

**Memorandum**

**TO:** Miami-Dade County

**FROM:** Greenberg Traurig

**DATE:** March 31<sup>st</sup>, 2022

**RE:** March 2022 Monthly Report

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Below please find a summary of Greenberg Traurig's efforts on behalf of Miami-Dade County and the latest news stories and updates in Washington from the month of March. If you have any questions, or if we can be of any further assistance, please let us know.

***Overview***

Throughout the month of March, GT has kept Miami-Dade County staff up-to-date on the latest breaking news and developments in Washington with an on the ground presence in the nation's capital. GT has also helped County staff navigate the Congressional Budget and Appropriations process. Our team continues to work with the Delegation and Congressional leadership to advocate for funding and support for programs that are important to the County.

GT's efforts on behalf of the County have focused on issues such as public health related to the COVID-19 pandemic, Justice and Safety, Flooding, WRDA, Disaster Aid, Housing, Broadband/5G, Appropriations/Budget, Immigration, Infrastructure, and Transportation issues among many others.

Our team features former Congressional and White House staff whose strong connections in Washington can enable Miami-Dade County staff to maximize their opportunities to discuss specific high-level priorities with the top decision-makers in the Federal government. Through these connections, GT has also provided County staff with relevant "Dear Colleague" letters, draft versions of legislation, legislative analysis, and other insights not available through public means. GT continued to cultivate these relationships in the Federal government this month and maintains an open dialogue with Members of the Florida delegation, Congressional leadership, and key contacts within the Administration.

***Budget & Appropriations***

A massive spending bill for the 2022 fiscal year that began over five months ago was signed into law by President Biden after the Senate cleared it for his signature on March 10<sup>th</sup>, putting an end to a frenzied stretch of negotiations in both chambers this month. On a 68-31 vote, the Senate passed the 2,700-page, \$1.5 trillion omnibus (HR 2471) containing all 12 fiscal 2022 spending bills, \$13.6 billion in supplemental appropriations to address the crisis in Ukraine and a lengthy list of unrelated measures fortunate enough to ride on the must-pass vehicle. As Republicans

sought, the omnibus allows for almost equal increases in defense and nondefense spending from last year's levels, with a \$46 billion or 6.7 percent boost for nondefense programs and a \$42 billion, 5.6 percent increase in defense accounts. Democrats had sought roughly double that amount for nondefense programs. The House passed the mammoth omnibus with strong bipartisan support on March 9<sup>th</sup>.

The chamber also passed a four-day continuing resolution (H J Res 75) that would extend stopgap funding through March 15. The Senate cleared that very short-term bill, which was intended to provide time for the omnibus to be enrolled and sent to President Biden to sign. Despite various Republican demands, it was relatively smooth sailing overall for the huge package. Senate Minority Whip John Thune, R-S.D., said removal from the package of \$15.6 billion in new pandemic aid made it easier for more Republicans to support the measure. That funding "created a lot of heartburn for our members, particularly given the fact that it wasn't ... fully offset," he said.

House Democratic leaders were forced to strip the pandemic aid from the omnibus after weathering a rebellion from members who objected to how the money would be offset. The bill had called for clawing back unspent funds from previous relief laws, including \$7 billion in aid to state governments. Some Democrats said their states would have been unfairly targeted for cuts. House leaders said they would take up separate legislation (HR 7007) for the pandemic aid — without cutting the \$7 billion from state governments. But the additional deficit spending assumed in that bill could sink its chances in the evenly divided Senate.

Our team also plans to get started on FY23 appropriations in the very near term. The process is very fluid, and we will keep Miami-Dade staff updated going forward.

### ***The President's FY23 Budget Request***

President Biden submitted his budget proposal for the fiscal year that begins Oct. 1 on March 28<sup>th</sup>, which will set the tone for the legislative scramble ahead of midterm elections in November. The President's Budget details his vision to expand on the progress the country has made over the last year and deliver the agenda he laid out in his State of the Union address—to build a better America, reduce the deficit, reduce costs for families, and grow the economy from the bottom up and middle out.

Here are some initial observations to help understand what Biden is pitching to lawmakers:

1. **Discretionary spending:** The White House is asking for about \$1.67 trillion in appropriated funds for fiscal 2023, a more than 10 percent increase over the \$1.51 trillion enacted for the current year, over five months late.

Including various budgetary add-ons to the "base" budget request, including disaster relief money and changes to mandatory programs that free up discretionary funds, domestic and foreign aid agencies and programs would receive roughly \$829 billion in fiscal 2023, a nearly 14 percent increase from the comparable levels enacted this year. Defense programs, largely at the Pentagon, would get \$813 billion, a roughly 4 percent boost.

2. **Deficits:** This year's budget shortfall would drop to about \$1.42 trillion, from \$2.78 trillion in fiscal 2021, falling further to around \$1.2 trillion the next two years before starting to rise again.

Still, the administration estimates a little north of \$1 trillion in deficit reduction over the next decade if its policies are enacted.

3. **Debt:** Federal debt held by the public, excluding government trust funds, would keep rising — by about \$14.7 trillion from the end of this fiscal year to fiscal 2032.

Debt subject to the statutory borrowing cap, which includes intragovernmental debt, would surpass the current \$31.4 trillion ceiling before the end of the year, though the Treasury Department could deploy "extraordinary measures" to avoid breaching the limit.

4. **Overall spending:** Counting all of the mandatory programs and federal benefits that flow automatically, largely independent of the appropriations process, the Biden budget envisions spending \$5.8 trillion next year, or a hair lower than the current year.

Spending would rise by about \$1.4 trillion overall during the next decade under Biden's budget, compared with baseline spending policies; that doesn't include what might constitute a revived "Build Back Better" legislative package (HR 5376), which was a fixture of last year's Biden budget but stalled in the Senate.

5. **Tax increases:** Federal revenue, even without any proposed tax increases, is estimated to surge by more than 9 percent this year, to over \$4.4 trillion, before growth slows down next year and in the coming years. Tax revenue would rise by \$2.5 trillion over the next decade, including recycled proposals like a corporate tax increase and new ones like a "billionaire minimum income tax."

As with new spending initiatives, tax increases outlined in the budget would be on top of any agreed to in talks to resuscitate the Build Back Better climate and safety net package.

6. **Economic projections:** The White House's economic forecasts were finalized in November, so they might be taken with a grain of salt. But the administration's view of the landscape back then showed inflation moderating substantially next year, to a 2.3 percent rise in the Consumer Price Index, down from an average 4.7 percent this year.

Interest rates may also end up a little north of where the White House expects, with a 2.1 percent average rate on 10-year Treasury notes this year, rising to 2.5 percent next year; meanwhile, 10-year Treasury yields were bouncing between 2.4 and 2.5 percent during Monday morning trading. Inflation-adjusted economic growth, forecast at 3.8 percent measured from the fourth quarter of last year, declines to 2.5 percent next year, but the unemployment rate continues to drop, from 3.9 percent this year to 3.6 percent in 2023.

## Biden's fiscal 2023 discretionary budget request by agency (in billions of dollars)

Cabinet department	FY22 enacted	FY23 request	Increase	Percent change
Agriculture	27.5	30.7	3.2	+11.6%
Commerce	9.9	11.7	1.8	+18.2%
Defense	742.7	773.0	30.3	+4.1%
Education	76.4	88.3	11.9	+15.5%
Energy	44.9	48.2	3.3	+7.5%
Health and Human Services	118.4	139.7	21.3	+18.0%
Homeland Security	57.5	56.7	-0.8	-1.4%
Housing and Urban Development	65.7	71.9	6.2	+9.4%
Interior	16.4	18.2	1.8	+10.7%
Justice	35.2	37.7	2.5	+7.1%
Labor	13.2	14.9	1.7	+12.9%
State and International Programs	58.0	67.6	9.6	+16.6%
Transportation	26.9	26.8	-0.1	-0.5%
Treasury	14.3	16.2	1.9	+13.3%
Veterans Affairs	112.2	135.2	23.0	+20.5%

### *Non-Governmental Partners and Coalitions*

Throughout March, GT continued to work with organizations like NACo, the Large Urban County Caucus, the National League of Cities, and the United States Conference of Mayors to push for additional state/local aid that would benefit Miami-Dade County and their residents.

GT staff have attended many meetings and been on regular calls with the organizations mentioned above and others this month on the County's behalf. Partnering with these and other organization allows Miami-Dade County officials the opportunity to amplify their voices and help attain County policy priorities at the federal level.

## *Media Updates*

GT continues to send daily media updates on legislative and political issues to the County in order to ensure that the Commission and staff remain up-to-date on developments within the Beltway. We conduct careful daily monitoring of the federal legislative calendar, executive orders, and other policy directives from the White House, action by the federal regulatory agencies, and key decisions issued by the federal courts. We will continue to monitor the issues most relevant to the County and provide timely and accurate information in order to make certain that the County is aware of any developments which may provide an opportunity to accomplish established goals.

(Below is an example of one of GT's Washington Updates, which are sent to County officials each day.)

Good Morning –

Below is a look at today's news and events in DC. If you have any questions or need anything, please let us know.

Thanks!  
Greg



**Today at a Glance: March 24, 2022**

### **Top Stories for the Day**

- Supreme Court nominee Ketanji Brown Jackson still appeared on track after a second and final day of questioning at her confirmation hearing Wednesday. Even if the judge fails to win over Republicans, unified support from Democrats would mean her confirmation vote is 50-50, with Vice President Kamala Harris casting a tie-breaking vote. The 51-year-old federal appeals court judge and former federal defender navigated cleanly through more than 10 hours of questioning yesterday, despite several Republicans who ratcheted up their confrontations. But no question hit directly on the elephant in the room, Even if Jackson is confirmed to replace retiring Justice Stephen G. Breyer, she won't change the ideological composition of the court. Sen. Amy Klobuchar, D-Minn., got the closest to making its subtext explicit. "The greatest dissents do become court opinions," Klobuchar said, paraphrasing the late Justice Ruth Bader Ginsburg. Klobuchar's question — "What do you think is the purpose of a dissent?" — is one Jackson may find herself returning to again and again if she joins the court's small liberal wing. Jackson will not testify today. Her participation in the four-day marathon wrapped up yesterday, with Judiciary Chair Richard J. Durbin, D-Ill., announcing that the American Bar Association unanimously rated her "well qualified" for the Supreme

Court seat. Durbin also set a Monday committee meeting to consider Jackson's nomination. Committee tradition means the senators will likely vote the following Monday, April 4. That would set up a Senate floor vote later that week. The panel will hear testimony today from 13 outside witnesses, including Rep. Joyce Beatty, D-Ohio, the chair of the Congressional Black Caucus; representatives of the American Bar Association and Alabama Attorney General Steve Marshall.

- Senators expressed optimism that legislation to shore up U.S. global competitiveness could be a bipartisan vehicle for changes to the legal immigration system. A Senate vote Wednesday moved the chamber closer to resolving differences between its competition bill and the House-passed version (HR 4521, S 1260). Both measures would provide funds to boost U.S. manufacturing and scientific research to better compete with China and other global powers. Chief among those differences are immigration provisions added by the House that would create a new visa category for entrepreneurs. They also would exempt foreign citizens with doctoral degrees in science, technology, engineering and math, or STEM fields, from annual green card limits. Sen. Ben Ray Luján, D-N.M., a vocal proponent of efforts last year to pass a path to citizenship for undocumented immigrants, said he would support including the House-passed immigration provisions in the final version of the competition bill, citing workforce shortages in key industries. Luján and his Congressional Hispanic Caucus "are pursuing every opportunity that we have to make progress on immigration reform," the senator said Wednesday.
- House lawmakers will be able to ask for five additional earmarks in the fiscal 2023 spending bills, upping the number of requests per lawmaker from 10 to 15. House Appropriations Chair Rosa DeLauro, D-Conn., wrote to colleagues ([See attached](#)) outlining initial steps for members to obtain earmarks — what Democrats in her chamber are now calling "community project funding" — in fiscal 2023 spending bills. The panel will begin accepting earmark requests April 4, after Biden submits his budget proposal on Monday. House lawmakers will have through the end of April to get their project requests to the appropriate subcommittee staff. Specific dates for each subcommittee's deadline weren't yet available. Specific accounts that are available for earmarks weren't posted yet. For fiscal 2022, House appropriators had earmarks in 10 out of the 12 bills, leaving out the State-Foreign Operations and Legislative Branch measures.
- Congress is watching for the release of President Joe Biden's fiscal 2023 budget request, expected March 28. The House Budget Committee is ready to begin the budget process the next day, with testimony from White House budget director Shalanda D. Young scheduled for March 29.

**House:** Convenes at 1 p.m. for a pro forma session.

**Senate:** Convenes at 10 a.m. and will resume consideration of the House-passed competitiveness and innovation bill (HR 4521). At 11:30 a.m., the Senate will vote on

confirmation of the nomination of Andrew M. Luger to be U.S. attorney for the District of Minnesota.

**Committee Activity:**

- **Jackson Nomination**  
Senate Judiciary Committee - Full Committee Hearing  
March 24, 9 a.m., [Link Here](#)