ultimately favored a shorter extension tied to a guarantee that the Senate would move forward with floor consideration of the five-year reauthorization bill (Flood Insurance Reform and Modernization Act of 2011—S. 1940) approved by the Senate Banking Committee in September, 2011.

The Senate faced additional pressure to pass an extension after the House passed a one-month extension of NFIP, through June 30, 2012, by an overwhelming 402 to 18 vote, on May 17, 2012. Although the House bill had several program reforms included in its extension, the Senate could ultimately only agree on a provision aimed at phasing out subsidies for vacation homes and second homes. However, with the Senate in recess for the Memorial Day holiday next week, and in light of the program's current expiration date of May 31, 2012, the House is expected to approve the extension on May 30, 2012 following its Memorial Day holiday recess.

Included in the agreement to move forward with the 60-day extension bill, was a promise by Majority Leader Reid to bring the Senate's five-year reauthorization bill (S. 1940) to the floor in the coming weeks. The bill's key stakeholders, including Senate Banking, Housing and Urban Affairs Chairman Tim Johnson (SD) and Ranking Member Richard Shelby (AL) have been working on modifying the Committee-passed bill, and it is anticipated that only 10-12 amendments will be considered during floor negotiations. Of particular interest, is an effort by Senator Mark Pryor (AR) to eliminate language from the Senate bill that would require the mandatory purchase of flood insurance by residents currently protected by levees, dams, and other flood control infrastructure (Section 107).

Earlier this week, Senator Pryor addressed this issue on the Senate floor, calling Section 107 a "great expansion of this program," promising to offer an amendment during floor debate that would remove this provision from the bill. Senator Thad Cochran (MS), who joined Senator Pryor last year in opposition to this provision, reiterated his opposition to Section 107, saying, "The blanket approach taken in the current bill should be changed in order to ensure fair treatment for those protected properties." This issue will likely be addressed during floor negotiations and reports indicate that Senators involved in negotiations on the bill have tentatively agreed to allow a vote on an amendment removing Section 107 from the bill. Approval of such an amendment could also improve future conference negotiations with the House on a final bill, as similar language in the House-passed bill was removed during floor debate. As you recall, the House approved a five-year reauthorization bill (Flood Insurance Reform Act of 2011—H.R. 1309) last summer, and the bill's proponents have been pushing the Senate to move forward with a reauthorization bill. *(Provided by Alcalde&Fay Federal Lobbying Team)*

UASI UPDATE

This week the FY2013 Homeland Security funding legislation was marked up respectively in the Senate Homeland Security Appropriations Subcommittee and the full House Appropriations Committee.

With regard to the Senate Homeland Security Appropriations Subcommittee, the mark up took place on Tuesday, May 15th, with an overall reduction of \$1 billion from last year's enacted level. Within the \$45.2 billion approved, and important for our consideration with our UASI advocacy, the bill provides \$1.41 billion for state and local grant programs, and we can be pleased that this is \$369 million above last year's FY 2012 level of \$1.18 billion. Also, according to the Subcommittee, "the bill does not include grant reform as proposed in the President's budget request due to the lack of

specific detail regarding how funds would be distributed." As such, this is a strong rejection of the DHS proposed "National Preparedness Grant Program," that we have advocated against, as it would move decision making and prioritization away from the UASIs, who have been effective in establishing regional homeland security priorities through urban area working group input. Furthermore, unlike last year's bill that gave DHS the discretion to set the funding level for UASI, this Senate subcommittee legislation provides \$664 million specifically for UASI. Further, this is an amount that we have advocated - restoring funding to the FY2011 level, as compared to last year's FY2012 amount of \$494 million as allocated by DHS.

Also, for your general information, the following are the amounts set for the other state and local grant accounts: \$415 million for State Homeland Security Grants; \$55 million for Operation Stonegarden; \$13 million for Non-profit Security Grants; \$119 million for Transit and Rail Security Grants; \$13 million for Amtrak security; and \$132 million Port Security grants.

The full Senate Appropriations Committee is expected to mark up the bill in the near future, and we will continue to advocate for adequate funding specifically allocated for UASI.

Separately, on Wednesday, May 16, 2012, the House Appropriations Committee reported the FY13 Department of Homeland Security (DHS) Appropriations bill by a voice vote. The legislation provides a significantly lower amount than the Senate, with only \$39.1 billion in discretionary funding for DHS, a decrease of \$484 million below last year's level and a decrease of \$393 million below the President's request. Under the bill, the Federal Emergency Management Agency (FEMA) would receive \$2.8 billion – an increase of over \$400 million compared to fiscal year 2012 – for FEMA First Responder Grants, including for State and Local Grants. While the overall level for state and local grants is \$400 million higher than last year's funding level, the House leaves funding allocations, as it did last year, to the discretion of the Department of Homeland Security, consolidating the various grant programs to be allocated according to threat, risk, and vulnerability.

With the Senate and House taking these two different approaches to the allocation of funding for UASI, we will be continuing to advocate in support of the Senate formulation, where a specified amount is designated for UASI, while urging a funding level of \$664 million, at a minimum.

Whether the Senate or House approach prevails, the Department will continue to have discretion as to funding allocations to individual UASIs. With Tier 1 UASIs, other than New York, having had to absorb reductions for the first time last year, we envision that these UASIs will be looking to restore their allocations back to FY2011 amounts. OIA will continue to work with the Federal Lobbying Team, MDPD, OEM and the congressional delegation to maintain and raise the profile of the Miami/Ft. Lauderdale UASI with the Department of Homeland Security. (*Compiled by Maurice Kurland/Alcalde & Fay Federal Lobbying Team*)

VIOLENCE AGAINST WOMEN ACT - UPDATE

Both the House and Senate have passed their own versions of legislation to reauthorize the Violence Against Women Act (VAWA). VAWA was originally passed in 1994 (Public Law 103-322) to help prevent and prosecute domestic and sexual violence as well as offer assistance to victims. The act was re-authorized in 2000 and 2005 with broad bipartisan support. However, the attempt to reauthorize this legislation has encountered numerous roadblocks in this Congress. Amendments added in both the House and Senate have been controversial and there are significant differences between the House and Senate versions of the bill.

- **Senate Bill:** On April 26th, the Senate passed its five-year reauthorization of the VAWA (S. 1925). The bill passed the Senate by a vote of 68-31. Senator Nelson voted for the bill. Senator Rubio voted against it.

The Senate version expands VAWA and includes some politically controversial provisions, including granting more visas to undocumented immigrant who are victims of domestic abuse, preventing shelters from discriminating against domestic violence victims who are gay, lesbian, bisexual or transgender, and expanding VAWA's reach to give American Indian authorities jurisdiction over non-Indians accused of abusing American Indian women. The Democrats efforts to expand VAWA to include new domestic violence protections for immigrants, gays, lesbians and American Indians has been strongly opposed by most Republicans.

- **House Bill:** On May 16th, the House passed its version of the VAWA reauthorization (H.R. 4970), which is a more limited version of the Senate bill, by a vote of 222-205. Twenty-three Republicans opposed the bill, while only six Democrats supported it. Representatives Ros-Lehtinen, Wasserman Schultz, Diaz-Balart, Rivera and Wilson all voted against the bill. The White House has also issued a veto threat against the House bill.

Opponents argue that the House bill rolls back the existing law and fails to protect some of the most vulnerable victims of domestic violence. In particular, the House bill does not include new protections for immigrant, American Indian and LGBT victims of domestic violence. The Obama Administration and Democrats wanted these protections included in the bill and were included in the Senate bill with Republican support. The House bill would consolidate grant programs, require more audits and direct grant applicants to disclose all of their sources of federal funding to ensure greater accountability among grant recipients. The House bill also includes new visa application benchmarks for undocumented immigrant victims of violent crime who help law enforcement officials investigate and prosecute crimes.

- **Current Status:** With both the House and Senate passing their versions of the bill, the legislation was expected to be referred to a House-Senate conference committee to resolve the differences. However, late last week the House

Republicans objected to going to conference on the Senate-passed bill (S. 1925) because it contains a small revenue provision that raises fees on U visas that are issued to immigrant victims of domestic abuse. This creates what is known as a "blue-slip" problem. Under the Constitution, all revenue measures must originate in the House. Because of this revenue provision, the House is refusing to consider the Senate bill. The Senate could ask for a conference on the House-passed version. However, the Senate is strongly opposed to the House bill and does not want to negotiate the final version based on the more limited House bill.

Senate Majority Leader Harry Reid has made clear that he is opposed to proceeding to conference on the House bill and urged the House to move forward with the bill – either by dropping its Constitutional objection to the Senate-passed bill or passing a new revenue bill that the Senate could then use to insert its VAWA language into so they could begin conference negotiations on a final bill. The House Republican leadership has objected to this so the two chambers are currently at a standstill. This issue will need to be resolved before they can proceed. Neither chamber has appointed their conferees to the bill.

Conferees from the Senate will likely come from the Judiciary Committee. As for the House there are 4 committees with jurisdiction – Judiciary, Energy and Commerce, Education and Workforce, and Financial Services. OIA will continue to update county officials on developments with the bill and which members are appointed as conferees. *(Compiled by Akerman Senterfitt Federal Lobbying Team)*

CLIMATE COMMUNITIES

This week's webinar was titled, "HUD-DOT-EPA Sustainable Communities Partnership: Mobilizing Local Government Support for the Initiative." As provided by Climate Communities, below is summary of Thursdays call.

In 2009, the U.S. Department of Transportation (DOT), U.S. Department of Housing and Urban Development (HUD) and U.S. Environmental Protection Agency (EPA) entered into an unprecedented partnership to help communities improve access to affordable housing, more transportation options, and a safer environment. This "Partnership for Sustainable Communities" helped coordinate federal support for local planning and infrastructure investments. To guide its work, the

Partnership developed six livability principles:

- Provide more transportation choices
- Promote equitable, affordable housing
- Enhance economic competitiveness
- Support existing communities
- Coordinate and leverage federal policies and investment
- Value communities and neighborhoods

To date, the Partnership has:

- Invested more than \$3.1 billion in livable and sustainable transportation projects through four rounds of the DOT's popular TIGER program;
- Provided approximately \$200 million in grants to integrate housing, transportation and the environment through two rounds of HUD's Regional Planning and Community Challenge grants;
- Supported the redevelopment of contaminated brownfields through EPA's Brownfields Assessment, Cleanup and Revolving Loan Fund programs; and
- Offered technical assistance through EPA's Smart Growth Implementation Assistance and Building Blocks initiatives.

While the Partnership has demonstrated tremendous success, the program has come under attack as Congress debates spending for FY 2013. The Senate has already included \$500 million for the DOT TIGER program and \$50 million for the HUD Sustainable Communities initiative in its appropriations bill for FY 2013; EPA funding has yet to be considered in the upper chamber. However, the House of Representatives has yet to act, and early indications suggest that the lower chamber might zero out both programs in its funding legislation, as it did last year. Only through the advocacy of local governments was TIGER funding restored for FY 2012. Local government leaders must engage with their House Members now to ensure that this funding is available in FY 2013.

On Thursday's Climate Communities webinar, Katy Hartnett, Smart Growth America's Director of Government Affairs and Outreach, provided an overview of the Sustainable Communities Partnership, described how communities are benefiting from DOT, HUD and EPA resources, and highlighted the immediate threat to HUD's Regional Planning and Community Challenge grants. Andrew Seth, Executive Director of Climate Communities, will also discuss DOT and EPA's roles in the Partnership, and outline Climate Communities' strategy to work with local governments to protect Sustainable Communities funding next year.

NEXT WEEK'S CALENDAR: MAY 28TH – JUNE 1ST

The House will be in session from Wednesday – Friday next week.

The Senate will not be in session next week.

May 30 - June 1, 2012

2012 National Association of Counties (NACo) - Large Urban County Caucus (LUCC)
Annual Meeting - El Paso County (Colorado Springs), Colorado

*Meeting Agenda Attached

June 18 - 19, 2012

Global Cities Initiative, Miami, FL

Hosted by The Brookings Institute and JP Morgan Chase

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**WASHINGTON WEEKLY REPORT
MAY 28TH – JUNE 1ST, 2012**

Below is an informal overview of the Washington D.C. activities of the Miami-Dade County Office of Intergovernmental Affairs:

THE SENATE WAS IN SESSION THIS WEEK

THE HOUSE WAS IN SESSION THIS WEEK

REP. RIVERA INTRODUCES STUDYING TOWARDS ADJUSTED RESIDENCY STATUS (STARS) ACT

Rep. David Rivera introduced the Studying Towards Adjusted Residency Status (STARS) Act. The bill would allow undocumented immigrants who are 18 years and 6 months of age or younger, arrived in the United States before the age of 16, and have maintained residence in the United States for at least the previous five consecutive years, the opportunity to adjust their residency status if they achieve a degree from an accredited four year institution of higher education and meet certain other criteria.

Congressman Rivera was inspired to develop the STARS Act by Daniela Pelaez, an 18 year old constituent who is the valedictorian of her high school class while also facing deportation proceedings. Daniela was brought to the United States by her parents at age four without documentation.

The STARS Act would authorize the Secretary of Homeland Security to suspend the removal of an undocumented immigrant and grant them conditional non-immigrant status (upon application) if the individual petitions for such suspension and meets the following requirements:

- Obtained a high school diploma or equivalent
- Arrived in the U.S. before the age of 16
- Maintained residence in the U.S. for at least the previous five consecutive years
- Has demonstrated “good moral conduct” as defined by U.S. Code Title 8 Section 1227(a)
- Has been accepted to an accredited 4 year institution of higher education.

- Is 18 years, 6 months of age or younger.

The conditional non-immigrant status will be granted for five years. However, it will be immediately revoked if the individual:

- Fails to continue demonstrating “good moral conduct”
- Becomes a public charge.
- Fails to begin matriculation into an accredited 4 year institution of higher education within 1 year of receiving the conditional non-immigrant status.
- Fails to continue to attend a college or university.

The Secretary of Homeland Security shall extend non-immigrant status for an additional five years if the individual:

- Has graduated from an accredited 4 year institution of higher education
- Continues to demonstrate “good moral conduct”
- Has maintained residence in the U.S. throughout their studies.
- Becomes a public charge.

After receiving the additional five year non-immigrant status extension, the STARS Act authorizes the graduate to apply for legal permanent status. The Congressman spoke on the House floor this week upon introducing the bill, and released the following statement regarding the legislation in early March:

“Daniela Pelaez is a star student. Her dedication to her school work has taken her to the top of her class at North Miami Senior High School. She has already been accepted to the University of Florida and is awaiting acceptance letters from schools like Yale. However, while Daniela should be preparing for

graduation and her future academic pursuits, she is instead concerned about possibly being deported,” Congressman Rivera said.

“The Studying Towards Adjusted Residency Status, or STARS Act, would give these students who seek to further their education an opportunity to get a degree at an American university and earn legal status.

“However, the STARS Act does not ensure automatic suspension of removal or automatic residency. This legislation very specifically focuses on students who have been accepted to four year colleges and universities and have not yet accrued penalty time. STARS Act applicants must show good moral character and graduate with a degree from an accredited four year institution of higher learning to then be eligible for legal status. Likewise, if the applicant fails to meet the necessary criteria, their conditional non-immigrant status will be revoked.

“This bill provides an opportunity for young people, like Daniela, who have established long-standing ties in the United States, and who have excelled academically, an opportunity to fulfill their goals of getting an education and achieving the American dream.”

DHS SEC. NAPOLITANO, GOV. SCOTT IN MIAMI FOR START OF 2012 ATLANTIC HURRICANE SEASON

Secretary of Homeland Security Janet Napolitano was in Miami on Friday to join Federal Emergency Management Agency Administrator Craig Fugate, Florida Governor Rick Scott and National Oceanic and Atmospheric Administration National Hurricane Center Director Bill Read to mark the official start of the Atlantic hurricane season.

OIA, GREATER MIAMI CHAMBER REACH OUT TO WHITE HOUSE ON CBP STAFFING SHORTAGE AND INTERNATIONAL TRAVEL ISSUES

On behalf of Miami-Dade County Aviation Director Jose Abreu, OIA and the Greater Miami Chamber of Commerce met with White House staff to discuss Customs and Border Protection (CBP) staffing shortages at Miami International Airport (MIA). The purpose of the meeting was to alert the Obama Administration of this critical issue and begin discussions that could result in a near term solution to the problem.

Summary

MIA is the “Gateway to the Americas” with the added distinction of being the busiest airport in the United States for international flights. In 2011, MIA handled 38.3 million passengers with nearly 9.3 million being international arriving passengers. These figures represent an 8% increase over last year’s combined (international & domestic) passenger total and a 9% increase over last year’s international traffic. More than 10.2 million passengers passed through Miami’s airport for the first quarter of 2012 breaking all records for that same time period. That reflected an 11 percent increase in

international passengers and an 8.1 percent rise in domestic passengers compared to 2011.

Unfortunately, passengers arriving at MIA on international flights continue to face the longest average passenger wait times for immigration and customs processing of any U.S. airport. The CBP at MIA currently staffs two primary Federal Inspection Service (FIS) facilities at MIA, while severely understaffed, leaving unmanned inspection booths during peak passenger arrival periods. Additionally, MIA will open a third FIS facility in July 2012 that will greatly increase staffing requirements for CBP.

FY2013 Federal Dollars for CBP Staffing

Both the House and Senate FY2013 Homeland Security Appropriations bills include less for CBP Salaries and Expenses than the \$9 billion the President requested for FY2013. The Senate includes \$8.8 billion -- \$240 million less than the request and \$89 million less than FY2012. The House bill includes \$8.37 billion for CBP salaries and expenses, which is \$644 million less than the request and \$314 million below FY2012. The House and Senate reports on the Homeland Security appropriations bill include report language on CBP staffing decisions and wait times and ask for reports to be submitted to Congress on these issues.

OIA and the Greater Miami Chamber are now in the process of setting up meetings with executive branch officials and congressional offices for Director Abreu and County officials to meet and discuss creative solutions to the CBP staffing shortage at MIA, with the intent of having meetings in Washington at some point in the next few weeks. *(Approps data provided by Akerman Senterfit Federal Lobbying Team; MIA passenger data provided by Miami-Dade Aviation Department)*

SURFACE TRANSPORTATION REAUTHORIZATION UPDATE

On May 31, 2012, members of the Federal Lobbying Team participated in a conference call organized by Environment and Public Works (CA) Committee Chairwoman Barbara Boxer (CA), regarding the status of the ongoing negotiations by the Conference Committee, of which she is also the Chair. During the call, Chairwoman Boxer continued to express optimism about the likelihood that the Committee would agree to a bill. However, she noted her disappointment regarding the "Summer Legislative Agenda" announced by House Majority Leader Eric Cantor (VA) late last week as it did not include any reference to the transportation bill.

According to the Chairwoman, it was an indication that Leader Cantor and Speaker John Boehner (OH) were not honoring their pledge to work towards a compromise on the bill. Chairwoman Boxer also addressed a recent report in which an anonymous Republican House conferee said that she had been "stonewalling" negotiators on provisions related to project streamlining and that negotiations in general were starting to break down. She denied these reports and said that, in fact, she and her staff had been trying to work with House Republicans to seek their input on a variety of issues.

Senate EPW Staff Director and Chief Counsel Bettina Poirier, who was also on the call, expressed her frustration over the unwillingness of some Republican members and their staff to work towards a compromise and provide input, while at the same time demagoging any proposals offered by Democrats. Ms. Poirier said that while they continued to try to seek a resolution, they felt that Republicans were forcing them into a “damned if you do, damned if you don’t type of situation.”

Chairwoman Boxer further indicated that Senate EPW staff is currently drafting what they view as a compromise bill, based on input they have received from the House, and they expect the draft to be completed early next week. This private draft will likely be presented to House next week, inviting their comments/feedback, and once they receive responses from the House, Chairwoman Boxer and her staff will attempt to draft a conference agreement and send it to the House for approval. Although this is outside the common and traditional practice for conference negotiations, Chairwoman Boxer noted that the House departed from tradition when it entered the conference process with only a “shell bill” instead a full proposal. When asked during the call if the Administration remained committed to seeing Congress pass a bill, the Chairwoman responded that Secretary LaHood had called her that morning stating he was meeting with House and Senate Republicans, including those on the Conference Committee, to help ensure bill passage.

Although both sides publicly remain optimistic that a compromise can be reached, the Conference Committee is quickly running out of time to reach agreement and provide both the House and Senate enough time to review and pass any compromise bill. The current extension of the authorizations for highway and transit programs provided in SAFETEA-LU is scheduled to expire on June 30, 2012, leaving only three weeks left that both the House and Senate are both in Washington (the House is in recess during the week of June 11th). During a floor colloquy with House Minority Whip Steny Hoyer (MD), Majority Leader Cantor noted that while he remained “hopeful that the conference committee can come to a solution prior to the expiration of the authorizing language in place right now,” House Republicans were “prepared to make sure that there is no stoppage of transportation programming and funding.” (*Compiled by the Alcalde&Fay Federal Lobbying Team*)

NATIONAL FLOOD INSURANCE PROGRAM EXTENSION - UPDATE

On Wednesday evening, the House approved by unanimous consent a 60-day extension of the National Flood Insurance Program (NFIP), through July 31, 2012. The extension (H.R. 5740) was approved by the Senate last week and the President signed the extension into law on Thursday. The current NFIP extension was scheduled to expire on Thursday, however this latest extension prevents any lapse in the NFIP and should provide the Senate with enough time to finalize its five-year reauthorization bill (Flood Insurance Reform and Modernization Act of 2011 - S. 1940) approved by the Senate Banking Committee in September, 2011.

The House approved a five-year reauthorization bill (Flood Insurance Reform Act of 2011 – H.R. 1309) last summer, and the bill's proponents have been pushing the Senate to move forward with a reauthorization bill. During Senate negotiations last week on moving forward with the short-term extension, Senate Majority Leader Harry Reid (NV) agreed to bring the Senate's five-year reauthorization bill (S. 1940) to the floor in the coming weeks. The bill's key stakeholders, including Senate Banking, Housing and Urban Affairs Chairman Tim Johnson (SD) and Ranking Member Richard Shelby (AL) have been working on modifying the Committee-passed bill, and it is anticipated that a limited number of amendments will be considered during floor negotiations.

One tentative amendment of interest could be offered by Senators Mark Pryor (AR) and Thad Cochran (MS), who will seek to eliminate language from the Senate bill requiring the mandatory purchase of flood insurance by residents currently protected by levees, dams, and other flood control infrastructure. This issue will likely be addressed during floor negotiations and reports indicate that Senators involved in negotiations on the bill have tentatively agreed to allow a vote on an amendment removing the language from the bill. Approval of such an amendment would likely improve any conference negotiations with the House on a final bill, as similar language in the House-passed bill was removed during floor debate.

OIA and the Federal Lobbying Team will continue to track negotiations on this legislation. *(Compiled by Alcalde & Fay Federal Lobbying Team)*

REP. RIVERA TESTIFIES BEFORE HOUSE JUDICIARY COMMITTEE, CALLS FOR ACTION ON AMENDMENT TO THE CUBAN ADJUSTMENT ACT

Miami-Dade County Rep. David Rivera testified before the House Judiciary Committee on Thursday and called for action on his bill, H.R. 2831, that would strip permanent resident status or citizenship from any Cuban refugee who visits Cuba after immigrating to the United States.

"The policy of the United States has always been to deny the Castro dictatorship hard currency," Congressman Rivera said after his legislation received a hearing in the House Judiciary immigration subcommittee Thursday. Under the Cuban Adjustment Act of 1966, Cubans can earn a green card after living in the United States for one year. They can then apply to bring family members over. No other country's immigrants benefit from this kind of expedited process. Under H.R. 2831, people living in the U.S. under the 1966 act would be prohibited from visiting Cuba.

Below is Congressman Rivera's opening statement for the hearing as prepared for delivery:

"Thank you Mr. Chairman for holding this hearing regarding an important immigration enforcement matter. In 1966, the United States of America granted Cuban nationals

one of the most benevolent immigration provisions ever granted to nationals of any country on the planet, what became known as the Cuban Adjustment Act. The Cuban Adjustment Act provides Cubans fleeing persecution in Cuba who arrive in the United States eligibility for permanent residency status after one year.

“In the history of America, only one other nationality has been granted this benefit – Hungarians in 1956. The Cuban Adjustment Act is a precious gift to Cuban political refugees that must be preserved and protected. And should never be abused or manipulated. Unfortunately, abuse and manipulation is exactly what has occurred in recent years. Because of these abuses, and in order to preserve and protect the benefits of the Cuban Adjustment Act for future Cuban asylum seekers, the time has come to adjust the Cuban Adjustment Act.

“The fact is that in recent years it has become a common occurrence for Cubans to seek political asylum in the U.S. under the Cuban Adjustment Act; and after a year and a day immediately and repeatedly travel back to the persecuting country. Increasingly, Cuban-Americans are citing family reunification to justify travel that in reality more closely resembles common tourism and other unauthorized travel involving everything from plastic surgery to birthday parties and weddings, to even sex tourism.

“One of the latest manifestations of abuse of this law occurs when travel agencies providing Cuba travel services actually incentivize passengers through inducements such as free airfare as long as the passenger is willing to courier baggage filled with merchandise to be used for sale in Cuba. In these cases, Cuban Adjustment Act beneficiaries actually become human cargo vessels to promote commercial activity for Cuba.

“In many cases, those Cubans travelling are also recipients of U.S. taxpayer-funded welfare programs such as Medicare, Medicaid, Social Security, Food Stamps, public housing and cash assistance. In these cases, U.S. taxpayers are actually subsidizing travel to a country that has been designated a sponsor of terrorism by our own government. The original intent of the Cuban Adjustment Act was to provide residency status to Cuban refugees because they were not able to return to Cuba due to the political situation in Cuba in 1966, which certainly has not changed.

“In fact, the political situation in Cuba is worse today, with a communist totalitarian dictatorship in power that continues to deny basic civil liberties and human rights to its people, continues to imprison peaceful pro-democracy activists such as the Ladies in White, some of which have died at the hands of the Castro dictatorship, and continues to cause the death of Cubans who desperately seek to escape across the Florida straits.

“The fact that Cubans avail themselves of the Cuban Adjustment Act citing political persecution, and then quickly travel back to the persecuting country, is a clear and blatant abuse of the law. In fact it is outright fraud being perpetrated on the people and government of the United States.

“If Cubans are able to travel back to the communist dictatorship then they should not have received the residency benefits associated with the Cuban Adjustment Act and they should lose that benefit immediately. My legislation simply says that any Cuban national who receives political asylum and residency under the Cuban Adjustment Act, and travels to Cuba while still a resident, will have their residency status revoked.

“By reforming the Cuban Adjustment Act to stop its abuses, we are ensuring the residency benefits will be there for all future asylum seekers. In other words, we must adjust the Cuban Adjustment Act in order to save the Cuban Adjustment Act. Recent statements by Cuban leaders and Cuban state media regarding the facilitating of Cuban-Americans travelling to Cuba make it abundantly clear that the regime is looking to this travel activity for its own economic benefit.

“But let me be clear Mr. Chairman, in the final analysis, my legislation is about protecting the rule of law here in the United States. The reason I believe this committee was designated as the committee of jurisdiction over my legislation is precisely because this committee is charged with oversight responsibility to ensure that the spirit and letter of our immigration laws are followed.

“There are some that may try to distract attention from this issue of rule of law and attempt to divert this legislation into a debate about U.S. policy toward Cuba or the issue of Cuba travel regulations. I would strongly urge the committee to maintain the focus on the purpose of my legislation; to ensure that the spirit and letter of U.S. immigration law is enforced.

“Besides protecting against fraud and abuse in our immigration laws, my legislation would also protect American taxpayers from fraud and abuse in our social welfare programs such as Medicare and Medicaid. These programs have been the victim of billions of dollars in stolen funds by individuals who come from Cuba under the Cuban Adjustment Act, receive refuge in Cuba after they have committed their illegal activities against the American taxpayer, and live in Cuba protected by the Cuban government as fugitives from U.S. justice.

“In sum Mr. Chairman, it is imperative that Congress do everything in its power to enforce U.S. immigration law. I believe many Americans would be shocked to learn that we allow individuals to come to America from a terrorist nation with a special immigration status citing political persecution, and then after a year and a day allow those same individuals to travel back to that terrorist nation.

“This abuse, fraud and manipulation of our immigration laws must end. The spirit and letter of our immigration laws must be enforced. My legislation will do exactly that. Thank you Mr. Chairman.”

REP. WILSON INTRODUCES FRAMEWORK FOR ANTI-HAZING LEGISLATION, THE HALTING HAZING ACT OF 2012

Congresswoman Frederica Wilson introduced the framework for anti-hazing legislation at a press conference at the National Press Club this week. *“Hazing is dangerous, and hazing is deadly,”* said Congresswoman Wilson. *“Hazing is not a university problem. It is not a Greek problem. It is not a student problem. It is an American problem.”*

Under the anti-hazing bill that Congresswoman Wilson plans to introduce, students convicted of a hazing crime under state law or who are officially sanctioned by an institution of higher education would lose their eligibility for student financial aid. The bill would also establish an “Advisory Committee on Hazing Prevention and Elimination” within the U.S. Department of Justice. Finally, states that do not currently have, or fail to enact, a felony criminal hazing statute will have their federal transportation funds restricted.

Key provisions of the legislation include:

- Any student who is convicted of a hazing crime under state law will permanently lose their eligibility for student financial aid.
- Any student who is officially sanctioned by an institution of higher education will lose their eligibility for student financial aid.
- There is established an ‘Advisory Committee on Hazing Prevention and Elimination.’
- Any state that does not currently have, or fails to enact, a felony criminal hazing statute will have federal transportation funds restricted.

SEN. RUBIO VISITS U.S. NAVAL STATION GUANTANAMO BAY, CUBA

Sen. Marco Rubio, a member of the U.S. Senate Select Committee on Intelligence, traveled to the U.S. Naval Station Guantanamo Bay, Cuba to conduct oversight of the facility, tour the base, and meet with the commander of Joint Task Force Guantanamo Bay. The visit allowed Sen. Rubio an opportunity to better understand the role Guantanamo Bay plays in U.S. detention operations, and examine how the military commission process for trying the terrorists housed there is proceeding.

REP. WASSERMAN SCHULTZ LAUDS FEDERAL COURT DECISION STRIKING DOWN RECENTLY ENACTED VOTING LAWS IN FLORIDA

A Friday decision handed down by a federal judge and a recent order by the U.S. Department of Justice; have dealt a serious blow to new voter laws recently enacted in Florida. Miami-Dade County Rep. Debbie Wasserman Schultz released the following statement in response to these actions:

“A thriving democracy depends on the ability of voters to cast their ballots and have their votes count. Recently, we’ve seen reckless attempts in Florida by the Scott Administration and Republicans in the Florida Legislature to create barriers to voting by mandating strict time limits and threatening hefty fines on third-party registration groups for not meeting those deadlines, and purging legal Florida residents from the voter rolls.

“Fortunately, yesterday the power of justice prevailed and a federal judge ruled that the state cannot require groups to submit registration forms within 48 hours or face \$1,000 fines. By striking down this law, groups that help millions of Americans register through voter registration drives, like the non-partisan League of Women Voters, will now have 10 days to submit voter forms, as they did before the law was changed.

"This welcome news came on the same day of another victory in the fight to protect voting rights for all Americans - the Department of Justice ordered Florida to cease its purge of certain voters from the voter rolls so close to a federal election. This was another attempt at voter suppression, unfairly targeting seniors, minorities, and young people. With many important federal and state elections later this year, we must do our part to ensure that every eligible Floridian has the ability to register to vote and cast a ballot.

“The ruling by the federal court and action by the Department of Justice highlights the illegality of efforts by the Scott Administration and Republicans in the Florida Legislature to restrict voting in Florida.”

NEXT WEEK’S CALENDAR: JUNE 4TH – JUNE 8TH

The House will be in session next week.

The Senate will be in session next week.

June 18 - 19, 2012

Global Cities Initiative, Miami, FL

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