

## **WASHINGTON WEEKLY REPORT**

### **September 12th – September 16th, 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*

### **MIAMI-FT. LAUDERDALE URBAN AREA SECURITY INITIATIVE (UASI) ADVOCACY WORKING GROUP**

This week DEM, MDPD and OIA roamed the halls of Congress and federal agencies. They were joined by local law enforcement, emergency management professionals and officials from throughout South Florida to meet directly with members of the Miami-Dade County congressional delegation, other members of the Florida congressional delegation and key Administration officials. The purpose of this UASI army's visit to the nation's capital was to advocate for critical UASI funding to be directed toward the combined Ft. Lauderdale/Miami UASI.

The importance of advocating for this critical homeland security and emergency management funding for South Florida is evident in the decrease of funding over the last two fiscal years and the current federal funding uncertainty. UASI funding in FY2010 for the Miami area ranked number 16 and the jurisdiction received over \$11 million; in FY2011 (in which there was lower overall funding for the program), the Department of Homeland Security (DHS) merged Miami with Fort Lauderdale and the combined UASI designation received \$9.6 million. This year, the combined Miami-Ft. Lauderdale UASI is at risk of receiving no funding, due to the severe cuts to the program proposed in the House and Senate Appropriations Committees.

The group met directly with Sen. Bill Nelson, Reps. Ileana Ros-Lehtinen, Debbie Wasserman Shultz, Mario Diaz-Balart, Frederica Wilson and David Rivera. The group also met with senior staff at DHS, and in the offices of Sens. Marco Rubio, Joe Lieberman, Mary Landrieu, Susan Collins, and Reps. Jeff Miller, Gus Bilirakis, Tom Rooney and Peter King (NY). South Florida UASI jurisdictions represented in the Hill meetings were Broward County, City of Ft. Lauderdale, City of Homestead, City of Miami, City of Miami Gardens, City of Miramar, City of Pembroke Pines, Miami-Dade County, Monroe County and Palm Beach County.

The group plans to follow up on these meetings with a request for a congressional delegation letter and further contact from congressional members and administration officials. Earlier this year, Chairman Martinez joined elected officials nationwide, including City of Miami Mayor Regalado and Orange County Mayor Jacobs, in successfully urging Congress to remove language in the FY2012 House Homeland Security Apportions bill that would have only provided funding to ten UASI jurisdictions.

## **CONGRESSWOMAN ROS-LEHTINEN INTRODUCES UN FUNDING REFORM BILL**

Congresswoman Ileana Ros-Lehtinen, Chairman of the House Foreign Affairs Committee, announced the introduction this week of the United Nations Transparency, Accountability, and Reform Act (H.R. 2829), which she authored, and which conditions U.S. funding to the UN on concrete reform. This bill is aimed at ending the practice of rogue regimes like Cuba from serving in leadership positions at the UN. By shifting most UN funding to a voluntary basis, the bill would allow the U.S. to stop sending money to UN entities such as the United Nations Human Rights Council, which includes Cuba, China, and other human rights violators as members.

According to the Congresswoman, the legislation would give the U.S. and other member states the leverage needed to press for concrete reform. Currently, most UN activities, excluding peacekeeping operations, are paid for through a general, all-purpose regular budget, funded through mandatory contributions from UN member states. Some organizations, including UNICEF and the UN High Commissioner for Refugees, are separately funded through voluntary contributions. The bill makes it U.S. policy to pursue shifting the UN regular budget to a voluntary basis. This change would allow the U.S. and other member states to choose what they fund at the UN, and what they do not. The Congresswoman released the following statement:

“Business-as-usual at the UN allows the most cruel, repressive, and dangerous regimes to hold positions of power and influence. Consider how Cuba is treated at the UN. Is the Castro regime held accountable for its gross human rights abuses and state-sponsorship of terrorism? No. Instead, it is given a seat on the Human Rights Council, and is selected as President of the Conference on Disarmament. But it’s not just the Castro brothers who get red carpet treatment. For example, former Sandinista leader Miguel D’Escoto Brockmann was elected as President of the UN General Assembly in 2008, and currently serves as a member of the Human Rights Council Advisory Committee. I think we’ve all had enough of monsters and hooligans running the show at the UN. We need a UN that punishes these offenders instead of patting them on the back. We need real UN reform now, and using our financial contributions to the UN as leverage is the only effective way to move that failed organization in an honest direction.”

## **3% WITHHOLDING REPEAL**

On Wednesday, the U.S. Chamber of Commerce and the Government Withholding Relief Coalition, of which Miami-Dade County is a member, held a press conference outside the Capitol to call for the full repeal of the 3% withholding tax. Congressmen Herger, the sponsor of H.R. 674, was joined by Chairman Mulvaney at the press conference to call for the repeal of the withholding tax. OIA attended the press conference, which included several small business owners and other members of

Congress. To date, HR 674 has 241 cosponsors, including Reps. Ros-Lehtinen, Diaz-Balart and Rivera. Sen. Rubio is a sponsor of the Senate companion bill.

Commissioner Sally Heyman, who has been a strong leader and tireless advocate in support of this legislation, has written several letters to committee members urging them to move this legislation forward.

Department of Procurement Management Director Miriam Singer and OIA will continue to work with the County's congressional delegation to urge congress to pass this legislation and have it signed into law by President Obama. During the President's jobs speech last week he said, "the Administration supports a delay of the Bush Administration-era rule requiring government entities withhold and send to the IRS 3% of payments made to contractors."

## **CONGRESSIONAL HISPANIC CONFERENCE COMMEMORATES HISPANIC HERITAGE MONTH**

The Congressional Hispanic Conference (CHC), of which Rep. Mario Diaz-Balart, Rep. Ileana Ros-Lehtinen and Rep. David Rivera are members, is commemorating Hispanic Heritage Month. This month honors the diverse influences brought by Hispanics to the United States, and their vital role in American culture and society. Beginning in 1968 under President Lyndon Johnson as Hispanic Heritage Week, it was later expanded to cover a 30-day period in 1988 by President Ronald Reagan.

"Hispanic Americans have made tremendous contributions to the U.S. in all areas, including business, politics, the arts, education, sports, and journalism. By recognizing the exemplary efforts of Hispanics across the country we can encourage and bring awareness to younger minority generations of the endless opportunities available to all Americans," said Chairman of the Conference Mario Diaz-Balart.

"During Hispanic Heritage Month we reflect on the contributions and successes our community has had. We also look to the limitless potential of Hispanic youth in the United States. Our story is truly an American story and the Congressional Hispanic Conference will continue to advocate for common-sense solutions that will help all Americans," said Congresswoman Ileana Ros-Lehtinen.

"Hispanic Heritage Month celebrates the great contributions that Hispanics have made to the United States. As someone of Cuban descent, I know firsthand the importance, and the value, of the efforts made by generations of Hispanics that came before me. Today, Hispanics continue to make positive contributions to the diverse fiber of American society," said Congressman David Rivera.

## **CONGRESSMAN DIAZ-BALART TO HOST SERVICE ACADEMY DAY**

On Saturday, September 17, at 8:30 a.m. Congressman Mario Diaz-Balart will host Service Academy Day at the U.S. Southern Command. Representatives from the U.S.

Naval, U.S. Air Force, U.S. Military, U.S. Merchant Marine and U.S. Coast Guard Academies will be on site to meet with and inform perspective students about educational and career opportunities at the service academies. High school students in District 21 interested in applying to a service academy or eager to learn more about serving in the U.S. Military are encouraged to attend. More than a 120 guests have confirmed attendance in addition to various local and state elected officials.

## **CONGRESSMAN DIAZ-BALART CO-SPONSORS BILL MODERNIZE NATION'S DISASTER WARNING SYSTEM**

This week Congressman Diaz-Balart joined Chairman of the Economic Development, Public Buildings and Emergency Management Subcommittee, Jeff Denham, in introducing The Integrated Public Alert and Warning System (IPAWS) Modernization Act of 2011 and the Federal Emergency Management Agency (FEMA) Reauthorization Act of 2011. The bipartisan legislation seeks to increase transparency and accountability while streamlining emergency preparedness efforts.

Congressman Diaz-Balart said, "I commend Congressman Denham for introducing this important legislation. As a Representative of a State that has seen its fair share of natural disasters, I know first-hand the importance of having a timely and efficient response system. FEMA must have the capability to act quickly and with agility in order to deliver a prompt alert to government authorities and individuals in areas endangered by disasters."

The IPAWS Modernization Act of 2011 requires FEMA to modernize the nation's 1950's era warning systems to take advantage of modern technologies. These technologies will allow officials to reach a much higher percentage of the population and target alerts to those in danger. The bill also includes a framework that FEMA needs to implement up-to-date policies to effectively communicate about emergencies at no additional cost to the taxpayer.

Denham also introduced the bipartisan FEMA Reauthorization Act of 2011, to reauthorize the funding at levels consistent with FY2012 levels passed by the House of Representatives earlier in the year.

## **MIAMI-DADE SUPERINTENDENT OF SCHOOLS CARVALHO TESTIFIES BEFORE CONGRESS**

Miami-Dade Superintendent of Schools Alberto M. Carvalho testified before the House Education & Workforce Committee on Wednesday. The hearing was titled "Examining the Federal Role in Public School Accountability." The issues discussed at the hearing are of critical importance to the ongoing negotiations related to the reauthorization of the Elementary and Secondary Education Act (ESEA) – currently known as No Child Left Behind.

Superintendent Carvalho said in his testimony, “In Miami-Dade, we have taken a differentiated approach to school reform and launched the Education Transformation Office (ETO) with School Improvement Grant (SIG) funding. We tier schools by degree of need based on current and historic data and create support and monitoring processes reflective of each school’s academic standing. Additionally, SIG requirements have allowed us to replace ineffective administrators and teachers while recruiting those with a proven record of success, to launch an array of wraparound services to target at-risk students, and to upgrade the technological infrastructure to ensure that students are learning in 21<sup>st</sup> century classrooms. Through our use of the SIG funds and the implementation of our ETO program, we aren’t simply focused on turnaround; our goal is to accelerate and sustain improvements into the future. Our ETO processes have been recognized by the USDOE, the FLDOE and districts throughout the country, and we have seen real improvement in these schools and the students who attend them.”

The Superintendent goes on to say, “Last year, the ETO in Miami-Dade was assigned 19 “persistently lowest-achieving schools.” Of the 19, 13 are now either B or C and none are rated F. This year, the ETO oversees 26 schools through SIG II with our district curriculum and instruction team supporting and monitoring another 35 schools that are dangerously close to being identified as persistently low performing. This method of tiering schools in need of improvement has allowed us to be more strategic in resource deployment and insures us from a revolving door approach to school improvement. Schools are provided the attention they need and, much like our teacher coaching model, they are weaned from district oversight as they begin sustaining their own improvements independently. This is the national accountability approach that I proffer to you today.”

## **SENATE MOVES ON DEPARTMENT OF JUSTICE FUNDING BILL - ANALYSIS**

The Senate Commerce, Justice, Science (CJS) Appropriations Subcommittee approved its FY2012 bill this afternoon. Overall, the bill is \$626 million below the FY2011 level and \$5 billion less than the President requested for FY2012. OIA and the DC Lobbying Team continue to closely monitor the Justice Department funding of interest to the County. Below is a brief overview and analysis on potential county impacts:

The bill cuts overall funding for the Justice Department by 2 percent from the current level. It provides \$2.3 billion (\$470 million less than FY2011) for grants to aid local and state law enforcement and crime victims, including:

**Community Oriented Policing Services (COPS)** -- \$232 million for COPS grants, including \$200 million to hire or retain police officers. As you may recall, the House FY2012 CJS appropriations bill provides no funding for COPS so this a good step.

**State and Local Law Enforcement Assistance** -- \$1 billion for State and Local Law Enforcement Assistance, which includes Byrne Justice Assistance formula grants, State

Criminal Alien Assistance Program (SCAAP), bulletproof vests and DNA backlog grants. The summary released by the Senate CJS Subcommittee does not include a breakdown of the State and Local Law Enforcement Assistance funding. OIA and the DC Lobbying Team will review the committee report upon its release after the full committee mark up to see if there is a specific funding level provided for Byrne or SCAAP. The House FY2012 CJS bill included no funding for SCAAP and cut the Byrne program by 16 percent so the Senate bill appears to be an improvement.

Funding for other State and Local Law Enforcement activities include:

- \$251 billion for juvenile justice and delinquency prevention;
- \$121 million for research and evaluation initiatives on prevention and intervention practices, which include regional information sharing activities;
- \$352 million to prevent, investigate and prosecute crimes against children;
- \$418 for domestic violence and sexual assault grants; and
- \$164 million for the management and administration of grants.

## **HOUSE REPUBLICAN PLAN FOR AMERICA'S JOB CREATORS**

In an address to the Economic Club of Washington yesterday, House Speaker John Boehner (R-OH) called for bipartisan action to "Liberate America's Economy." In his speech, Boehner referred to the President's jobs plan, calling it "a poor substitute for the pro-growth policies that are needed to remove barriers to job creation in America." The Speaker went on to outline the GOP's alternative approach to promoting job creation and decreasing the deficit. The plan included the following:

*Empower Small Business Owners and Reduce Regulatory Burdens:*

- Require congressional review and approval of any government regulations that have a significant impact on the economy or burden small businesses.
- Audit existing and pending regulations to identify and address those that hinder economic growth.

*Fix the Tax Code to Help Job Creators:*

- Increase American competitiveness to spur investment and create more American jobs by streamlining the tax code and lowering the tax rate for businesses and individuals including small business owners to no more than 25%.
- Reform the tax code to allow American businesses to bring back their overseas profits without having to pay a tax penalty so they can invest in our economy and create American jobs.

*Increase Competitiveness for American Manufacturers:*

- Pass the three pending free trade agreements with Colombia, Panama, and South Korea to create up to 250,000 jobs.
- Continue to open new markets to American made products.

*Encourage Entrepreneurship and Growth:*

- Modernize our patent system to protect our nation's innovators, discourage frivolous lawsuits, and expedite patent reviews.
- Re-Authorize and improve federal programs and approval processes to streamline development of new products. Remove barriers to building a first class workforce so that the United States can compete in the global marketplace and lead the way in technological development and growth.

*Maximize Domestic Energy Production to Ensure an Energy Policy for the 21st Century:*

- Promote lower energy prices through increased domestic production. Encourage all forms of energy production.

*Pay Down America's Unsustainable Debt Burden and Start Living Within our Means:*

- Build upon the House Republicans' Budget by enacting significant spending cuts.

A copy of the "House Republican Plan for America's Job Creators" has been attached for your convenience.

## **AVERTING FEDERAL AVIATION ADMINISTRATION (FAA) SHUTDOWN, CONGRESS CLEARS FAA & HIGHWAY EXTENSION BILLS**

The Senate was able to break its gridlock on Thursday; just one day before the existing FAA bill was set to expire, passing a bill to extend federal aviation and surface transportation programs. The bill, which was passed by in the Senate by a 92-6 vote, extends federal aviation programs through Jan. 31, 2012, and surface transportation programs through March 31, 2012. It also extends certain highway-related taxes.

The legislation had been held up by Sen. Tom Coburn of Oklahoma, who is opposed to provisions in the bill which require that "10% of surface transportation funds be spent on highway enhancements such as foot and bicycle paths and barriers to keep animals from running onto highways." Sen. Coburn argues that this requirement is a waste of transportation funding and insisted that language be added to allow states to opt out of the funding requirements. A deal was struck between Sen. Coburn and Sens. Boxer (CA) and Inhofe (OK), who are the chair and ranking member of the Senate authorizing committee, which will add Sen. Coburn's language in the next surface transportation reauthorization bill.

The last FAA extension bill, which was enacted only after a temporary FAA shutdown, was set to expire at midnight on Friday, while the last short-term surface transportation extension was set to expire Sept. 30th. The House passed the bill earlier this week.

## **CLOCK TICKS ON FISCAL YEAR – CONGRESS WORKING TO AVOID SHUTDOWN**

Since Congress has failed to enact any of its appropriations bills for Fiscal Year (FY) 2012, the House is currently working to pass a continuing resolution (CR) that would fund the federal government through November 18<sup>th</sup>, 2011, in order to avoid a government shutdown at the end of the current fiscal year on September 30<sup>th</sup>.

Last Wednesday, House appropriators released H.J. Res. 79, a CR which would fund the federal government from October 1 through November 18, 2011. The CR utilizes the \$1.043 trillion discretionary spending cap enacted in the Budget Control Act (P.L. 112-25), which results in a 1.409% overall reduction from the current FY2011 discretionary spending level (entitlements and other mandatory payments are continued at FY2011 rates).

Despite opposition from some Republicans, House leaders and appropriators indicated they intend to move forward with the FY2012 appropriations process using the discretionary spending cap established by the Budget Control Act and not the slightly lower cap of \$1.019 trillion set in the House FY2012 Budget Resolution (H.Con.Res. 34).

*The measure also includes \$3.65 billion in disaster relief:*

- \$1 billion in FY2011 funds which will be available immediately. (This is offset by a \$1.5 billion rescission of unobligated Department of Energy Advanced Technology Vehicles Manufacturing Loan Program funds; this was previously proposed in the House FY2012 Department of Homeland Security Appropriations bill):
- \$226 million is targeted to Army Corps of Engineers flood control efforts
- \$774 million is provided for the Federal Emergency Management Agency (FEMA)'s Disaster Relief Fund (DRF)
- \$2.65 billion in FY2012 funds for FEMA's DRF

Several non-controversial policy provisions, including an extension of Federal Flood Insurance availability (see next item), are incorporated into the measure. Additionally, H.J. Res. 66, which renews import restrictions contained in the Burmese Freedom and Democracy Act of 2003, is also attached to the CR.

The House will likely vote on the measure early next week. With both chambers scheduled to be in recess during the last week of the month, the Senate must also act next week in order to get something to the President before the end of the fiscal year on

September 30. However, Senate Democrats are already expressing opposition to what they consider a too small amount of disaster relief and the use of offsets for providing emergency funding.

## **NATIONAL FLOOD INSURANCE PLAN (NFIP) - UPDATE**

As stated above, included in this proposed CR is an extension of the NFIP through November 18<sup>th</sup>, which is set to expire on September 30<sup>th</sup>. With the Senate currently working to pass a NFIP reauthorization bill that they feel could be successfully reconciled with the House version (passed on July 12<sup>th</sup>), the NFIP extension in the CR will give the Senate additional time to finalize their version and could provide adequate time for a final bill to be passed by both chambers.

## **DEFICIT REDUCTION COMMITTEE HEARING - SUMMARY**

On Tuesday, September 13, 2011, the Joint Select Committee on Deficit Reduction (Joint Select Committee / Super Committee / Committee) held a hearing on "The History and Drivers of Our Nation's Debt and Its Threats." Doctor Douglas Elmendorf, Director of the Congressional Budget Office (CBO), was the only witness.

Director Elmendorf warned the Committee that the economic recovery will continue at a slower pace than anticipated through 2012. According to CBO's most recent assessment, the economy will grow at a rate of 1.5% for the remainder of this year and by 2.5% in 2012. In August, CBO forecasted a 2.3% growth rate for the remainder of 2011 and a 2.7% growth rate for 2012. Director Elmendorf also predicted that the unemployment rate will remain above 9.0% until 2013.

Director Elmendorf stated that long-term tax increases, spending cuts or reforms to entitlement programs are needed to return the nation to fiscal health. Although he declined to comment on the merits of any specific measure, Director Elmendorf recommended that the Super Committee focus on a plan that maximizes short-term economic growth by increasing government spending or reducing taxes now, and reduces long-term deficits by credible policy changes.

In the Joint Select Committee's second public session, the six Democratic and six Republican Members continued to stake out their positions on how to reduce the projected growth of America's national debt by \$1.5 trillion over 10 years. Member statements largely aligned with party priorities – Democrats stressed increased revenue and Republicans stressed spending cuts. No member outlined specific plans to reduce the deficit. While the session remained generally cordial, discussions between Representative Xavier Becerra (D-CA) and Senator Jon Kyl (R-AZ) became heated after Congressman Becerra spoke at length about the role of defense spending in creating the deficit Senator Kyl previously remarked that he would resign from the Committee if the Department of Defense faced deeper cuts.

## **CLIMATE COMMUNITIES**

The Climate Communities weekly webinar titled, The American Jobs Act--Impact on Localities, discussed President Obama's address to a joint session of Congress last week. The President unveiled his proposal to jumpstart the economy through his proposed legislation, "The American Jobs Act," which would provide approximately \$450 billion in combined new spending and tax breaks.

According to the President, approximately half of the legislation's estimated costs are the result of new investments in infrastructure and local public sector job creation. Included within these proposals is more funding for the TIGER grant program, which Miami-Dade County has taken advantage of in the past, and funds innovative and sustainable transportation projects. The bill also calls for the creation of a national infrastructure bank, which would finance major transportation, water and energy infrastructure projects.

Climate Communities reviewed and analyze the legislation's potential impact on local governments as well as covered how the legislation will provide new resources for communities to invest in local energy and sustainability initiatives.

## **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: SEPTEMBER 19 – SEPTEMBER 23**

*The House & Senate will be in session next week.*

NACo's Legislative Department will hold their Washington Representatives Legislative Briefing on Monday, September 19, 2011 from 9:30-11am at NACo headquarters to discuss deficit reduction deliberations and the impact to counties among several other legislative matters.

The Congressional Black Caucus Foundation's (CBCF) 41st Annual Legislative Conference (ALC) will take place from September 21-24, 2011 in Washington D.C. next week. The White House says President Barack Obama plans to attend a September 24 awards dinner during the conference.