

WASHINGTON WEEKLY REPORT FEBRUARY 10 – FEBRUARY 14, 2014

(The following is an overview of D.C. activities concerning Miami-Dade County, the Office of Intergovernmental Affairs, the County's Congressional Delegation & the Administration)

THE SENATE WAS IN SESSION

THE HOUSE WAS IN SESSION

OIA PARTICIPATES IN FLORIDA ASSOCIATION OF COUNTIES FLY-IN: FLOOD INSURANCE FIX TO BE VOTED ON IN THE HOUSE

The Florida Association of Counties (FAC) was in Washington this week for a series of meetings with the state's Congressional delegation, other key Members of Congress and Administration officials. OIA participated in meetings with the Congressional delegation, various member offices, as well as the White House and FEMA.

The meetings focused on needed fixes to the National Florida Insurance Program (NFIP). On October 1 new rates will take effect based on a FEMA study for flood insurance affordability. These new rate increases will have substantial financial implications for many homeowners in Florida, the Gulf States and other policy-holders in flood prone areas. FAC and OIA strongly advocated for legislation to be voted on by the House, which would delay the rate hikes, provide the potential for some relief to the hardest-hit policy holders, in addition to ensuring the long term financial viability for a robust NFIP.

Shortly after the meetings concluded on Wednesday with the Congressional delegation, Majority Leader Eric Cantor announced that a bill would to address some of the issues raised by FAC & OIA, would be headed to the House for consideration in the near future. This action should represent a major win for the broad coalition of groups that have been pushing for these fixes, and a significant step forward for FAC, OIA, Miami-Dade County, the citizens of Florida and around the country where the new rates would take effect.

Congressman Mario Diaz-Balart released the following statement after the announcement:

"Although flood insurance reform is necessary to secure the fiscal solvency of the National Flood Insurance Program (NFIP), we need a program that is practical and recognizes Florida's unique needs, including our fragile housing market and vulnerable coastal communities. I commend Majority Leader Cantor for acknowledging the importance of flood insurance reform to our state and his commitment to bringing legislation to the floor in the near future. I am committed

to a strategy that addresses flood mitigation, affordability solutions, transparency, and lessens the financial impact on families and small business."

The Senate passed Homeowner Flood Insurance Affordability Act, S.1926 two weeks ago and it was supported by both Senators Bill Nelson and Marco Rubio. Congressman Joe Garcia, a staunch supporter of fixing the flood insurance rates, issued the following statement after that bill's passage:

"The Senate's strongly bipartisan passage of the Homeowner Flood Insurance Affordability Act represents an important step forward in easing the onerous flood insurance premium rate increases facing our hardworking homeowners and small businesses. The House of Representatives should take up this issue immediately – it's simply too important to South Florida and communities throughout the country for the House not to take strong, decisive action."

Congressman Garcia recently introduced the H.O.M.E. Act of 2014. The bill would place a five year delay on rate increases across the board, as well as create long-term solutions to the National Flood Insurance Program's (NFIP) underlying issues by incentivizing mitigation measures.

Florida Gov. Rick Scott and members of the Florida Congressional Delegation praised the bipartisan action taken by the Senate and have urged House leadership to take swift action on the flood insurance rate fix. OIA and the Federal Contract Lobbyists will continue to monitor and report back on any developments regarding this legislation, in addition to working with the Florida Association of Counties and partner counties on this issue.

It should also be noted that the delegation representing FAC were stranded in Washington following the epic snow storm that hit the east coast. FAC staff and members dedication to fixing the flood insurance program and their commitment to the people of Florida is evidenced by their driving all the way back to Tallahassee in the snow and traffic from Washington after the meetings concluded late Wednesday.

SEN. RUBIO DELIVERS REMARKS TO COMMUNITY COLLEGE SUMMIT ON HIGHER EDUCATION REFORM; PENS OP-ED

Senator Marco Rubio Wednesday delivered remarks at the Association of Community College Trustees National Legislative Summit, where he addressed an audience about the importance of higher education reform. The forum came on the heels of Monday's speech at Miami-Dade College, where Rubio offered proposals for making higher education more affordable, accessible and better equipped to provide students and adults with the skills needed for 21st century jobs.

The Senator also penned the following op-ed with his Senate colleague Ron Wyden (D-OR):

REFORM STARTS WITH GOOD DATA

FEBRUARY 6, 2014

While there is heated debate over how best to fix America's higher education system, everyone agrees on the need for meaningful reform. It's difficult to argue against reform in the face of college attainment rates that are stalled at just under 40 percent and the growing number of graduates left wondering whether they will ever find careers that allow them to pay off their mounting debts.

Any policy debate should start with a clear picture of how the dollars are being spent and whether that money is achieving the desired outcomes. Unfortunately, a lack of accurate data makes it impossible to answer many of the most basic questions for students, families and policy makers who are investing significant time and money in higher education.

During the recent State of the Union address, President Obama talked about shaking up the system of higher education to give parents more information, and colleges more incentives to offer better value. Though he provided little detail, this most certainly referred to the broad vision for higher education reform he outlined over the summer centered around a new a rating system for colleges and universities that would eventually be used to influence spending decisions on federal student financial aid.

However, the President's proposal rests on a data system that is imperfect, at best. As former U.S. Secretary of Education Margaret Spellings said of the President's plan, "we need to start with a rich and credible data system before we leap into some sort of artificial ranking system that, frankly, would have all kinds of unintended consequences."

The American Council on Education, which represents the presidents of more than 1,800 accredited, degree-granting institutions, including two- and four-year colleges, private and public universities, and nonprofit and for-profit entities, agrees on the need for better data as well.

A senior staff member at ACE has been quoted to say that "if the federal government develops a high-stakes ratings system, they have an obligation to have very accurate data," and that he was "surprised that anyone would think it controversial that having such data is a prerequisite."

In order to bridge the data gap, we introduced the Student Right to Know Before You Go Act, which would make the complete range of comparative data on colleges and universities easily accessible to the public online and free of charge by linking student-level academic data with employment and earnings data.

For the first time, students, and policy makers, would be able to accurately compare -- down to the institution and specific program of study -- graduation and transfer rates, frequency with which graduates go on to pursue higher levels of education, student debt and post-graduation earnings and employment outcomes. Such a linkage is the best feasible way to create this data-rich environment.

None of these metrics is currently available to those seeking to evaluate a school or program, though plenty of misleading data are out there. For example, Marylhurst University, a small liberal arts school in Oregon, was assessed with a 0 percent graduation rate by the U.S. Department of Education. This is because the department's current metrics account only for first-time, full-time students, and Marylhurst serves nontraditional students who are part time or have returned to school later in life. Schools like this that serve nontraditional students -- who now make up the majority of all students -- don't get credit for their success, at least not according to current federal evaluations.

With so many in the higher education community bemoaning the lack of quality data, and clear solutions forward on how to attain better data, why hasn't it happened?

A major part of the answer: institutional self-interest. Every school in the country has widely disparate performance outcomes depending on the category, and many college presidents are in no hurry to make their less-than-appealing outcome data available for public scrutiny.

There's a fear that students and families will vote with their pocketbooks and choose different schools that better meet their needs. The abundance of inaccurate and incomplete data provides institutional leaders with a line of defense: so long as such data are the norm upon which they are ranked and rated, they can defend themselves on the basis of flawed methodology.

Not all schools fear the implications of better quality data; in fact, many schools crave these data and want them made public. They know they'll stack up well against their competition.

Moreover, many schools realize that getting better data is critical to helping identify what's working and what's not for their students in order to build stronger programs. Nevertheless, some of the "Big Six" higher education associations still cling to the status quo and represent a key challenge to realizing these commonsense reforms.

It is long past time for these important actors to look away from their self-interest and toward what's in America's collective interest -- a future where higher education produces better outcomes for students and the economy -- by supporting the Know Before You Go Act.

ATLANTIC COUNCIL RELEASES REPORT ON US-CUBA POLICY

The Atlantic Council released a report titled **"US-Cuba; A New Public Survey Supports Policy Change."** Following its release, members of the Miami-Dade Congressional delegation put out statements refuting its results.

Congressman Mario Diaz-Balart released the following statement on the report:

"The push-poll released by the Atlantic Council today glosses over the basic realities inside totalitarian Cuba. The sanctions are in place to prevent U.S. dollars from subsidizing a brutal dictatorship that aids America's enemies and opposes U.S. interests at every opportunity.

"The poll skims over the Castro dictatorship's egregious human rights record, including the beatings, arrests and imprisonments increasing over the past few weeks. Nor does it mention the dozens of fugitives from U.S. justice harbored by the Castro dictatorship or that U.S. humanitarian aid worker Alan Gross has remained imprisoned unjustly for more than four years. The Obama administration's weakening of sanctions since 2009 has only emboldened the Castro regime to intensify its vicious campaign of oppression against the Cuban people and continue its anti-American activities.

"Fundamental American principles of basic liberties and human rights are at the heart of U.S.-Cuba policy. U.S. law states that when free elections are held, political prisoners released, and basic liberties of expression, press, and association recognized in Cuba, the sanctions will end. In the meantime, more tourists sipping mojitos at regime-owned hotels and more business tycoons striking deals with regime-owned industries will do nothing to assist the Cuban people in their struggle for freedom. The sanctions codified in U.S. law affirm that the American people stand in solidarity with the Cuban people in their struggle for freedom by refusing to sustain their oppressors. Regrettably, the highly biased and superficial Atlantic Council push-poll provides only misinformation and distortions regarding U.S.-Cuba policy and ignores the democratic aspirations of the Cuban people."

Rep. Ileana Ros-Lehtinen, Chairman of the Middle East and North Africa Subcommittee, also made the following statement after the report's release:

Statement by Ros-Lehtinen:

"The poll does not accurately depict the brutality behind the Castro brothers who were responsible for the latest crackdown against thousands of pro-democracy leaders who were recently detained or arrested. This poll will accomplish nothing. Current U.S. law states that the Cuban embargo will remain in place until the dictatorship in Cuba, among other requirements: frees political prisoners, holds free elections, and recognizes the freedom of the press.

"Another poll conducted by the International Republican Institute states that 69 percent of Cubans said that in the last two years it has been difficult for them to speak out without retribution and a majority of Cubans believe that the Cuban regime is repressive against its own people. These statistics only reaffirm the reality on the island when every day we hear about more beatings leading to detentions and explains why prominent Cuban human rights leaders favor keeping the U.S. embargo against the tyranny in Cuba."

KEY SENATE COMMITTEE HOLDS MAP-21 REAUTHORIZATION HEARING

On February 12, 2014, the Senate Committee on Environment and Public Works held a hearing entitled “MAP-21 Reauthorization: The Economic Importance of Maintaining Federal Investments in our Transportation Infrastructure.” The hearing came at a pivotal time for the Moving Ahead for Progress in the 21st Century Act, P.L. 112-141 (widely known as MAP-21). MAP-21 expires at the end of FY 2014. Projections by the Congressional Budget Office indicate that the Highway Trust Fund (“HTF”) is mere months away from insolvency. Current estimates would require \$15 billion to fund the HTF for another year, and \$100 billion for a six-year reauthorization. Despite these difficulties, the hearing reflected widespread agreement among Senators, panelists drawn from business, labor, and regulatory groups, and other interested parties that a long-term reauthorization is needed to improve the nation’s infrastructure and bolster economic growth. Chairwoman Boxer and Ranking Member Vitter are currently working on multi-year MAP-21 reauthorization that they intend to bring before the Committee in April.

The following witnesses participated in the hearing:

- Mr. Thomas J. Donohue, President and CEO, U.S. Chamber of Commerce
- Mr. Richard L. Trumka, President, AFL-CIO
- The Honorable Mike Hancock, President, American Association of State Highway and Transportation Officials; Secretary, Kentucky Transportation Cabinet
- Dr. T. Peter Ruane, PhD, President and CEO, American Road and Transportation Builders Association
- Mr. Jay Timmons, President and CEO, National Association of Manufacturers

Discussion

From the Chairwoman Boxer’s opening remarks, a strong spirit of bipartisanship dominated the hearing. In her words, roads and bridges are “not Democratic and not Republican.” Echoing her sentiment, Ranking Member Vitter rejected the idea that refusing to fund infrastructure projects was a conservative virtue. In addition to transcending political parties, Senators and witnesses all noted strong agreement across other divisions. Mr. Donohue of the U.S. Chamber of Commerce pointed out that improving infrastructure was an issue that had the combined support of business, labor, construction, transportation, and regulators alike. In the words of Mr. Trumka of the AFL-CIO, “[i]f we can come together on this, that should tell you something.”

This consensus extended to a desire for a multi-year reauthorization, as opposed to a short-term extension. At one juncture, Chairwoman Boxer asked each witness whether they would prefer a multi-year reauthorization. Each witness strongly agreed. A long-term reauthorization would provide enhanced certainty for planned and current infrastructure development projects.

Effect on employment and competitiveness

All hearing participants warned that allowing the HTF to become insolvent would have a dire effect on employment and competitiveness. Ranking Member Vitter called infrastructure a “critical component” and “fundamental” to the nation’s public life and economy. Each of the witnesses agreed. In addition to the effect on the construction and transportation sectors, Mr. Timmons asserted that sound, functional infrastructure is of the utmost importance to the manufacturing sector as well, which relies on various modes of interstate transportation to conduct commerce around the country.

Mr. Donohue and Mr. Trumka expanded the discussion to consider the global effect. According to Mr. Donohue, failure to promote infrastructure development would reduce foreign direct investment and would hinder trade with foreign countries, thus losing ground to major international competitors. Mr. Trumka shared his experiences from a recent trip to China, which illustrated to him the profound effect that prudent investments in infrastructure can have on general economic growth. China’s investment rate of 10% of GDP dwarfed the United States’ rate of 2% of GDP, according to figures cited by Sen. Merkley.

Increasing the tax rate on gasoline and diesel

Although all parties were committed to seeing a multi-year reauthorization passed, there were a number of different possibilities suggested to plug the looming funding crisis that the HTF faces. The witnesses agreed that Congress should raise the tax rate on gasoline and diesel from their current levels of 18.4 cents per gallon and 24.4 cents per gallon respectively. Neither rate has been changed since 1993. The Chamber of Commerce was the strongest on this issue, with Mr. Donohue stating that the Chamber would not support eliminating the federal role in funding or eliminating user fees. Additionally, Mr. Ruane of the American Road & Transportation Builders Association highlighted that the average American household pays less for transportation infrastructure improvements each month in the form of fuel excises than it does on television and internet, electricity and gas, and phone services individually.

Not all hearing participants, however, were so enthusiastic about increasing taxes on fuel. Ranking Member Vitter was cautious; he voiced concern about how a net tax increase would affect middle-class families. Sen. Sessions was decidedly more opposed. Instead, he would seek to reduce general waste and inefficiency in government spending to fund the HTF. In an extended conversation with Mr. Donohue, the Senator urged Mr. Donohue to accept that approach if it were to happen. However, Mr. Donohue pointed out that the possibility of increased funding through reduced inefficiencies has been oft promised, but rarely realized.

States’ role

There was strong agreement that although the federal government should continue to take a strong lead on transportation infrastructure issues, individual states played an

important role as well. Sen. Wicker urged his colleagues to let states be the laboratories of experimentation for various policies. As states are increasing fuel taxes, Congress should encourage them to continue to innovate and take note of the results.

Mr. Hancock spoke at length of the effect on states should Congress fail to fund the HTF. In addition to the effect on employment, its pending insolvency would negatively affect the individual states. Currently, states only receive funding from the Federal Highway Administration (FHWA) once a project is completed and the state submits a request for reimbursement. However, scarcity of HTF money would mean that states might be reimbursed biweekly or monthly, as opposed to daily. States that lack an adequate cash reserve would thus be hard pressed to make payroll and pay invoices for materials and services. This, in addition to the threat of outright cancellation of planned infrastructure projects, demonstrates the necessity of strong federal leadership and secure funding.

Conclusion

Although the hearing lacked a discussion of concrete legislative proposals, there was widespread agreement on the importance of HTF funding and long-term MAP-21 reauthorization. While the witnesses were united in a desire to raise fuel taxes, such a proposal would face significant political challenges. Chairwoman Boxer asked each witness whether he would reach out to Senators Wyden and Hatch of the Finance Committee to voice his support for HTF funding; each replied that he would. Chairwoman Boxer closed by indicating her intent to have a multi-year MAP-21 reauthorization before the Committee by April.

(Compiled using info provided by the Patton Boggs & Greenberg Traurig Federal Lobbying Team)

SEN. RUBIO INTRODUCES LEGISLATION TO BRING GREATER ACCOUNTABILITY TO VETERANS AFFAIRS

On Tuesday, Senator Marco Rubio introduced the VA Management Accountability Act of 2014, a bill that would give Veterans Affairs (VA) Secretary Eric Shinseki and future VA secretaries complete authority to fire or demote VA Senior Executive Service (SES) or equivalent employees based on performance. The bill was introduced in the House today by House Committee on Veterans' Affairs Chairman Jeff Miller (R-FL).

The bill is a response to reams of evidence indicating a widespread lack of accountability in the wake of the department's stubborn disability benefits backlog and a mounting toll of at least 31 recent preventable veteran deaths at VA medical centers across the country. More than a dozen instances of this trend are documented on the VA Accountability Watch portion of the HVAC website. In each instance, VA SES executives who presided over mismanagement or negligence were more likely to receive a bonus or glowing performance review than any sort of punishment.

Current law ostensibly allows SES workers, a group representing the bulk of VA's senior leaders, to be disciplined and fired, but there are considerable amounts of red tape involved and the process can drag on for long periods of time. This bill gets rid of these hurdles in order to give the VA secretary authorities similar to those Members of Congress have to fire employees from their staffs. In Fiscal Year 2012, there were 448 career SES employees working at VA.

Despite the fact that multiple VA Inspector General reports have linked many VA patient care problems to widespread mismanagement and GAO findings that VA bonus pay has no clear link to performance, VA officials have consistently defended their celebration of executives who presided over poor performance.

"Widespread lack of accountability and a mounting disability benefits backlog has left many of our veterans without proper care, even resulting in the tragic and preventable deaths of at least 31 veterans. The least we can do in return for our veterans' courageous service and sacrifice is ensure that they receive the quality care and treatment they deserve. This bill equips VA leaders with the tools needed to address and correct the problems at hand. Giving the VA secretary complete authority to manage executives based on their performance discourages career employees from evading appropriate punishments and helps restore the public's faith in the organization," said Rubio.

This bill received the support of AMVETS (American Veterans), Concerned Veterans for America and Iraq and Afghanistan Veterans of America.

CONGRESSIONAL DELEGATION RESPONDS TO SITUATION IN VENEZUELA

Senator Marco Rubio, a member of the Senate Foreign Relations Committee, issued the following statement today condemning the ongoing wave of repression by the government in Venezuela:

"The world must wake up to what's happening in Venezuela as the government's unprecedented wave of repression is beating, jailing and even killing innocent Venezuelans, particularly its young people. Courageous Venezuelans who want nothing more than a better future dictated by true democratic order deserve the American people's solidarity.

"President Obama should condemn all violent reprisals by government-affiliated groups against peaceful student marches. The President and his administration should vigorously enforce all existing U.S. laws to identify and sanction individuals engaging in these human rights violations. And I urge the Senate Foreign Relations Committee to swiftly approve the Global Human Rights Act pending before it, as a means of countering threats against individual freedoms in places like Venezuela.

"Nicolás Maduro and his thugs should know that the world is watching, and that they will be held accountable for their cruelty and violations of human rights. The people of Venezuela have suffered long enough and, as they continue taking to the streets in peaceful protest, I stand with them and against the Venezuelan government's brutal and lethal tactics. Our condolences go out to the families who have lost their loved ones during this unsettling time."

Congressman Mario Diaz-Balart also released the following statement after reports of violent aggression towards protesters by the Venezuelan government:

"Today, the people of Venezuela have been protesting the corruption, food shortages, soaring crime rates and unemployment, and the alarming erosion of human rights and civil society. Regrettably, Maduro's thugs have countered these brave protesters with violence and imprisonment, leaving some seriously injured or dead."

"I urge the international community to affirm its commitment to the basic freedoms that are under brutal assault in Venezuela, and to stand with the Venezuelan people who are demanding democratic institutions free from corruption, and who are asserting their right to live free from oppression."

LOOKING AHEAD

February 17 – February 21, 2014:

- The House will not be in session
- The Senate will not be in session

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