

Memorandum

TO: Miami-Dade County

FROM: Greenberg Traurig

DATE: June 30th, 2023

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

Overview

Throughout the month of June, 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.

Budget & Appropriations

At the end of June House GOP leaders were discussing the possibility of putting a stopgap spending bill on the floor in July, primarily as a fail-safe option while they try to build support for passing fiscal 2024 appropriations bills. The idea is to have a stopgap in place to continue government funding past Sept. 30 in the event all the regular appropriations bills are not passed by the end of the fiscal year. That move would avoid a partial government shutdown in October if the Senate also passed the stopgap and President Biden signed it into law.

Some Republicans view passing a stopgap ahead of time as a way to take a shutdown off the table, thereby skirting some of the pressure from Democrats to accept a catchall omnibus or other appropriations bills that have higher spending than conservatives want. GOP leaders are holding

ongoing discussions with rank-and-file members to try to build enough support to pass all the full-year fiscal 2024 bills after they are reported out of the Appropriations Committee. And they recognize that additional changes may be needed to get the 218 votes usually needed for passage, according to the source, who spoke on background to discuss private leadership deliberations. Some hard-line conservatives might still block the consideration of bills that don't cut spending as deeply as they want, despite GOP leaders having already acceded to many of their demands.

Leadership's preference is to find a way to pass the annual appropriations bills to set up a strong negotiating position with the Senate. Just five Republicans can tank any of the bills, as Democrats are expected to be unified against them. GOP leaders have sought to build consensus partly by setting spending allocations below the topline levels agreed to in this month's debt limit suspension law brokered by Speaker Kevin McCarthy, R-Calif., and the White House (PL 118-5).

GOP leaders and their deputies are soliciting additional spending cut ideas from members, several sources said. But deeper cuts would only widen the disparity with Senate appropriators, who are writing bills to the levels allowed under the debt limit deal. The two chambers are using spending allocations that are already about \$119 billion apart. There is no immediate need for a stopgap measure in July since the fiscal year does not end until Sept. 30. But if House Republicans can't agree on regular spending bills, they will be at a disadvantage when they go to the bargaining table with the Senate. Such an impasse would make the default option a CR that extends spending at fiscal 2023 levels.

The ultimate fallback option would be a full-year CR, but that measure would satisfy almost no one and could face opposition from multiple fronts. It would anger defense hawks who want higher defense spending. And it would not satisfy fiscal conservatives who want to roll back spending to fiscal 2022 levels. Burchett said he has not yet heard talk of a CR but would oppose it in any case. "I don't vote for CRs," he said. "I'm tired of compromising on the future of our country's financial well-being." Nevertheless, if House Republicans cannot agree on appropriations bills and if conservatives block them in July ahead of the August recess, putting a CR on the floor may be the only logical outcome to avoid a partial government shutdown when the new fiscal year begins Oct. 1.

BEAD Program Broadband Funding

On June 26th, The White House announced state allocations for the [Broadband Equity Access and Deployment \(BEAD\) program](#)—a \$42.45 billion grant program created in the Bipartisan Infrastructure Law and administered by the Department of Commerce. This announcement was the largest internet funding announcement in U.S. history. The state of **Florida is set to receive \$1,169,947,392.70** from the program.

Allocations for the BEAD program have been determined based on the number of unserved locations in a state relative to the rest of the country based on the updated National Broadband Map provided by the Federal Communications Commission (FCC), which was first released in November of 2022 and since updated into the latest version made available in June of 2023.

An unserved location, as defined by the BEAD program, constitutes a location that lacks access to an internet connection of 25 Megabits per second (Mbps) download and 3 Mbps upload. An underserved location constitutes a location that lacks access to an internet connection of 100 Mbps download and 20 Mbps upload. After funding for last-mile broadband infrastructure construction has served all unserved and underserved locations, any remaining funding can be used for eligible use of funds related to broadband access, adoption, and equity.

States will have until December to submit initial proposals to NTIA. The agency will approve and allocate 20 percent by spring of 2024. Final plans are due in spring of 2025, and NTIA will provide 80 percent of the funds by summer 2025.

Disaster Relief Supplemental

Some House lawmakers who represent hurricane-prone districts want an emergency supplemental to ensure the government does not run out of money in the Federal Emergency Management Agency's disaster relief fund, joining a small but growing Senate effort. Rep. Jared Moskowitz, D-Fla., a former Florida emergency management director introduced legislation (HR 4295) in June that would provide \$11.5 billion in supplemental funding for the disaster relief fund. Del. James C. Moylan, R-Guam, has also signed on. Moskowitz said in a statement that Congress needs to be proactive in addressing the upcoming shortage in the disaster relief fund.

The legislation mirrors a Senate bill (S 2029) introduced by three Republican senators from hurricane-prone states — Florida Sens. Marco Rubio and Rick Scott and Mississippi's Roger Wicker — earlier this month that would provide the same amount, \$11.5 billion. Sen. Thom Tillis, R-N.C., has since signed onto the legislation. FEMA's most recent estimate shows the agency is expected to run out of money in August, and run up a \$10 billion deficit by the end of September.

While FEMA could get a nearly \$20 billion cash infusion in a typical "anomaly" in stopgap funding legislation that lawmakers would need to pass by Sept. 30, that may be too late with hurricane season approaching. Homeland Security Appropriations Chairman David Joyce, R-Ohio, said FEMA currently has enough to deal with severe weather, though he could not predict if conditions this year would necessitate a supplemental. "Those are things you just can't really truly estimate," he said. "I'm not sure where we stand on that going forward, obviously we pray the weather patterns are good for us." Rep. Tom Cole, R-Okla., said Congress typically comes together to give FEMA the money it needs to respond to disasters. He said he thought the House would be able to pass a disaster relief supplemental if one is needed. "Normally outside the process, a lot of people understand in a situation like that, you've got to help folks," he said.

House Democratic appropriators acknowledge the fund likely needs to be refilled, though couldn't predict if the House would act on a stand-alone supplemental. "They do need some money," said Homeland Security Appropriations ranking member Henry Cuellar, D-Texas. "Whether we can get it done is something that will have to be agreed on in the supplemental itself." Appropriations ranking member Rosa DeLauro, D-Conn., said she

hadn't seen a request for a disaster relief supplemental yet from the administration, but she anticipates one. "I would hope, let's take a look at what the disasters are, and what are our needs we have to meet," DeLauro said. "Why would you fly in the face of disaster assistance? But this crowd is capable of anything."

Infrastructure Grants

On June 27th, the U.S. Department of Transportation announced the availability of \$5.5 billion in competitive funding through the [Multimodal Project Discretionary Grant Opportunity \(MPDG\)](#), a package of three major grant programs for counties – Mega grants, Nationally Significant Multimodal Freight & Highway Projects (INFRA) grants and Rural Surface Transportation Block Grants (Rural STBG) – authorized by the Bipartisan Infrastructure Law (BIL).

Counties are directly eligible for funding and the deadline to apply is August 21, 2023. MPDG combines funding for FYs 2023 and 2024 and has a broad range of eligible surface transportation activities.

USDOT offers these grant programs through a single notice of funding, allowing counties to apply to all three programs using one application.

Non-Governmental Partners and Coalitions

Throughout June, 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.