

Memorandum

TO: Miami-Dade County

FROM: Greenberg Traurig

DATE: February 3, 2019

RE: January Monthly Report

Below please find a summary of Greenberg Traurig's efforts on behalf of Miami-Dade County and news stories in Washington from the month of January. Washington Updates are provided by CQ Roll Call. If you have any questions, or if we can be of any further assistance, please let us know.

Budget & Appropriations

The federal government will be open for the next three weeks, as congressional leaders and the White House try to agree on border security spending and the final seven fiscal 2019 appropriations bills. The White House, Republicans and Democrats quickly coalesced Friday around the short-term spending bill (H J Res 28) that reopened nine Cabinet departments and several agencies through Feb. 15, after weeks of partisan, bitter debate over whether a wall should be part of a comprehensive border security strategy.

In the end, the decision to advance a temporary funding measure came on the same day the Federal Aviation Administration temporarily issued a ground stop at New York's LaGuardia Airport due to air traffic controllers calling in sick at two East Coast facilities. Both President Donald Trump and Senate Minority Leader Charles E. Schumer, D-N.Y., call New York City home. "In a short while, I will sign a bill to reopen the government for three weeks, through Feb. 15," Trump said during a Rose Garden speech Friday; signaling an end to the 35-day partial shutdown that affected 800,000 federal employees and the programs they administer.

The agreement established a conference committee for the fiscal 2019 Homeland Security spending bill, one of seven appropriations measures that has yet to become law for the fiscal year that began Oct. 1.

Health Care

Lawmakers emphasized the steep cost of the diabetes treatment insulin and ways to use Medicare and Medicaid to discourage companies from setting high prices as Congress kicked off a series of drug price hearings in late-January.

Hearings before the Senate Finance and the House Oversight and Reform committees featured academics and patient advocates as lawmakers in both chambers investigate why drug prices are high and what Congress can do about it. Future hearings will likely focus more on legislative proposals, and at some point members hope that drug companies will share their ideas.

Also, The Centers for Medicare and Medicaid Services proposed allowing health plans greater flexibility in tailoring non-medical benefits to individual patients. The department also proposed a 1.6 percent pay raise for Medicare Advantage and Part D plans in a two-part proposal that will be finalized by April 1. Last year, the plans received a 3.4 percent boost. The Bipartisan Budget Act of 2018 (PL 115-123) allowed CMS to waive uniformity requirements for specific subsets of patients — such as those who share a common condition — for non-medical benefits. The new flexibility will allow health plans to individually tailor benefits to specific patients, such as delivering special meals to homebound patients with dietary restrictions. CMS is specifically encouraging plans to use the new flexibility to target patients with chronic pain or substance abuse, in a bid to help curb the ongoing opioid epidemic. The department is also urging plans to reduce cost-sharing for opioid reversal drugs like naloxone.

GT continues to work with the County’s congressional delegation to advance legislation that tackles mental health reform and the nation’s opioid addiction crisis, and has kept Miami-Dade updated on the status and outlook for these pieces of legislation.

Farm Bill

Last month House Democrats called on the chamber’s general counsel “to immediately explore all possible legal options” against administration efforts to restrict states’ ability to exempt able-bodied adults without dependents from food stamp work requirements and time limits on their aid. The directive is part of the incoming Democratic majority’s rules package for the 116th Congress. The food stamp provision offers no specifics on whether suing the Trump administration over the proposed USDA regulation is an option. The package’s provision on the Supplemental Nutrition Assistance Program (SNAP), formerly known as the food stamp program, reflects Democratic concerns that Republican conservatives and the administration will use the rule-making process to achieve changes to the program that they could not achieve through the 2018 farmbill (PL 115-334) enacted into law in December 2018.

Congressional Democrats opposed provisions in a GOP-written farmbill that proposed changes to SNAP work requirements, eligibility standards and calculation of monthly benefits. Overall, the SNAP program serves more than 40 million people, the majority of whom are children, elderly or disabled. The final five-year legislation does not include expanded work requirements for food stamps recipients that were part of the GOP-written House farmbill. That version of the farmbill tied food benefits for able-bodied adults ages 18 to 59 to work requirements under SNAP.

GT will continue to send analysis of a 2018 farm bill as more information becomes available.

Infrastructure

The House Transportation and Infrastructure Committee will kick off an effort to boost highway and transit spending this year with a Feb. 7 hearing where Democrats will argue it would cost even more not to upgrade aging public works, some of which were built more than a century ago. DeFazio said Democrats want to pass a package before this summer that supplements the 2015 FAST Act (PL 114-94), a five-year transportation law that runs through the end of September 2020. The plan relies on the Ways and Means Committee to find the funding for new projects and plug a shortfall between the amount spent now from the Highway Trust Fund and the revenue generated from the federal gas tax, which was last raised in 1993. That shortfall is currently supported by the general budget. "We will look at marking up an authorization pretty much working with the existing FAST Act, but make some changes that I think need to be made short term, before we can even get into the next six-year bill. And then send that over to the Ways and Means Committee and have them fill in the money," DeFazio said.

DeFazio has recommended what he calls a "penny for progress": Indexing the existing gas and diesel tax to inflation and capping increases at no more than 1.5 cents a gallon per year. He then proposes issuing 30-year bonds backed by the revenue. "We could bond over \$500 billion over a number of years. That fills in the hole in the trust fund," DeFazio said. The U.S. Chamber of Commerce earlier this month said it would support increasing the gas tax by 5 cents a gallon over five years. DeFazio said his plan would support issuing \$33 billion a year in bonds for about 13 years to address a backlog in projects to bring roads and transit up to a "state of good repair." Beyond that time frame, he said the use of electric and other alternative fuel vehicles may have reached a tipping point, and government will need to move to a system based on the number of miles a vehicle travels rather than the gas consumed. Before that happens, however, DeFazio said there needs to be a national pilot program to test such a system. The program should include "congestion pricing" that charges a vehicle using crowded roads around a city at rush hour more than a rural resident traveling a largely empty highway, he said.

The hearing on Feb. 7 will be held in the Capitol Visitors Center because several House committee rooms are being renovated, and will come two days after President Donald Trump is to deliver his rescheduled State of the Union address.

GT will continue to monitor and provide analysis on infrastructure hearings and proposals as more information becomes available.

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. Our team has continued to send those interested individuals information regarding issues such as tax reform, health care, and appropriations, among others. 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: January 22, 2019

Top Stories for the Day

- Day 32. The White House and Congress canceled other plans in order to focus on the shutdown this week.
- Senate Republicans released a \$354.5 billion fiscal 2019 spending package Monday night that includes \$5.7 billion for border wall construction as well as temporary relief for enrollees in the Deferred Action for Childhood Arrivals program and immigrants receiving Temporary Protected Status.
- The House Ways and Means Committee holds a hearing on the shutdown's effects on the IRS this Thursday, and Chairman Richard E. Neal wants the Treasury secretary to testify.
- Republicans urge Trump to 'Jump Start' infrastructure push.
- Lawmakers and anti-abortion advocates who gathered Friday for the nation's largest annual anti-abortion rally say they are pivoting to a defensive strategy in Congress, with a focus on confirming conservative judges as legislation stalls.

House: Convenes at 2 p.m. to consider six bills under suspension of the rules, including measures related to foreign policy.

Senate: Convenes at 1 p.m. to resume consideration of the motion to proceed to a Middle East policy bill (S 1).

Committees hearings of interest today:

- There are no hearings or markups of interest today.

(Toplines from: January 22, 2019 – 5:02 a.m. By Erin Bacon, CQ)

Senate GOP Unveils Omnibus Bill to Fund Wall, Reopen Government

Jan. 21, 2019; Updated 11:35 p.m. By Jennifer Shutt, CQ

Senate Republicans released a \$354.5 billion fiscal 2019 spending package Monday night that includes \$5.7 billion for border wall construction as well as temporary relief for enrollees in the Deferred Action for Childhood Arrivals program and immigrants receiving Temporary Protected Status.

The 1,301-page draft bill, parts of which were outlined by President Donald Trump on Saturday, is expected to receive a vote in the Senate this week.

Democrats have already rejected the proposal, on grounds that the president should first sign stopgap funding to reopen the nine Cabinet departments that have been closed for the past month. They also oppose the three-year extensions of legal status for the roughly 1 million DACA and TPS recipients, which they argue ought to be permanent.

The measure also includes a three-year provision that would allow unaccompanied minors from Central American countries to apply for asylum, with the requirement that they apply while still in their home country. It would limit the number of minors who can apply for asylum to 50,000 annually. Of those applying, it would limit the number that can be approved each year to 15,000.

Additionally, asylum would have to be deemed "in the national interest," and anyone previously granted asylum whose status was eliminated before receiving a green card would be permanently banned from the country. The provisions were already drawing the ire of immigration advocates on Twitter late Monday.

"This bill would be one of the single-biggest dismantling of America's systems of humanitarian protections ever," wrote Aaron Reichlin-Melnick, a policy analyst at the American Immigration Council.

The lack of bipartisan support for the proposal virtually ensures that the partial government shutdown, which began on Dec. 22, will continue, as the 800,000 federal employees impacted by the funding lapse inch closer to missing yet another paycheck on Jan. 25. But the White House and GOP leaders are attempting to force a negotiation with Democrats, who have not yet offered their vision of what a border security package should look like.

"The President has proposed a serious compromise to end this shutdown," Senate Appropriations Chairman Richard C. Shelby, R-Ala., said in a statement announcing the package. "It would not only fund the government and secure the border, but also provide immigration reforms the Democrats have long supported."

The bill includes versions of the final seven fiscal 2019 spending bills as well as \$12.7 billion in disaster aid for victims of the 2018 hurricanes, wildfires and other calamities. That's slightly below what's in a \$14.2 billion House-passed package (HR 268).

The \$70.4 billion Homeland Security title of the Senate bill would provide around \$15 billion more than the version the Senate Appropriations Committee approved last year.

Of that increase, \$8.3 billion is for Federal Emergency Management Agency disaster relief accounts, which is in addition to the separate emergency spending title of the package.

But the remainder reflects Trump's requests for border security, including \$4.1 billion more than the initial Senate bill contained for fencing along the Rio Grande Valley. The measure also would provide substantial increases sought by Trump to house immigrant detainees — enough for 52,000 detention beds, a nearly 25 percent boost over the prior fiscal year — along with funding for some 2,750 Border Patrol and law enforcement officers and to help care for migrant children in custody.

Mexico City, Ports of Entry

Other than on disaster assistance and Homeland Security, the Senate package is similar in many respects to a six-bill, \$271 billion measure (HR 648) the House is slated to take up this week. The House will likely consider Homeland Security funding separately this week, according to aides.

The Senate GOP bill, however, contains some differences with the versions introduced late last week in the House — versions that Democrats said reflected bicameral compromises reached last year.

For example, the Senate package drops an amendment that would have stripped a prohibition on funding for the U.N. Population Fund. The amendment, from Sen. Jeanne Shaheen, D-N.H., was adopted in committee last year by a vote of 16-15. The amendment also would have repealed the so-called Mexico City rule, which denies funding to foreign nongovernmental organizations that provide, promote or facilitate abortions. The Trump administration reinstated the rule in 2017 and expanded its application to the entire global public health budget.

The House version would keep a version of the Shaheen language.

In the Financial Services spending bill, the Senate's price tag appears roughly \$400 million smaller, in part because it contains far less funding for improvements to ports of entry in California and Arizona than the version House Democrats introduced last week.

The House bill included \$275.9 million for the second and final phase of improvements to the Calexico West Land Port of Entry in California, about 30 miles west of the Arizona border. The Senate draft includes \$91 million to partially fund the second phase of the Calexico project. The House bill also includes \$248.3 million for improvements to the San Luis Land Port of Entry near San Luis, Ariz. The Senate bill contains no funding for that project.

The Senate draft also contains a number of policy extensions for programs with lapsed authorities. It would extend Violence Against Women Act programs through Sept. 30, for instance, while Temporary Assistance for Needy Families would be renewed through June 30, among other provisions.

First Try for Senate

The spending package will be the first appropriations measure brought to the Senate floor since the partial government shutdown began about a month ago.

The House has, so far, voted on seven different spending bills that would have reopened part or all of the nine Cabinet departments and various agencies shuttered because of the ongoing stalemate over border wall funding.

Senate Majority Leader Mitch McConnell, R-Ky., opted not to vote on any of those proposals — repeatedly saying he would only hold a floor vote on a spending package that could pass the House, the

Senate and receive Trump's signature. McConnell also said numerous times that a final spending deal would have to be worked out among Trump, Speaker Nancy Pelosi, D-Calif., and Senate Minority Leader Charles E. Schumer, D-N.Y.

But McConnell changed course late last week after concluding that Pelosi was unwilling to negotiate on Trump's top priority, the border wall, according to a source familiar with his thinking. He then worked with White House officials, including Vice President Mike Pence and senior adviser Jared Kushner, to hatch the revamped legislative strategy Trump outlined over the weekend.

"I commend the President for his leadership in proposing this bold solution to reopen the government, secure the border, and take bipartisan steps toward addressing current immigration issues," McConnell said in a statement on Saturday, shortly after Trump announced his proposal.

Republican Urges Trump to 'Jump Start' Infrastructure Push

Jan. 22, 2019 – 5:00 a.m. By Herb Jackson, CQ

Democrats in Congress say they want to do it. President Donald Trump says he wants it, too.

But if a major transportation bill is going to happen this year, the ranking Republican on the House committee that would write it says Trump needs to get his own party on board, and that starts with State of the Union speech.

The speech is scheduled for Jan. 29, but House Speaker Nancy Pelosi, D-Calif., has asked the president to delay it because of the partial government shutdown.

"If the president will make it a priority or mention it in his State of the Union, that's going to jump start it," said Rep. Sam Graves, R-Mo., the new ranking member on the Transportation and Infrastructure Committee. "He has to get behind it for this thing to become a reality."

Trump has talked about infrastructure since the 2016 campaign, and a year ago called on Congress in his first State of the Union speech "to produce a bill that generates at least \$1.5 trillion for new infrastructure investment that our country so desperately needs."

His administration followed up with a 2019 budget proposal that set aside \$200 million that was intended to leverage another \$1.3 trillion in investment from the private sector and state and local governments.

It also cut existing programs by 18 percent. An administration fact sheet said confusion about the "proper" role of the federal government produced an "unhealthy dynamic in which state and local governments delay projects in the hope of receiving federal funds."

Trump's plan to attract private and state investments was rejected by Republicans who controlled both chambers, and related spending bills — which still have not been finalized — largely ignored the proposed cuts.

Details Optional

Graves said Trump does not have to give details, but he should talk about the importance of passing a package this year.

“It’s obviously not going to be the biggest part of his speech, but if he goes through how important it is to him to see something done, it’s going to get people talking,” Graves told CQ.

He worries, he said, that the partial government shutdown will overshadow any policy in the speech, even if it goes on Tuesday as planned. But Jim Tymon, executive director of the American Association of State Highway and Transportation Officials, said a bipartisan construction program is a good way to put the current partisan acrimony in the rear view mirror.

“Given how the last month and a half have gone, it’s a great opportunity for Congress to come together and show there are issues they can agree on,” Tymon said.

Dave Bauer, CEO of the American Road & Transportation Builders Association, said that given how much Trump has spoken in the past about an infrastructure program, if he doesn’t mention it, it will be seen by some in Washington and beyond as a sign the issue has slipped off the agenda.

But he said the blame for inaction on the issue last year is not all Trump’s.

“Congress didn’t act,” he said. “Neither chamber produced an infrastructure package.”

After the November election, Trump indicated he was open to dealing with Democrats.

“The Democrats will come to us with a plan for infrastructure, a plan for health care, a plan for whatever they are looking at, and we’ll negotiate,” Trump said at the time.

Highway Trust Fund

A statement from Trump in the State of the Union could help Congress make tough decisions about how to shore up the Highway Trust Fund, which faces a growing shortfall between what is being spent and the revenue from the gas tax, last raised in 1993.

“It would be great to have him endorse a long-term funding solution for the Highway Trust Fund,” Tymon said. “It will give some of those conservative Republicans a little bit more leash to jump on the bandwagon.”

House Transportation and Infrastructure Chairman Peter A. DeFazio, D-Ore., agreed with Graves about the importance of Trump’s support, especially in the GOP-controlled Senate.

“Absent that, I think it will be very difficult to get the investment we need,” DeFazio told CQ. “I would hope the president would be more specific. Let’s say he goes up to \$2 trillion this year. How are we going to pay for it?”

Last year, DeFazio and then-Chairman Bill Shuster, R-Pa., said they hoped Trump would call for an increase in the federal gas tax. Shuster retired in January.

Sen. Thomas R. Carper, D-Del., the ranking member on the Senate Environment and Public Works Committee, said last March that Trump agreed in a closed-door meeting with lawmakers to support a gas tax increase.

But Senate Commerce, Science and Transportation Chairman Roger Wicker, R-Miss., told Politico in November he's waiting for an announcement and then, "I would listen to the president and consider his point of view."

The White House did not respond to a request for comment.

The U.S. Chamber of Commerce called earlier this month for raising the gas tax by 5 cents a gallon every year for five years, which chamber vice president Ed Mortimer said would raise \$394 billion over 10 years.

"From the chamber's perspective, we have to get out of just fixing current potholes and get to investing in a 21st Century infrastructure," Mortimer said.

He added that the chamber has reached out to White House officials about Trump making a commitment in the State of the Union.

"We believe there's an opportunity there to work on a solution that helps all of America," Mortimer said.

Republicans With Most Furloughed Workers Vote to Extend Shutdown

Jan. 22, 2019 By Shawn Zeller, CQ

When furloughed federal workers missed their first paychecks earlier this month, that's when the government shutdown started to hurt. And when the House voted Jan. 9 to reopen the government, eight Republicans broke with President Donald Trump and voted aye. But none of them, it turned out, were among members with the most federal workers in their districts.

Apart from North Carolina Republican Walter B. Jones, who represents 22,603, according to census figures, the other Republicans with many civil service constituents voted against reopening the government. (Jones missed the vote due to an illness.)

It's hard to know precisely, though, how much pressure has come to bear on the representatives with big civil service constituencies because some agencies — most notably the Defense Department — are funded. Several of the Republicans on the list represent large military facilities. Tom Cole's Oklahoma district, for instance, is home to Tinker Air Force Base, which has a big civilian workforce.

But others may be more affected. Mo Brooks represents a Huntsville, Ala., district that is home to NASA's Marshall Space Flight Center. Rob Bishop's northern Utah district has an IRS call center in Ogden. Greg Gianforte's at-large Montana district has Agriculture, Homeland Security and Interior department employees, while Andy Harris represents a Maryland district from which commuters can easily reach federal facilities in Baltimore and, with a longer trip, Washington.

Many Vietnam Veterans Still Fighting for Agent Orange Benefits

Jan. 22, 2019 By Lauren Clason, CQ

A bipartisan bill that would extend the presumption of Agent Orange exposure to certain Vietnam veterans is facing a swell of obstacles this year, including steeper costs than previously estimated and an unclear path forward in the Senate.

Lawmakers are starting over after the most recent push fell short in December, when the bill stalled in the Senate during the waning days of the 115th Congress. Some 26,000 surviving veterans who served in open waters could be eligible for benefits from the consequences of exposure to the chemical, according to estimates from the Congressional Budget Office, although it acknowledged “considerable uncertainty” in its figures.

The herbicide known as Agent Orange — which was used to destroy ground cover during the Vietnam War — is believed to cause a multitude of afflictions, including a number of different cancers, Parkinson’s disease and heart disease. And as ailing and aging Vietnam vets continue to die, advocacy groups are pressuring Congress and the Department of Veterans Affairs to grant them some relief.

Veterans say their service and sacrifice should earn them the benefit of the doubt when it comes to illness linked to Agent Orange, since it’s impossible to gather more scientific evidence from a war that ended more than 40 years ago.

Advocates have fought for years to overturn the 2002 decision from the VA that restricted presumption of Agent Orange exposure only to those who served on land or in inland rivers, dubbed “brown water” channels, during the Vietnam War. That decision, they say, was done administratively and without scientific evidence that offshore veterans escaped exposure.

But the VA maintains it cannot verify that the 190,000 so-called “blue water” veterans — those who served offshore — were exposed, in spite of a slew of personal stories detailing direct contact with the chemical. Advocacy groups also claim that Navy ships distilled tainted water for drinking and bathing, although the VA says the ships’ distance from the shore diluted the toxin to harmless levels.

Two GOP senators — Mike Lee of Utah and Michael B. Enzi of Wyoming — effectively torpedoed the bill in December by blocking it from a fast-track vote. The two lawmakers have the backing of the VA, which shares their objections over the uncertainty in costs and how to offset them, as well as questions behind determining whether open-water veterans were indeed exposed.

While the measure is championed by Senate Veterans’ Affairs Chairman Johnny Isakson, a Georgia Republican, the looming government shutdown and debate on a bill to overhaul the criminal justice system left no time last year to bring the measure to the floor under regular procedure.

With the start of the 116th Congress, time is back on Isakson’s side, even as it’s running out — or already gone — for some Vietnam vets.

The momentum behind the bill is higher than ever, and veterans’ advocates are also hoping that two pending court battles could overrule the Senate stalemate if the bill stalls again.

The bill, which cleared the House on a vote of 382-0 last June, would easily garner enough votes to pass, but it's up to Senate Majority Leader Mitch McConnell to place it on the calendar. A spokesman for the Kentucky Republican did not say whether he would bring the bill up for debate, and some proponents believe he is unlikely to do so unless pressured.

The pressure could intensify when veterans service organizations visit Congress for joint meetings in late February.

"I think the VSOs are going to turn the heat up and get that done — because we were this close," says Tennessee Republican Phil Roe, who chaired the House Veterans' Affairs Committee last year and serves as ranking member this year.

Ongoing Battle

Another past committee chairman, former Democratic Rep. Bob Filner of California, first introduced a blue water bill in 2008 after a federal appeals court upheld the VA's narrow interpretation of the Agent Orange Act of 1991. That decision allowed the agency to exclude offshore veterans from presumptive benefits.

But the bill and its successors languished until Roe led the push in passing it out of the House for the first time last summer.

"The reason it was a big issue this last year was because of Chairman Roe," Shane Liermann, assistant national legislative director for Disabled American Veterans, tells CQ. "He made it an explicit issue of the committee last year."

The committee's top Democrat, Tim Walz of Minnesota, was also a propelling force, Liermann says. With Walz newly installed as the governor of Minnesota, California Democrat Mark Takano is taking up the mantle as committee chairman.

The VA is also still facing an ongoing battle in the courts. The Supreme Court could take up a case known as *Gray v. Wilkie*, which questions the department's authority to promulgate the 2002 decision by updating its official manual instead of a regular rulemaking procedure that allows public comment.

The U.S. Court of Appeals for the Federal Circuit in Washington is also considering another case, *Procopio v. Wilkie*, from a blue water veteran challenging the department's denial of his benefits. The court heard oral arguments on the matter in December, and Liermann thinks the case could succeed.

"Since it's been accepted before by a court system, I really think it could be accepted again," he says.

Advocates could use a hand from the courts, considering that the blue water bill could be expensive. Uncertainty over how many new veterans would qualify for benefits prompted the CBO to revise its initial \$1.2 billion estimate of the blue water bill last year, to \$2.5 billion over 10 years.

And the VA estimates are even higher — more than double the CBO's estimate at \$6.7 billion, in part because the department believes it would have to actively search for and reimburse claims that were previously denied. The bill's proponents, however, say the legislation would place the onus on veterans to refile past claims and the CBO score is skewed.

The costs would be partially offset by increasing fees on home loans for some veterans, including imposing fees on some disabled veterans who are currently exempt. The VA also opposes this provision, saying disabled vets would be “negatively and disproportionately” impacted by the change.

Regardless, Roe says the extra costs can be offset by extending the fee hikes in the current legislation, citing the fact that because the bill would only apply to Vietnam vets — who he says are dying at a rate of 523 per day — the money is a one-time lift.

“This bill will be fully paid for,” he said at a December news conference. “Some of it comes outside the 10-year budget window, but the veterans don’t live outside the 10-year budget window and so that’s not the issue.”

But opposition from VA Secretary Robert Wilkie carries weight, and advocates’ efforts to recruit President Donald Trump to the cause have so far proved fruitless. A collection of veterans’ groups hand-delivered to the White House a letter pleading for Trump’s support in December, but did not earn his endorsement. While passage in the House again looks likely, the forecast in the Senate is still foggy.

“The key there will be presidential leadership,” Takano says, adding that Trump “failed” to lead his party in the Senate by not recruiting Lee and Enzi’s support.

“Those same senators voted for a \$1.5 trillion tax cut,” Takano says, suggesting that in comparison, \$2.5 billion over a decade for veterans’ benefits seems modest. “They’re standing by the president on a \$5 billion wall.”

But Lee and Enzi pushed back, saying their concerns extend beyond the costs, citing a lack of scientific evidence and the VA’s struggles with its existing workload.

“All Senator Lee is asking is for the federal government to follow the science and administer the existing benefit program according to current law,” spokesman Conn Carroll says.

“As chairman of the Senate Budget Committee tasked with oversight and enforcing rules on government spending, Senator Enzi has to be concerned that the bill would cost far more than originally estimated,” spokesman Coy Knobel says. “But more than that, he is concerned that this bill as it stands would harm the VA itself and thus all the veterans it is tasked with serving.”

Another Debate on the Horizon

The blue water dispute teed up another potential showdown over a separate proposal that surfaced during Senate negotiations. A measure from Louisiana Republican Sen. Bill Cassidy would strengthen scientific requirements for adding new conditions to the VA’s list of diseases presumed to be caused by exposure to toxins.

The proposal, which has not been formally introduced, would not affect the veterans who would be covered under the blue water bill. Cassidy says the proposal was originally planned as an amendment to the bill to try and squeeze the legislation through last session.

But veterans groups panned the preliminary language. While some are on board for negotiations, others are staunchly opposed to the VA narrowing any benefits at all.

It's still unclear how the blue water bill will move in the Senate, and it's possible it could still incorporate Cassidy's proposal. Cassidy says he wouldn't object if the measure is rolled into another bill.

"That needs to come to the floor. That, on its own, is meritorious," Isakson says of Cassidy's proposal, adding, "If we did them together, that would be fine too."

If Cassidy and Isakson do introduce the measure, they have Roe's support.

"He wants what I want, which is real science," Roe says of Cassidy, adding that data that could be gleaned from the VA's \$16 billion electronic health records overhaul could resolve future questions about causal links between diseases and toxin exposure.

But the gavel now belongs to Takano, and he expressed little interest in considering such legislation. "I'm just not in the mood to take on any more of these nickel-and-diming, cost-pinching sentiments from the Senate," he says. "I don't really have a lot of patience for that."

Veterans affairs issues enjoy much more bipartisanship than nearly anything else in Trump's polarized Washington, so striking a deal isn't out of the question. For example, a new law (PL 115-182) that streamlined and expanded the department's community care programs passed the House and Senate by overwhelming margins last year.

Roe also notes that veterans service organizations initially opposed the loan fee hike to fund the blue water bill, but eventually came on board.

"I told Bill [Cassidy], we'll all sit around the table," he says. "You, me, the VSOs, whatever, hear everybody out, hear everybody's concerns that are legit and then we'll find a sweet spot."

(Daily news clips provided by, CQ Roll Call, www.cq.com)