

## **WASHINGTON WEEKLY REPORT**

### **October 10TH – October 14TH, 2011**

**Below is an informal overview of the Washington D.C. activities of the Office of Intergovernmental Affairs:**

*THE SENATE WAS IN SESSION THIS WEEK*

*THE HOUSE WAS IN SESSION THIS WEEK*

### **COMMISSIONER BELL ON CAPITOL HILL**

Miami-Dade County Commissioner Lynda Bell (District 8) traveled to Washington D.C. this week with the Greater Miami Chamber of Commerce to advocate on behalf of important County priorities, such as the Miami International Aerospace Show, transportation reauthorization programs, adequate funding to protect the county's agriculture industry from invasive pests and diseases and final congressional action on the Colombian, Panama and South Korean Free Trade Agreements.

Commissioner Bell participated in a bevy of official meetings; including meetings with each office of the Miami-Dade County Congressional delegation and Senators Rubio and Nelson, the House Transportation and Infrastructure Committee, representatives of the National Association of Counties, White House staff, officials at the U.S. Department of Housing and Urban Development and representatives with the U.S. Chamber of Commerce.

### **MIAMI INTERNATIONAL AEROSPACE SHOW**

Congresswoman Ileana Ros-Lehtinen organized a meeting on Capitol Hill this week to discuss the ongoing efforts of The Beacon Council (Beacon) and Miami-Dade County (County) to obtain the necessary federal approvals from the Pentagon, Air Force and Homestead Air Reserve Base (HARB) to host the Miami International Aerospace Show (MIAS). In order to host MIAS, Beacon and the County require permission from the Secretary of the Air Force Michael Donley to allow invited aircraft to land, taxi, park on the ramp and take-off from HARB.

Commissioner Lynda Bell and Deputy Mayor Jack Osterholt expressed the strong support and tangible commitments and investments already made by Miami-Dade County and the Board of County Commissioners, in addition to explaining the unique nature of this project and the positive economic impact it will have on the South Florida region.

The purpose of the meeting was to open a serious dialogue and provide answers to outstanding questions and concerns cited by Pentagon and Air Force officials, which have thus far denied the necessary approvals so that the MIAS can proceed.

Elected and county officials present at the meeting to support the Beacon/County effort were Reps. Ileana Ros-Lehtinen, Mario Diaz-Balart and David Rivera, Commissioner Lynda Bell, Deputy Mayor Jack Osterholt and Homestead Councilman Stephen Shelley, in addition to the offices of Senators Rubio and Nelson and Gov. Rick Scott's DC office.

Pentagon officials who attended the meeting were Deputy Assistant Secretary of the Air Force, Kathleen Ferguson, Deputy Director for Reserve Affairs Maj. Gen James Jackson and Legislative Liaison Maj. Gen Lori Robinson.

## **COMMISSIONER BELL AND DIRECTOR FORTNER MEET WITH HUD ON SECTION 8 HOUSING CHOICE VOUCHER ISSUE**

On Thursday, Miami-Dade County Commissioner Lynda Bell, Director of Public Housing and Community Development, Gregg Fortner (who participated via phone) and OIA met with Edward L. Jennings, Jr., U.S. Housing and Urban Development (HUD) Regional Administrator for the Southeast Region to discuss the ongoing issue regarding the disproportionate \$43 million in recaptured Section 8 Housing Choice Voucher (HCV) funds.

Commissioner Bell and Director Fortner spoke with Mr. Jennings at length regarding the \$43 million recaptured from MDPHA while the department was in HUD receivership. This discrepancy was the second largest recapture amount of the top ten programs experiencing recapture in the country.

OIA has been working with Rep. Diaz-Balart's office and the rest of the county delegation regarding the recaptured funding discrepancies. At issue are provisions within the FY 2009 THUD Appropriations Act which required HUD to rescind \$750 million in unspent HCV funds from 2400 public housing authorities.

In May, Miami-Dade Board of County Commissioners Chairman Joe Martinez sent a letter to HUD requesting corrective action and an explanation for the disproportionate recapture amount. HUD's response letter did not provide an explanation regarding the recapture amount, nor did it indicate the agency would take corrective action to address this inequitable treatment. On June 16, Chairman Martinez again sent a letter to HUD, requesting an adequate explanation regarding HUD's calculation of the recapture amount and lack of corrective action.

Mr. Jennings informed the Commissioner and the Director that he would speak to the appropriate department and congressional personnel regarding the voucher issue and would be in constant contact with the county in order to provide an explanation for the recaptured funds. Director Gregg Fortner, OIA and the federal lobbying team continue to seek an acceptable response and resolution from HUD.

## **CONGRESS AND WHITE HOUSE WORK TOGETHER ON FREE TRADE: MIAMI-DADE COUNTY ECONOMY TO BENEFIT**

The implementing bills for the Colombia, Panama and South Korean Free Trade Agreements were voted on and passed by Congress on Wednesday evening, just in time for the arrival of South Korean President Lee Myung-bak who on Thursday addressed a joint session of Congress and later feted at a White House State Dinner. Commissioner Lynda Bell thanked the members of the Miami-Dade County Congressional Delegation for their support and action on the Free Trade Agreements.

Miami-Dade County has advocated for the passage of these agreements for many years and according to the County's trade data, the agreements stand to have a positive economic impact on the County due to the following data points:

- Colombia is Miami's second largest trading partner;
- Panama is Miami-Dade County's 16th largest trading partner;
- Colombia is the 10th largest trading partner with the Port of Miami worth \$6.8 billion in 2010;
- Panama's is the 8th largest trading partner with the Port of Miami worth \$1.85 billion in 2010;
- Out of all the flowers that are sent to the U.S. from Colombia, 96% come through Miami International Airport;
- Colombia is MIA's second top trading partner by value bringing in \$5.2 billion a year, which helps to support 282,000 direct and indirect jobs related to MIA and related aviation industries in South Florida.

## **GREATER MIAMI CHAMBER OF COMMERCE DC FLY-IN**

The Greater Miami Chamber of Commerce (GMCC) conducted its biannual DC fly-in this week. Over a two day period, members of the GMCC, Commissioner Bell and OIA met with staff from the House Committee on Transportation and Infrastructure and the House Subcommittee on Immigration Policy and Enforcement within the Committee on the Judiciary.

The group met with Senators Nelson and Rubio as well as Reps. Ros-Lehtinen, Diaz-Balart and Rivera and the staff for Rep. Wilson. GMCC sought to discuss the recently passed Free Trade Agreements, immigration, the visa waiver program, the Miami International Aerospace Show and business development. GMCC also had the opportunity to meet with staff from the White House Business Council and Office of Public Engagement & Intergovernmental Affairs on President Obama's jobs plan as well as the impact to the South Florida economy should Brazil be granted visa waiver status. This issue was also broached with the U.S. Department of State, Consular Affairs Visa Office and the U.S. Chamber Immigration Policy staff.

## **SEAPORT DIRECTOR JOHNSON IN D.C.**

Seaport Director Bill Johnson visited Congressional offices again this week, seeking to obtain the necessary federal approvals for the next phase of the Port's Deep Dredge Project, a construction advanced funds agreement.

Director Johnson met with key Administration and Congressional officials to ensure that the construction funds agreement is approved by the House and Senate Appropriations Committees so the deep dredge project can proceed. The Senate has signed off on the agreement and the House signed off within the past week. The Office of Management and Budget has already given its approval for this next phase of the project to proceed. OIA continues to work with the Florida Congressional Delegation, key members of the House and Senate Appropriations Committees and the Administration, to complete this critical phase of the Port of Miami's deep dredge project.

## **AVIATION DIRECTOR ABREU IN D.C.**

Miami-Dade County Aviation Director Jose Abreu visited Washington D.C. this week to meet with the County's congressional delegation. The purpose of the visit was to provide the Miami-Dade County Congressional Delegation members and staff with an update on activities at Miami-International Airport (MIA) and urge Congress to pass a long-term extension of the Federal Aviation Administration (FAA) reauthorization bill. The current FAA authorization bill expires January 31, 2012.

## **FLORIDA INTERNATIONAL UNIVERSITY – CONGRESSIONAL BRIEFING**

Dr. Mary Jo Trepka, associate professor in the Department of Epidemiology and Biostatistics at Florida International University (FIU)'s Robert Stempel College of Public Health, was named last week by President Obama as one of the recipients of the Presidential Early Career Awards for Scientists and Engineers. Dr. Trepka spoke about her research during the FIU DC Faculty Experts Lecture Series on Thursday, which focuses on racial disparities on AIDS survival. Her research seeks to find the reason why African Americans diagnosed with HIV/AIDS have lower survival rates than Hispanics and non-Hispanic whites diagnosed with the disease.

The award is the highest honor bestowed by the United States government on science and engineering professionals in the early stages of their independent research careers. Professor Trepka is one of 94 researchers who will receive their awards in Washington, D.C. next week. The event was hosted by Rep. Alcee Hastings.

## **3% WITHHOLDING BILL REPORTED OUT OF COMMITTEE, NEXT STEP HOUSE FLOOR**

On Thursday, the House Ways and Means Committee favorably reported H.R. 674 on a voice vote. Comments by Chairman Camp and Ranking Member Levin as well as Congressmen Herger and Blumenauer, as well as the 269 cosponsors, underscored the bipartisan support the bill has in Congress. Chairman Camp said it will "reduce the uncertainty facing America's job creators" while Levin called the 3% withholding tax "misguided". Blumenauer labeled the 3% withholding tax "grotesquely misdirected" and warned that the *total cost* of this mandate "dwarfs" the receipts that would be generated. Rep. Herger, the bill's original sponsor, said, "Today we have taken an important step in doing what Americans have called upon Congress to do: work together in a bipartisan

way to encourage job creation. The 3 percent withholding tax stands in the way of jobs because it threatens to constrict the cash flow of thousands of small businesses that provide goods and services to federal, state, and local government agencies. Permanently repealing this tax is an important step toward giving these businesses the assurance that it's safe to invest, grow, and hire more workers. We're looking for actions Congress can take to create jobs right now. This is a win-win. I urge all members to support this legislation."

OIA anticipates that H.R. 674 will be on the House floor the week of October 24. Of the 269 cosponsors, 18 are from the State of Florida, including Reps. Ros-Lehtinen, Diaz-Balart and Rivera. OIA, along with Commissioner Sally Heyman, Director Miriam Singer and the federal lobbying team continue to work to secure the support of Reps. Wasserman Schultz and Wilson to help ensure passage of the legislation in the coming weeks.

In related news, repeal of the 3% withholding tax is included in the "Real American Jobs Act," a proposal recently released by Senate Republicans.

## **CONGRESSWOMAN ROS-LEITHINEN EXAMINES VETS ISSUES**

The Miami VA facility has been the subject of congressional scrutiny and the focus of several Veterans' Affairs Committee hearings since 2009 because of the revelation of its impropriety in the handling of reusable medical equipment (RME), and then failing to notify all who may have been affected in a timely manner. The Miami-Dade and South Florida Congressional Delegations and the House Committee on Veterans' Affairs, have all demanded accountability and action.

In a press release Rep. Ros-Lehtinen said, "We have repeatedly called for immediate reforms, greater transparency and more oversight in the Miami VA facility. In an HCVA hearing earlier this year, we were told by facility administrators that they were moving in a positive direction and all reforms were in place to ensure that these issues were being corrected. In yesterday's hearing, we were again told by the administrators that they were pleased with the "positive direction" they were moving in."

The Congresswoman goes on to say, "What we discovered in the process of this hearing was, in fact, the very opposite. In its latest report, the VA's Office of Inspector General found that the sterilization process in place was still woefully inadequate. Half of all RME's that had been inspected were found to have been improperly sterilized – the very same issue that got us to this point in the first place. They also found that the facility in Miami had yet to even implement proper standard operating procedures consistent with the manufacturer's instructions on 50% of the equipment."

The Miami-Dade and South Florida Congressional Delegation as well as members of the House Veterans' Affairs Committee are working to ensure that the proper procedures are put in place, with qualified employees who have received all of the proper training, and that there is a greater level of transparency in place.

## **SENATE TO ACT ON THREE APPROPRIATIONS BILLS – PREPARED BY FEDERAL LOBBYING TEAM**

On Thursday afternoon the Senate Majority Leader Harry Reid moved for the Senate to take up a package of three FY12 appropriations bills. The package or "minibus" includes the Agriculture, Commerce-Justice-Science, and Transportation-HUD appropriations bill. The Senate Majority Leader hopes to have a final vote on the package by the end of next week because the Senate is scheduled to be in recess the following week.

The Senate Majority Leader has suggested that he may try to move other FY12 appropriations bills in the same way, but it's not clear what bills would be included in those minibuses or when they would be taken up. Once they return from their recess, they will need to start working on the Continuing Resolution that expires on November 18.

The Senate Appropriations Committee approved the Commerce-Justice-Science (CJS) bill in September. It includes \$2.3 billion for DOJ grants for state and local law enforcement, including \$232 million for COPS grants. The House CJS bill provides no funding for COPS. The Senate bill also provides \$395 million for Byrne Justice Assistance Grants and \$273 million for SCAAP. The House bill has no funding for SCAAP and cuts the Byrne program by 16 percent. The Senate bill also includes \$251 billion for juvenile justice and delinquency prevention programs. These are vital programs for Miami-Dade Police Department (MDPD) and OIA continues to work with MDPD and the congressional delegation to express the County's support for adequate funding for these vital programs.

The full House Appropriations Committee approved its CJS bill in July, but it has not been considered by the full House and is not expected to be at this point. There is a possibility that the minibus the Senate is considering starting today may become the vehicle for the larger omnibus bill. Amendments will be allowed to the appropriations bills during the Senate debate. OIA and the federal lobbying team will work together to identify possible amendments that could be beneficial to the County.

## **CBO SCORE: FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2011 (SENATE VERSION) – PREPARED BY FEDERAL LOBBYING TEAM**

Today, the CBO released their Score Estimate for the Flood Insurance Reform and Modernization Act of 2011, which despite having been approved by the Senate Banking Committee on September 8, 2011, has yet to be formally introduced by the Senate as the Committee is still waiting on a GAO report.

While the bill text is not yet available, and is not referenced verbatim within the CBO report, the below summary from the report seems to indicate that the Senate bill would increase the annual cap on premium increases from 10 percent to 15 percent instead of the 20 percent cap included in the House-passed bill:

*“Increase in Average Annual Limit on Premium Growth. Section 106 would authorize the NFIP to increase premiums within a specific risk category by an average of up to 15 percent per year. Under current law, the limit is 10 percent. Based on historical experience, CBO assumes that raising this limit would not result in annual premium increases of more than 10 percent for most subsidized policies (with the exception of policies that would receive larger premium increases because of other sections of this legislation). (Under both current law and this legislation, actuarially rated policies are assumed to receive premium increases necessary to cover the full cost of the coverage but not additional amounts to subsidize those policyholders that pay insurance premiums that are below actuarial rates.) Therefore, implementing this provision would have no net effect on the NFIP or the federal budget.”*

OIA and the federal lobbying team will review the report for any additional information that may provide further indication as to important details included in the bill.

## **CLIMATE COMMUNITIES**

Thursday’s weekly Climate Communities webinar focused on the Property Assessed Clean Energy (PACE) program. The webinar, titled, “Sacramento Partners with Carbon War Room to Finance PACE Commercial Program” discussed PACE financing as a local government tool that enables interested property owners to finance energy efficiency and renewable energy projects through assessments on their property taxes for up to 20 years. On the call were Yvette Rincon, the Sustainability Program Manager for the City of Sacramento, and Mike Lemyre of Ygrene Energy Fund.

According to Climate Communities, “Cities and counties across the country were on the cusp of launching hundreds of local PACE financing programs until the Federal Housing Finance Agency (FHFA) issued guidance in the summer of 2010 that effectively prohibited PACE liens on Freddie Mac- and Fannie Mae-backed residential mortgages.” As a result, FHFA’s concerns have forced localities across the country to shelve their PACE financing programs for residential property owners. Additionally, a number of communities have moved forward on PACE programs for commercial properties. Commercial mortgages are mostly not backed by Freddie Mac and Fannie Mae, and so FHFA’s 2010 guidance does not affect the ability of local governments to launch energy financing programs for businesses. The webinar highlighted the structure and goals of Sacramento’s PACE program.

The webinar also showcased Sacramento’s unique financing as one of two U.S. cities to be the recipient millions of dollars in private investment by English business magnate Richard Branson’s Carbon War Room non-profit.

## **GOP PRESIDENTIAL FIELD 2012**

Michele Bachmann – U.S. Rep. from Minnesota  
Herman Cain – former CEO of Godfather’s Pizza  
Newt Gingrich – former Speaker of the U.S. House of Representatives  
Jon Huntsman – former Gov. of Utah & former Ambassador to China

Gary Johnson – former Gov. of New Hampshire  
Ron Paul – U.S. Rep. from Texas  
Rick Perry – Gov. of Texas  
Buddy Roemer – former Gov. of Louisiana  
Mitt Romney – former Gov. of Massachusetts  
Rick Santorum – former Sen. from Pennsylvania

## **FEDERAL LOBBYIST REPORTS**

Please use the following link to access the monthly lobbyist reports for the Washington D.C. lobbying team [http://www.miamidade.gov/intergov/federal\\_lobbyist.asp](http://www.miamidade.gov/intergov/federal_lobbyist.asp)

## **NEXT WEEK'S CALENDAR: OCTOBER 17TH – OCTOBER 21ST**

*The House will be in recess next week*

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Next week OIA will meet with the White House Office of Public Engagement & Intergovernmental Affairs to discuss issues of importance to the county and to build on the relationship between the Administration and Miami-Dade County.