

Memorandum

TO: Miami-Dade County

FROM: Greenberg Traurig

DATE: July 31st, 2023

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

Overview

Throughout the month of July, 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 Appropriations/Budget, Public Safety, Economic Development, Justice, WRDA, Housing, Broadband/5G, 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, Congressional Agenda outlines 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

Status and Base Discretionary Budget Authority of 12 Appropriations bills (as of 7/31)

Status Table (\$ Billions)	HOUSE		Difference	SENATE	
	Status	Amount		Amount	Status
Agriculture	6/14 Full	\$ 17.8	S +\$ 8.2	\$ 26.0	6/22 Full
CJS	7/14 Sub	\$ 58.7	S +\$ 10.9	\$ 69.6	7/13 Full
Defense	6/22 Full	\$ 826.5	H +\$ 3.2	\$ 823.3	7/27 Full

Energy & Water	6/22 Full	\$ 52.4	S +\$ 4.3	\$ 56.7	7/20 Full
FSGG	7/13 Full	\$ 11.3	S +\$ 5.5	\$ 16.8	7/13 Full
Homeland Security	6/21 Full	\$ 62.8	H +\$ 5.9	\$ 56.9	7/27 Full
Interior-EPA	7/19 Full	\$ 25.4	S +\$ 12.5	\$ 37.9	7/27 Full
Labor-HHS	7/14 Sub	\$ 147.1	S +\$ 48.1	\$ 195.2	7/27 Full
Legislative	6/21 Full	\$ 6.7	S +\$ 0.1	\$ 6.8	7/13 Full
Military Construction-VA	7/27 Floor (219-211)	\$ 155.7	H +\$ 1.3	\$ 154.4	6/22 Full
State-Foreign Ops	7/12 Full	\$ 41.4	S +\$ 17.0	\$ 58.4	7/20 Full
Transportation-HUD	7/18 Full	\$ 65.2	S +\$ 22.9	\$ 88.1	7/20 Full
TOTAL		\$1,471.0		\$1,590.0	

Sub = passed Subcommittee

Full = passed Full Appropriations Committee

Floor = passed House or Senate

Heading into the August recess, House and Senate leaders remain far apart on spending levels included in their respective appropriations bills. The House GOP's appropriations bills, even if they are able to pass all 12 of them, will be tens of billions of dollars less than the Senate's version. House Speaker Kevin McCarthy will have little leverage with Senate Democrats or the White House, leading many to believe a government shutdown may be on the horizon. Any bipartisan deal to fund the government for fiscal year 2024 remains a long way away and a short-term spending patch to avert a shutdown on October 1 also faces challenges.

Senate Majority Leader Chuck Schumer has vowed to put the appropriations bills on the floor in a timely manner when the Senate returns from the August recess. But the real test will be reconciling the House and Senate versions ahead of government funding expiring on Sept. 30. This is also the case with the defense policy bill (NDAA.) If all 12 appropriations bills aren't signed into law by Dec. 31 and Congress is forced to pass a continuing resolution, an automatic 1% funding cut would be implemented, as per the terms of the bipartisan debt-limit agreement. Defense hawks in particular are looking to avoid this because it would disproportionately impact Pentagon spending.

SNAP Funding

Republican lawmakers, including one who helped negotiate an expansion of work requirements for food stamp participants in the debt ceiling agreement, see the fiscal 2024 Agriculture spending bill as a vehicle for more changes to the nation's largest domestic nutrition program. The bill (HR 4368) would provide \$25.3 billion in discretionary funding to the Agriculture Department, the Food and Drug Administration and the Commodity Futures Trading Commission. The base allocation for the draft bill is \$17.8 billion, boosted by \$7.5 billion in rescissions to get to the full discretionary amount. That sum would be down from the \$25.5 billion enacted in fiscal 2023, when the CFTC was funded through the Financial Services bill.

Amendments by Reps. Byron Donalds, R-Fla., and Garret Graves, R-La., reflect a push by conservatives to sharpen work elements under the Supplemental Nutrition Assistance Program (SNAP) and could spill over into a contentious fight over nutrition policy in the 2023 farm bill later this year. The idea of work as a tool for escaping poverty resonates with Republicans and their base. Democrats say the focus ignores the fact that many able-bodied SNAP recipients already work, but need federal assistance because of low pay and fluctuating weekly work hours. “There were some things that I would have preferred that would have been in those negotiations but were not. The way I look at it is building upon some of the work that was done in the FRA to improve the performance of our social welfare programs,” said Graves, one of Speaker Kevin McCarthy’s top deputies in negotiations that resulted in the law known as the Fiscal Responsibility Act (PL 118-5).

Conservatives want further reductions in the 12 House spending bills than those spelled out in the debt ceiling law. One amendment by Graves would ban use of funds in the fiscal 2024 Agriculture spending bill or in any other legislation to grant, renew or extend requests from states to exempt able-bodied adults without dependents from work requirements and time-limited food aid through SNAP. Another Graves amendment would bar the use of funds from the Agriculture spending bill, or any other funding legislation, to approve new state requests for authority to exempt able-bodied adults without children who live in areas a state determines doesn't have enough job opportunities to help the unemployed meet work requirements. Graves said his goal is to stop any state waivers or other moves that would blunt the effort to get more able-bodied adults without children into jobs or work training by easing work requirements that limit food aid to three months out of every 36 months.

Democrats, including Rules Committee ranking member Jim McGovern, D-Mass., have decried the appropriators’ rescissions as well as changes to SNAP made by the debt ceiling agreement. The debt ceiling law increased the number of able-bodied adults without dependents subject to time-limited food aid unless they can document 80 hours a month of work or being in work training. Before the debt ceiling agreement, the requirement applied to 18- to 49-year-olds. But the new law increased the maximum age for these participants through age 51 by Sept. 30, then through age 53 in fiscal 2024, and through age 55 in fiscal 2025. Military veterans, homeless individuals and young people up to age 24 if they aged out of foster care at age 18 are exempted from the expanded requirements. All of the changes to SNAP will expire in fiscal 2030.

Donalds filed a multi-prong amendment on SNAP that proposes expanding time-limited benefits and work requirements through age 64 for able-bodied adults without dependents. The proposal would move the maximum age closer to the one in legislation (HR 1581) by Rep. Dusty Johnson, R-S.D., that served as a framework for changes to the program made through the debt ceiling deal. Donalds also would raise the maximum age for SNAP participants subject to general work requirements but not time limits on food aid from age 60 to age 65. Failing to meet the requirements, such as registering for work or refusing a job offer, could result in temporary loss of food benefits that can lead to permanent expulsion from SNAP.

His amendment also would end the ability of states to use broad-based categorical eligibility that allows them to set gross income limits at up to 200 percent of the poverty level for applicants who already receive other services or cash from federal or state programs for low-income people. Applicants must meet additional requirements to actually qualify for benefits. In fiscal 2023, the gross income for a family of three at 200 percent of the federal poverty level is \$49,720. The amendment would require states to apply lower income and resource limits.

Disaster Relief Supplemental

The Biden administration plans to submit an emergency spending request for disaster relief "sometime in August" for congressional action in September. Maine Sen. Susan Collins has said that the Federal Emergency Management Agency's main disaster relief fund needs to be replenished and she has been in contact with the administration on plans for a supplemental spending bill. "I expect that that's going to be sent up sometime in August, so that it can be considered in September," Collins said.

FEMA has sent mixed signals about the urgency for new federal aid. In a statement last week, the agency said current funding levels "are more than adequate to execute immediate response and recovery efforts to any incidents which may occur. At this time, we have no expectations of impacts to any programs." But FEMA Administrator Deanne Criswell told a House panel July 13 that she expected the Disaster Relief Fund to run dry by late August. The agency's latest monthly report on the fund, issued that same week, projected a \$133 million deficit in August, growing to \$8.6 billion by late September.

Congress has now left Washington for a monthlong August recess without passing an emergency supplemental spending bill that could have included disaster relief. The lack of action has heightened concern from Florida lawmakers, who worry about federal aid running dry in the middle of hurricane season. Before the recess, Florida lawmakers in both chambers from both parties introduced emergency spending bills (**S 2029, HR 4295**) to replenish the fund with \$11.5 billion in new aid ahead of hurricane season. Depending on its timing, a supplemental spending request could be attached to a stopgap funding measure Congress will need to pass by Sept. 30 to avoid a partial government shutdown when the new fiscal year begins. The stopgap would likely include a provision giving the relief fund an infusion of \$20 billion, but a supplemental request could exceed that amount.

An emergency spending request is also likely to become a magnet for other priorities that can't be funded under the spending caps established in last month's debt ceiling suspension law (PL 118-5). Collins and other Senate Republicans have made clear they want to see more money for defense and for additional assistance to Ukraine in its war against Russia. It's not clear whether new Ukraine aid would be part of the White House emergency request. And Senate Majority Leader Charles E. Schumer, D-N.Y., during debate on the debt ceiling law, said any supplemental request for defense would need to include funding for "disaster relief, combating the fentanyl crisis or other issues of national importance."

FAA Reauthorization

Senators left Washington without advancing a bill to reauthorize the Federal Aviation Administration in July, giving them just 17 legislative days to pass a measure before the agency's funding authority expires at the end of September. Heated negotiations over pilot training have already deadlocked senators, in turn delaying discussions between the two chambers to reconcile differences between their versions of the measure. And with a September calendar already crowded with other authorization and funding deadlines, it seems likely Congress will have to enact an extension for the aviation agency's funding authority (PL 115-254) before the fiscal year ends. "I still hope we'll get a markup early in September," Senate Commerce, Science and Transportation ranking member Ted Cruz, R-Texas, said in an interview. "We'll see."

The Senate's FAA bill (S 1939), which includes authorization for airport improvement projects, aviation modernization and passenger protection provisions, hit turbulence just minutes before the committee was set to mark up its 400-page-plus bill in mid-June. Chair Maria Cantwell, D-Wash., delayed the markup over what she described as a "miscommunication" over language from Sen. John Thune, R-S.D., included in the bipartisan manager's amendment that would establish a program providing a prospective pilot who completed "enhanced training" with an additional 250 hours toward the required 1,500 hours of flight experience for eligibility to fly for a regional or major airline. According to staff members familiar with the situation, Majority Leader Charles E. Schumer, D-N.Y., objected to the provision's inclusion in the manager's amendment the morning of the markup over concerns that it could weaken pilot training standards. Over a month later, lawmakers are still at an impasse. Cruz blamed Schumer for "blowing up the agreement" and said senators will have to continue discussions through the August recess.

Non-Governmental Partners and Coalitions

Throughout July, 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.