

Memorandum

TO: Miami-Dade County

FROM: Greenberg Traurig

DATE: April 28th, 2023

RE: April 2023 Monthly Report

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 April. If you have any questions, or if we can be of any further assistance, please let us know.

Overview

Throughout the month of April, 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, Economic Development, Justice, WRDA, 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.

Debt Limit Negotiations

The House-passed debt limit and spending cut bill likely won't survive bipartisan negotiations in full. But there are some potentially salvageable pieces of the GOP measure that could end up in a final deal. While most lawmakers in either party aren't ready to start talking about compromise, the few who are point to work requirements for benefit programs, discretionary spending caps and a fiscal commission as potential areas for bipartisan agreement. The work requirements and spending caps in Republicans' bill (HR 2811) would likely need to be softened to win Democratic support, but both parties share some interest or prior voting records on such policies. A fiscal commission to recommend deficit reduction strategies is not in the GOP bill, but centrists in both parties keep returning to this idea as low-hanging bipartisan fruit. The vast majority of Democrats are not even entertaining negotiations with Republicans on debt limit conditions, as they are still

insisting on a "clean" bill. "I've been here during a time where we've done a lot of really positive bipartisan things, but on this issue . . . default on the full faith and credit of the United States government is not something we should ever entertain," Sen. Mark Kelly, D-Ariz., said. "We don't have to give something," Sen. Benjamin L. Cardin, D-Md., added. "I have not seen the Republicans sincere on this. What they passed is ridiculous."

Most House Republicans, meanwhile, say it's up to Senate Democrats to pass something if they don't want to accept the House bill. "We just passed a bill. It's not our job to modify it," Speaker Kevin McCarthy, R-CA., said after the House narrowly passed its bill, 217-215. "The Senate could pass our bill or send us something that they have and we'll go to conference. Otherwise, we've done our job," McCarthy continued. "We're the only ones to lift the debt limit to make sure this economy is not in jeopardy."

At the same time, McCarthy is still leaving his door open to direct negotiations with President Biden. He said he has "no parameters" on policy attachments they could consider as long as they curb spending or grow the economy. "The only thing I would tell him is no clean debt ceiling is going to pass the House," McCarthy said. Senate Republicans, whose votes Democrats would need to break a filibuster on any debt limit bill in that chamber, say direct McCarthy-Biden negotiations are what should happen next. While "ordinarily" bipartisan deals originate in the Senate because of its filibuster rules, this debt limit is an "exception," Sen. John Cornyn said. "The House is never going to take anything that's cooked up in the Senate, because they have a thin majority and they would not get the votes," the Texas Republican said.

Firefighter Grants

The Senate has passed a bipartisan bill to reauthorize federal grant programs for local fire departments after reaching agreement to allow amendment votes. The measure (S 870), passed 95-2, would reauthorize the two grant programs, Staffing for Adequate Fire and Emergency Response Grants and Assistance to Firefighters Grants, through fiscal 2030 but with flat funding. The bill would also reauthorize the U.S. Fire Administration, which conducts research and provides public education and training, through the same time period. The measure would provide a \$20 million increase for each of the next seven years that would bring the agency's total budget authorization up to \$95 million per year. Senate Majority Leader Charles E. Schumer called the bill a "much-needed lifeline" that will provide firefighters with funds for lifesaving equipment and personnel. The grants are especially helpful in smaller, more rural areas where localities rely on volunteer firefighters and don't have enough funds to purchase equipment, the New York Democrat said in a floor speech.

Despite broad bipartisan support, the Senate spent nearly two weeks of floor time — with a break for the Easter-Passover recess — debating the legislation. Sen. Rand Paul of Kentucky, that ranking Republican on the Senate Homeland Security and Governmental Affairs Committee that has jurisdiction over the bill, was opposed to quick passage. He wanted amendments on the floor after Democrats blocked his proposals from getting an up-or-down vote in the March committee markup, which he walked out of in protest. Ultimately Senate leaders reached agreement to allow votes on six amendments to the bill. Schumer praised the amendment process as an example of "how the Senate should work" — even though all six were all rejected in a series of votes held. "We worked with our Republican colleagues and the ranking member of the relevant committees to allow Republican amendments," he said. "And in turn, our Republican

colleagues are supporting us moving forward on this important legislation. It's a good thing and I hope this model continues.”

Farm Bill

The chairwoman and ranking member of the Senate Agriculture Committee differed over tapping billions of dollars from a health, tax and climate law to expand baseline funding for the upcoming farm bill. Ranking member John Boozman, R-Ark., floated the idea of rescinding money allocated for the Agriculture Department in a 2022 law (PL 117-169) to give farm bill writers more funding for programs to help farmers and ranchers cope with higher production costs and high interest rates fueled by inflation. Supply chain problems also continue to cause uncertainty, Boozman said.

Chairwoman Debbie Stabenow, D-Mich., warned against moving the money, especially funds provided to help oversubscribed farm bill conservation programs meet demand and to expand the use of conservation practices focused on reducing greenhouse gas emissions. The money is meant to augment farm bill spending but not be part of the farm policy law, she said. Boozman and Stabenow made their comments in separate appearances at the North American Agricultural Journalists annual meeting, where each said they believe they can deliver a bipartisan multiyear farm bill. The goal is to deliver a replacement by Sept. 30, when the current farm bill (PL 115-334) expires. Boozman said a bipartisan resolution of differences is the only way a farm bill can proceed given the narrowly divided Senate. He said he is particularly interested in reviewing and clarifying how \$18.4 billion in conservation funding in the 2022 law can be used. He said the climate provisions are fuzzy and he is concerned that traditional conservation goals of soil health and improved water quality will not be given priority. “Climate is such a broad term,” Boozman said.

John Newton, the chief economist for Senate Agriculture Republicans, told the journalists that GOP members are eying about \$37 billion for USDA programs in the 2022 law. Newton said there have been discussions about rescinding the money. “Through a rescission, you would strike those provisions of the Inflation Reduction Act,” he said, referring to the title of the 2022 law. “That would reduce the deficit spending, and then you spend it again in the farm bill with zero impact on the deficit,” Newton said, adding that the money could stay in conservation programs, but not necessarily for carbon sequestration and greenhouse gas mitigation. “I think if that money is moved into the farm bill it would be part of a bipartisan discussion on how to allocate those resources,” Newton said. Boozman said questions remain as to how much of the funding the Congressional Budget Office could allow to be credited to the 2023 farm bill baseline. “It won’t be dollar for dollar,” he said.

Stabenow also raised concerns about House Speaker Kevin McCarthy, R-Calif., including provisions in a draft debt ceiling bill (HR 2811) that would expand the number of able-bodied adults subject to time limits on food benefits under the Supplemental Nutrition Assistance Program. The program falls under the farm bill and has been a flashpoint between Democrats and Republicans in past farm bills. Stabenow said she worries that more of the farm bill could be pulled into a broader fight on the debt limit

because of the focus on limiting mandatory spending. “When Republicans are talking about mandatory spending, they act like it’s just food programs or Medicaid. Mandatory spending is the farm bill,” Stabenow said. “Mandatory spending is the commodity title. The crop insurance title, that’s mandatory spending.” Stabenow said the farm bill baseline lost \$23 billion as part of a 2011 debt ceiling agreement (PL 112-15) that required across-the-board spending cuts. As a result, she said farm bill spending will be trimmed by 5.7 percent until fiscal 2031.

WOTUS Resolution

The Senate voted 53 to 43 to pass a resolution disapproving of a recently finalized rule revising the definition of which bodies of water are subject to federal regulations, setting it up for a veto from President Biden. The Congressional Review Act resolution (HJ Res 27) would vacate the rule finalized in December by the EPA and U.S. Army Corps of Engineers that updated the definition for "waters of the U.S." that are subject to Clean Water Act regulations, and prevent the agencies from finalizing another rule that is "substantially similar." All Republicans voted in favor of the resolution and were joined by Democratic Sens. Jon Tester of Montana, Joe Manchin III of West Virginia, and Jacky Rosen and Catherine Cortez Masto, both of Nevada. Independent Sen. Kyrsten Sinema of Arizona, who caucuses with the Democrats, also voted for the resolution.

The resolution passed the House on March 9th by a vote of 227-198, with nine Democratic votes in favor, including from House Agriculture Committee ranking member David Scott, D-Ga. The White House said in a March 6th statement of administration policy that it would veto the resolution, arguing that not having the rule in place would create greater uncertainty for farmers and others. EPA Administrator Michael S. Regan said the agencies did not want to finalize a definition that went as far as the 2015 rule. The agency touted the rule as a return to pre-2015 regulations, with updates reflecting court rulings in the interim and the codification of eight exclusions for croplands and waste treatment systems. The rule took effect March 20th everywhere except Idaho and Texas, where it was blocked by a district court judge.

Non-Governmental Partners and Coalitions

Throughout April, 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.