

Memorandum

TO: Miami-Dade County

FROM: Greenberg Traurig

DATE: March 31, 2018

RE: March Monthly Report

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

Budget & Appropriations

Lawmakers on March 21 released a \$1.3 trillion omnibus spending bill for fiscal 2018, which began in October 2017, after months of continuing resolutions. This came after enactment in February of a two-year deal to raise discretionary spending caps. The 2,232-page measure covers the rest of the 2018 fiscal year, which runs through Sept. 30. Congress is up against a deadline on Friday at midnight to pass a version of the bill, or a short-term funding patch, to avoid a partial government shutdown for a third time in three months. Congressional leaders struck a two-year budget deal last month that provided a framework for the omnibus. That broader agreement rolled back spending caps and paved the way for about \$300 billion in added spending over fiscal years 2018 and 2019. GT provided the County with an in-depth analysis of the FY18 Omnibus spending bill. GT has kept Miami-Dade County up-to-date on the FY 2018 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.

NACo Legislative Conference

The 2018 NACo Legislative Conference brought together more than 1,500 elected and appointed county officials to focus on federal policy issues that impact counties and our residents. Attendees interacted with federal officials and came together on Capitol Hill, delivering the message that federal policies matter to counties. GT attended the multi-day conference on behalf of the County and worked extensively on Commissioner Heyman's firefighter equipment proposal.

Opioids

The House Energy and Commerce Health Subcommittee resumed consideration of 25 bills in the final day of a two-day hearing on public health and prevention efforts in combating the opioid crisis. As lawmakers debate health care policy fixes to address opioid abuse, there is a parallel push for Congress to change sentencing laws to reflect the increased threat of fentanyl. A group of

House and Senate Republicans said Thursday they want to increase the penalties for drug dealers who traffic in fentanyl. In a draft bill being introduced, they proposed a minimum sentence of 5 years for just 2 grams of the substance, a small amount that can be deadly. Their proposal would impose longer sentences for larger quantities and would account for the fact that different kinds of fentanyl can be more potent.

While the Trump administration has recently advocated for the death penalty as a deterrent to drug traffickers, the bill does not address that. Instead, Cotton said that he and other lawmakers would explore subsequent legislation to make it easier for prosecutors to treat drug trafficking like felony murder cases that can be subject to the death penalty.

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. Our team has also been sending a weekly "Opioid Update" to County officials keeping them up to date on the latest actions taken by Washington on the opioid crisis.

Aviation

Members of Congress attached to the fiscal 2018 omnibus a short-term extension of the Federal Aviation Administration, setting up talks for a full reauthorization measure this spring and summer. The FAA title in the omnibus would extend authority for the agency through September. Current authority (PL 115-63) expires on March 31. The aviation portion of the bill is a near-clean extension with two minor changes to current policy. The spending bill would also provide an extra \$1 billion for grants to airports to build and repair runways and other infrastructure. The bill would resolve a technical issue in a provision of the 2016 extension (PL 114-190) to speed the hiring of former military air traffic controllers by the FAA's Air Traffic Organization. It would also give the FAA more flexibility to hire local controllers.

Farm Bill

As the chairman of the House Agriculture Committee plans a markup of his proposed farm bill next month, Democrats say proposed changes in the Republican-only measure would reduce the number of food stamp recipients and cut billions of dollars from the program. Without Democratic support, however, the proposed House bill, particularly the changes to SNAP, is unlikely to be taken up in the Senate. The proposed farm bill also would end the ability of states to use payments an applicant receives from the Low Income Heating Energy Assistance Program to calculate a standard utility allowance or deduction that is used in determining the amount of monthly food benefits a person receives. The legislation would instead require applicants to produce actual bills in order to claim the utility deduction.

Omnibus

The \$1.3 trillion spending bill Congressional leaders released would pump hundreds of millions of dollars in added funding to federal programs that state and local governments commonly turn to for grants and other support.

The 2,232-page measure covers the rest of the 2018 fiscal year, which runs through Sept. 30. Congress is up against a deadline to pass a version of the bill, or a short-term funding patch, to avoid a partial government shutdown for a third time in three months.

Congressional leaders struck a two-year budget deal last month that provided a framework for the omnibus. That broader agreement rolled back spending caps and paved the way for about \$300 billion in added spending over fiscal years 2018 and 2019.

HIGHLIGHTS OF THE FY18 OMNIBUS

Agriculture:

- The discretionary funding level for USDA and FDA programs would be \$23.3 billion, an increase of more than \$2 billion from the fiscal 2017 enacted level. Agriculture Department programs ranging from rural broadband to competitive research grants would receive more money in the omnibus.
 - Broadband Loan/Grant Program:
 - \$600 million under the U.S. Department of Agriculture's Rural Utilities Service for a new broadband loan and grant pilot program.

Commerce-Justice-Science:

- The \$59.6 billion in discretionary funding for these agencies and programs would be a \$3 billion increase over the enacted level for fiscal 2017. That includes increases of \$263 million for the FBI, \$102 million for U.S. attorney offices and \$124 million for the Drug Enforcement Administration. House Republicans said an increase of \$65 million for the Justice Department's Executive Office for Immigration Review would go for 100 new immigration judges and staff to review cases more quickly and reduce a backlog of pending cases.
 - COPS Program:
 - Funding for the Justice Department's Community Oriented Policing Services, or **COPS**, programs would be raised to **\$275 million**, up about \$54 million from 2017.
 - The Comprehensive Addiction and Recovery Act (CARA) Grant Program:

- The bill contains **\$330 million to fund the Comprehensive Addiction and Recovery Act of 2016 (CARA)** grant program, a \$227 million increase over FY2017.
- Census Bureau
 - A \$1.9 billion increase, or nearly 21 percent, would flow to the Commerce Department, with \$1.3 billion of the added funds set aside for the Census Bureau to help prepare for the 2020 count. The bureau has been targeted for cuts in previous years, but the need for funding ramps up toward the end of each decade as preparations accelerate. The Commerce Department has called the funding its “highest priority in 2019.”
 - The total Census Bureau funding level would be \$2.8 billion.
- Violence Against Women Prevention and Prosecution programs:
 - **\$492 million for Violence against Women Prevention and Prosecution programs**, which is \$10.5 million more than the FY 2017 level.
- Byrne-JAG:
 - Aid to states and localities under the **Byrne-JAG program would rise slightly to \$339.6 million** from \$334.6 million last year.
- The Comprehensive Opioid Abuse Program:
 - The “**comprehensive opioid abuse program**” would increase to **\$145 million from \$13 million**, and there is a new Opioid-Affected Youth Initiative, funded at \$8 million.
- The Comprehensive School Safety Initiative:
 - The Comprehensive School Safety Initiative will get \$75 million this year, up from \$50 million last year.

Defense:

- The omnibus would give the Pentagon one of its biggest budgets since World War II. It would provide a grand total of nearly \$660 billion in discretionary funds, which is about \$61 billion more than enacted in fiscal 2017.

Energy-Water:

- Research funding within the Department of Energy largely escaped the steep cuts that the Trump administration had proposed. The \$43.2 billion Energy-Water section would provide \$5.4 billion above the fiscal 2017 enacted level. In total, DOE would receive \$34.5 billion, an increase of \$3.8 billion over fiscal 2017 levels.
- The Army Corps of Engineers:

- **The Army Corps of Engineers is slated to receive a nearly \$800 million boost** to its budget, bringing it to \$6.83 billion under the appropriations measure. Most of the agency's budget lines would see increases, including an additional \$200 million for its all-important construction account, and nearly \$500 million more for operation and maintenance of its aging portfolio of locks, dams, levees and ports.
- The National Flood Insurance Program
 - The National Flood Insurance Program **would be extended to July 31.**
 - In February, the NFIP was extended to March 23 as part of a continuing resolution to fund the federal government.

Financial Services:

- The Financial Services title would give the IRS more money to deal with the tax overhaul enacted last year. It would fund the IRS at \$11.4 billion, a 2 percent boost over fiscal 2017, and the Election Assistance Commission at \$380 million for state grants “to improve election equipment and combat outside interference in U.S. elections.”

Homeland Security:

- The package includes nearly \$1.6 billion for border security but falls short of what Trump requested to further implement his immigration enforcement agenda.
 - Border security:
 - The bill would provide nearly \$1.6 billion for border security, but not for an increase in detention beds or federal deportation agents, a key priority for Democrats in the talks. The deal includes \$641 million for new fencing, including levees, but does not allocate money for a concrete wall. It also includes nearly \$1.3 billion for other border security technologies.

Interior-Environment:

- Lawmakers rejected the White House’s call to cut the EPA budget by a third in fiscal 2018, and instead would continue funding at the same level as last year. The EPA would be allocated \$8.1 billion in the portion that also provides funding for the Interior Department, U.S. Forest Service, Indian Health Service and other agencies.
 - EPA Grant Programs:
 - The Clean Water and Drinking Water State Revolving Funds are slated to get an additional \$300 million each, for a total of \$2.9 billion in

funding, and \$50 million is tagged for new programs created in 2017's major water resources bill that focus on basic infrastructure for small and disadvantaged communities and reducing lead in school drinking water systems.

- The WIFIA loan program would also see its budget boosted to \$63 million, and the Superfund program would get a \$66 million bump, bringing its budget to \$1.15 billion.
- The bill would more than triple money set aside for chemical evaluations under the revised Toxic Substances Control Act, to \$10 million.

Labor-HHS-Education:

- The largest non-defense title of the omnibus spending bill would provide \$88.1 billion for the Health and Human Services Department, \$70.9 billion for the Education Department and \$12.2 billion for the Labor Department.
 - Opioid Abuse Treatment and Reduction :
 - **\$1 billion in new funding for grants to States** and Indian tribes to address the opioid epidemic.
 - **\$476 million (+\$350 million) at the Centers for Disease Control and Prevention to support increased opioid overdose surveillance** and prevention activities at the national, state, and local level.
 - At least **\$500 million in research on opioid addiction** supported by the National Institutes of Health.
 - **\$130 million for the Rural Communities Opioid Response program**, aimed to reach hard-hit rural America and target the unique issues associated with substance use disorder in rural areas..
 - Substance Abuse and Mental Health Administration (SAMHSA) – The bill funds SAMHSA at:
 - \$5 billion – \$1.3 billion above the fiscal year 2017 enacted. The legislation maintains a prohibition on federal funds for the purchase of syringes or sterile needles, but allows communities with rapid increases in cases of HIV and Hepatitis to access federal funds for other activities, including substance-use counseling and treatment referrals.
 - SAMHSA funding includes:
 - **\$1.9 billion for the Substance Abuse Block Grant** – the same as last year.
 - \$89 million for Criminal Justice activities – an increase of \$11 million above last year – including \$70 million specifically for drug courts.
 - The bill includes more than **\$1.7 billion to address opioid and heroin abuse**, which is an increase of \$1.5 billion above last year. This amount includes \$500 million for the state opioid response grants

authorized in the 21st Century Cures Act, along with funding for programs authorized in the Comprehensive Addiction and Recovery Act.

- The Child Care Development Block Grant:
 - **The Child Care Development Block Grant** would increase from \$2.9 billion in 2017 to **\$5.2 billion in 2018**.
 - **\$250 million for Preschool Development Grants**, which is the same as the 2017 enacted level.
- National Institute of Health:
 - NIH will receive just over \$37 billion in fiscal year 2018, a \$3 billion — or 8.8 percent — increase from the previous year.
- The Center for Disease Control:
 - The Centers for Disease Control and Prevention would get \$8.3 billion compared to its \$7.3 billion appropriation for 2017.
- Technical Education State Grants:
 - Grants to help states improve their career and technical education programs will see a \$75 million increase.
 - That brings the total funding for career and technical education state grants to \$1.2 billion.
- Charter School Funding:
 - Federal funding for charter schools gets a \$58 million boost in the fiscal 2018 spending plan rolled out by congressional leaders tonight, bringing the total funding to \$400 million.
 - The grants could be used by states and charter school management organizations to launch, replicate and expand high-quality charter schools. A summary released by the Senate Appropriations Committee outlining education funding notes that \$7.5 million of the increase would be dedicated to expanding charter schools in rural areas.
- Title X family planning grant program:
 - Title X family planning grant program would get \$286 million, the same amount as last year.
- Head Start:
 - The spending bill includes **\$610 million in new funding for Head Start**.
- Low-Income Home Energy Assistance Program (LIHEAP):
 - **The bill includes a \$250 million increase for LIHEAP**, which would be the largest increase since FY2009. **Total proposed funding for the program is \$3.64B**

Transportation-HUD:

- Appropriators' \$70.3 billion proposal for the Transportation-HUD portion was well above the figures that committees in each chamber approved last year. The increase was due to the bipartisan budget agreement that Congress reached last month, which called for an extra \$10 billion per year for infrastructure. The 2018 appropriation would be up from \$57.6 billion enacted in fiscal 2017.
 - Community Development Block Grants:
 - Spending on the Community Development Block Grant program, a key source of flexible federal funding for many local governments, would **rise to \$3.3 billion**, from its 2017 funding level of \$3 billion.
 - TIGER Grants:
 - The new spending bill would also **allot \$1.5 billion for Transportation Investment Generating Economic Recovery, or TIGER grants**, tripling the fiscal 2017 level of \$500 million.
 - HOME Investment Partnerships:
 - A Department of Housing and Urban Development grant initiative known as HOME Investment Partnerships, which aids state and local affordable housing efforts, would see **funding increase to \$1.362 billion** under the spending package, from \$950 million in 2017.
 - Capital Investment Grants:
 - The legislation also **includes about \$2.6 billion for Capital Investment Grants**, which help pay for transit projects. This is higher than the \$2.4 billion for the grants in fiscal 2017. Capital Investment Grants include the "New Starts" program, which has funneled money to projects like Los Angeles' Westside Purple Line subway extension and the TEX rail commuter rail project in the Fort Worth, Texas area. \$1.5 billion for New Starts, \$716 million for Core Capacity, and \$400 million for Small Starts.
 - Amtrak Funding:
 - The bill would **give Amtrak \$1.9 billion**, including \$1.3 billion for its national network and \$650 million for the Northeast Corridor. The bill contains \$250 million for the State of Good Repair program. In addition, \$250 million would go to grants for implementing positive train control.
 - Highway Funding:
 - The legislation would **deliver \$45 billion for highways** and add on \$2.5 billion in discretionary funding.

- FAA Reauthorization:
 - The legislation **extends the FAA through the end of September**, setting up negotiations for a long-term fix later this year.
 - The aviation portion of the bill is a near-clean extension with two minor changes to current policy.
 - The spending bill would also provide an extra \$1 billion for grants to airports to build and repair runways and other infrastructure.
 - The bill would resolve a technical issue in a provision of the 2016 extension (PL 114-190) to speed the hiring of former military air traffic controllers by the FAA's Air Traffic Organization. It would also give the FAA more flexibility to hire local controllers.
- Choice Neighborhoods Initiative:
 - The bill provides **\$150 million for the Choice Neighborhoods Initiative**, which is designed to comprehensively revitalize high-poverty public and assisted housing communities, which is \$13 million (9.1 percent) more than FY 2017.
- Homeless and Supportive Housing Programs:
 - McKinney-Vento **Homeless Assistance Grants are proposed to be funded at \$2.51 billion**, a \$130 million (5.5 percent) increase over FY 2017 funding. This amount includes a \$2.11 billion set-aside for the continuum of care and rural housing stability assistance programs, and \$270 million for Emergency Solutions Grants.

Other Notable Highlights:

- Payments in Lieu of Taxes would be fully funded at \$530 million, according to an Appropriations Committee summary. "PILT" payments go to places with tax-exempt tracts of federal land.
- The bill would boost funding for grants from the Community Development Financial Institutions Fund, (CDFI) after the White House and House Republicans had earlier proposed slashing funding.
 - The omnibus would **direct \$250 million to the CDFI fund in fiscal 2018**, up from \$248 million. President Donald Trump's budget had proposed eliminating the fund entirely, while House Republicans passed an appropriations bill last year that would have cut its spending to \$190 million.

- The fund promotes investment in economically disadvantaged communities. Maintaining appropriations for the grants has been a priority of small banks and credit unions.

What Was Left Out:

- DREAMers: GOP leaders demanded that any deportation relief for young undocumented immigrants, known as DREAMers, is kept out of the spending bill.
- Obamacare stabilization: A bipartisan group of lawmakers fought for money for programs like cost-sharing subsidies and reinsurance to help avoid huge insurance premium hikes this fall.
- Internet sales tax: Rep. Kristi Noem (R -S.D.) pushed for states to collect sales tax from a national sales tax on online retailers, though it has run into fierce conservative opposition. Rep. Patrick McHenry (R-N.C.), the House's chief deputy whip, signaled earlier this week that Noem's measure won't be included in the omnibus and hasn't had enough vetting.
- Medicare Part D coverage gap: Drug makers pushed Congress to lower their share of a drug's costs in the coverage gap phase of Part D to 60 percent.

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 every 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,

Katie

Today at a Glance: March 21, 2018

Top Stories for the Day

- Still waiting on the omnibus reveal...
- Both chambers are forging ahead with floor action despite the weather, but committee cancellations are piling up.
- A DACA fix is unlikely to be included in the omnibus spending bill.
- HUD Secretary Ben Carson testified yesterday on his agency's FY19 Budget Request.

House: Convenes at 11 a.m. and will vote on four bills under suspension of the rules that were postponed from earlier in the week. The House will also take up financial services measure (HR 4061) and a bill to authorize the use of certain experimental drugs for eligible patients (HR 5247), which fell short of passage under suspension of the rules last week.

Senate: Convenes at 11 a.m. to consider a bill regarding online sex trafficking (HR 1856), with votes on two amendments from Ron Wyden, D-Ore., expected this afternoon. A vote on final passage is also possible.

Committee hearings of interest today (subject to cancellation due to snow):

- Health Subcommittee of House Energy and Commerce Committee hearing on "Combating the Opioid Crisis: Prevention and Public Health Solutions," Wednesday, 9am.
- House Ways and Means Committee hearing on "U.S. Trade Policy Agenda." Wednesday, 10am.
- Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee of House Appropriations Committee hearing on "FY2019 - Department of Agriculture." Wednesday, 1:30pm.

Omnibus Breakthrough Elusive as Congress Lurches Toward Weekend

House and Senate leaders missed their self-imposed Tuesday night deadline to release the text of an omnibus spending bill, as negotiations continued late into the night with no signs of an imminent breakthrough.

Republican and Democratic aides said negotiators were still working toward an agreement on the fiscal 2018 legislation, but a GOP aide said any potential deal would not come until Wednesday morning at the earliest. Roughly a dozen issues were still unresolved as of late Tuesday, according to sources with knowledge of the discussions.

House GOP leaders wanted to file the measure on Tuesday to give members a day to read it before voting Thursday. That plan appears to be all but shot at this point, though House Republicans could always waive their own rules to bring up the bill quickly in a pinch.

Congressional leaders throughout Tuesday had said they were on track to file the omnibus before midnight, setting up a House vote by Thursday. "We anticipate the House filing later today, which will give the Senate plenty of time to take a look at it," Senate Majority Leader Mitch McConnell, R-Ky., told reporters Tuesday afternoon.

Uncertainty began to creep back in shortly, however. Rep. Mike Simpson, R-Idaho, a senior House appropriator, said Tuesday afternoon that he doubted the spending package would be posted Tuesday night. Still, later on Tuesday House Majority Whip Steve Scalise, R-La., said he expected the package would be filed in the House "by midnight tonight." It was not.

The slipping timeline increases the likelihood that another short-term continuing resolution will be needed to keep the lights on at government agencies after the current stopgap law (PL 115-123) expires at midnight Friday.

On Tuesday the House adopted a rule (H Res 787) for floor debate on unrelated legislation (HR 4566, HR 5247) that would provide "same-day" authority through Friday, giving GOP leaders wiggle room to take up a short-term CR quickly if necessary.

'Close to Signing Off'

Senate Minority Leader Charles E. Schumer, D-N.Y., met Tuesday with his House counterpart, Nancy Pelosi, D-Calif., to discuss the omnibus. Schumer later told reporters that he expects Congress will approve the measure by the end of the week.

"A few sticking points remain, but we are very close to signing off on legislation that both houses will be able to take up and pass by the end of the week," Schumer said. "I believe in the end, it will be a fair compromise that will be very helpful to the long-neglected middle class."

He would not go into details. "We are at the end of negotiations. I don't want to jeopardize anything," Schumer said.

House Appropriations Chairman Rodney Frelinghuysen, R-N.J., said several issues were still being worked out, but that at this point he does not expect the need for another continuing resolution — which would be the sixth of the fiscal year that began Oct. 1 — to buy a little extra time. "I should hope not. We're going full-bore ahead," he said, adding that committee staff "were working all night."

Senate Majority Whip John Cornyn, R-Texas, said the Senate's omnibus debate could push into the weekend, which could cause a brief lapse in funding. "It just means we are going to be here into the weekend perhaps. But there may have to be some measures taken to keep the lights on. But we'll get it done," he said.

Cornyn said lawmakers could advance a sixth CR to extend government funding into the weekend, but any senator could object and force at least a brief shutdown. Cornyn said he hasn't spoken with Sen. Rand Paul, R-Ky., about allowing a CR to advance quickly. Paul refused to allow a quick Senate vote on the current CR and caused an hourslong shutdown in February.

McConnell declined to address the possibility of a weekend session or a short-term stopgap. "What my focus is on is finishing this omnibus appropriations, which will fund the government through Sept. 30. And we are going to do it this week," he said. "As long as that takes, that's the time we'll put in to get there."

Unresolved Issues

Conservative House GOP lawmakers have already expressed concern about the package's cost, after a bipartisan deal reached last month to bust through budget caps first set in 2011 (PL 112-25) for the current fiscal year by \$143 billion, or 13 percent. Conservatives are more comfortable with the defense portion of the agreement, which allows for an \$80 billion, or a nearly 15 percent hike, than they are with the nondefense piece boosting spending by \$63 billion, or 12 percent.

Taken together, all of the new spending is making conservatives dig in even harder seeking policy wins if they have already lost the funding fight. At a minimum, they want to see the extra money at least devoted to projects they support, such as Trump's proposed U.S.-Mexico border wall, which Rep. Tom Cole, R-Okla., called "the single biggest holdup" in the talks.

House Freedom Caucus Chairman Mark Meadows, R-N.C., said he expects his 30-plus member group to vote against the omnibus, which gives Democrats leverage to extract concessions in order to get a 216-vote majority for floor passage.

Democrats, meanwhile, are playing hardball on the biggest White House priorities, including the border wall and more money for Immigration and Customs Enforcement agents and detention beds for undocumented immigrants.

"The most issues focus on border security issues," White House legislative affairs director Marc Short told reporters on Capitol Hill. "There's a lot of other elements of Homeland Security appropriations . . . where we have the sticking spots."

Pelosi has privately offered the GOP a way to speed up consideration of the package, according to a Democratic aide: combine 11 of the 12 spending bills into one package, and leave the Homeland Security measure in a CR to buy more time for negotiations. But Republicans have balked at that arrangement.

Republican Study Committee Chairman Mark Walker, R-N.C., said Tuesday that negotiations were trending "more toward the conservative line" on policy language. And Rep. Andy Biggs, R-Ariz., said infrastructure spending also continues to be a point of contention.

Rep. Jim Jordan, R-Ohio, said he has heard that negotiators are discussing a compromise that would allow funding for the Gateway Program in exchange for money for a border wall. The Gateway Program is a \$30 billion series of rail and transit projects under development to improve commuter services between New York City and Newark, N.J. The House-passed fiscal 2018 spending bill (HR 3354) would devote up to \$900 million in federal funds to the program.

"I think that's partly being discussed in the context of Gateway," Jordan said about efforts to resolve the question over border wall funding.

Frelinghuysen, a Gateway supporter, would not comment on its status. He deferred to Schumer and New Jersey Democratic Sens. Cory Booker and Robert Menendez. "It's in their court. If they want it, they've got to fight for it," Frelinghuysen said.

Schumer later told reporters Gateway is "probably one of the most needed public works projects. . . . I hope Congress rises to the occasion."

How Congress Is Weathering the Storm

The freezing rain, sleet and snow may have schools and some workplaces closed, but lawmakers are braving the storm today. The Senate is scheduled to kick off floor action at 11 a.m., with votes expected around 3 p.m. on amendments and passage of a bill (HR 1865) to crack down on online sex trafficking. Votes are still expected in the House as well, although the snowstorm could result in a pro forma session.

Committee schedules are mixed. There are more than a few cancellations and postponements, including House Administration's hearing with House Sergeant-at-Arms Paul D. Irving, which has been moved to April 12. The House Transportation and Infrastructure Committee and the Science, Space, and Technology Committee have also postponed today's meetings.

Texas Republican Pete Sessions said House Rules will meet regardless of the weather, comparing the panel to the U.S. Postal Service and its unofficial motto: "Neither snow nor rain

nor heat nor gloom of night stays these couriers from the swift completion of their appointed rounds."

Spending Bill Unlikely to Include DACA Fix

A short-term patch that would extend a program protecting about 690,000 "Dreamers" from deportation is unlikely to be included in the upcoming fiscal 2018 spending bill.

Conversations continue between Congress and the White House on the Deferred Action for Childhood Arrivals program, with some aides insisting a last-minute deal is a possibility. President Donald Trump wants to end the Obama administration program, but federal judges have blocked him and Dreamers brought to the United States illegally as children are in limbo.

Optimism is low that Democrats, Republicans and the Trump administration will come to agreement on any DACA provisions before current government funding (PL 115-123) expires after midnight Friday. Other appropriations issues related to the Homeland Security Department, including the amount allocated for more detention beds, are also unresolved.

The administration offered several proposals to Democrats over the weekend that included a short-term extension of DACA coupled with border wall funding, according to Marc Short, White House director of legislative affairs.

"What's surprising is, it seems the Democrat members are unaware their leadership has rejected those offers," he told reporters on Tuesday.

When asked whether wall funding would be necessary, Short said "absolutely."

"The president has been clear about that from the start and I think we'll get funding for that," he said.

A Democratic aide confirmed that the administration proposed \$25 billion in funding for the border wall along with a two-and-a-half year extension of the DACA program for current enrollees.

Senate Democrats met Tuesday with Homeland Security Secretary Kirstjen Nielsen, and several said it was unlikely a DACA patch will be included in the omnibus.

"It will be hard to get to a consensus, bipartisan place on a DACA-for-wall agreement in the omnibus," Sen. Chris Coons, D-Del., said.

Coons said he pressed Nielsen on what areas the administration is willing to negotiate.

"The secretary did identify [the] top three priorities for legal changes around enforcement, but did not say 'and if we got a bill including those the administration would accept it,' " he said.

Others expressed similar skepticism that current negotiations will result in a breakthrough.

"They had their chance," said Sen. Angus King of Maine, an independent who caucuses with Democrats. "It's going to be very difficult. I think they had a moment and the administration wanted to overreach and they lost what they could have had."

Three proposals that would provide a path to citizenship for Dreamers in exchange for border wall funding fell short in the Senate last month. The spending bill is expected to be released soon, but a large number of lingering policy issues remain. Many of the "sticking spots" deal with border security, Short said.

Also unresolved is the funding level for detention beds for undocumented immigrants held by Immigration and Customs Enforcement while awaiting immigration proceedings. Congress provided funding for 39,324 detention beds as part of the fiscal 2017 omnibus (PL 115-31).

"If there are no longer any beds, then you are required to do catch-and-release and assume that they'll show up at some future court date. We think that that is a security risk and the Democrat position is they don't want to fund anymore beds because they support that policy," Short said.

The term "catch-and-release" refers to the practice of temporarily detaining an undocumented border crosser before releasing him in the U.S. to appear before an immigration judge.

"By not allowing the funding of beds, it's in essence just endorsing the policy of [an] unfiltered flood of illegal immigration across the border. So that's one that's hard for us to comprehend," Short said.

Carson Defends HUD Cuts, Says Dining Table Was 'Dangerous'

Housing and Urban Development Secretary Ben Carson told lawmakers Tuesday that a proposed 14 percent slashing of his budget and the elimination of three core programs represented the "tough budgetary choices" needed to address the government's mounting debt.

Carson also defended the department's much-criticized handling of the purchase of a \$31,000 dinette set, saying he was aware an old "dangerous" dining room table would be replaced and that he canceled the order once he learned of the high price.

The administration is proposing a reduction in HUD's budget from fiscal 2017's enacted (PL 115-31) level of \$48 billion to \$41.2 billion in fiscal 2019. Fiscal 2017 is the last full year Congress appropriated HUD funds for. Lawmakers are working this week on finishing the spending bill for fiscal 2018.

Carson discussed both the steep cuts and his hiring of new chief financial officer, Irving Dennis, to ensure procurement rules are followed in the future at a hearing before the House Appropriations Transportation-HUD Subcommittee.

"Our children's and grandchildren's futures depend on it," Carson said of the cuts. "At HUD, we believe the requested level of funding — \$41.244 billion — is sufficient to effectively administer

our core programs, particularly as we are committed to running our programs more efficiently, spending every tax dollar with which we are entrusted wisely.”

That cut is less than what it might have been. The White House added \$2 billion to HUD's fiscal 2019 request after the two-year budget agreement (PL 115-123) enacted last month. Without that addition, HUD would have been proposing an 18 percent cut.

Carson proposed eliminating three popular grant programs: the Community Development Block Grant, HOME Investment Partnerships and Choice Neighborhoods programs, which combined were funded at \$4.1 billion in fiscal 2017.

This is the second year in a row the administration has asked to eliminate the three programs. In fiscal 2018, both chambers rejected the proposal. Senate appropriators had restored all but \$88 million in proposed cuts in their HUD budget bill and House appropriators had restored all but \$318 million in theirs.

House Appropriations Chairman Rodney Frelinghuysen, R-N.J., said that HUD's budget would be one of those “that's going to get a lot of money” when the fiscal 2018 omnibus spending bill is released.

Transportation-HUD Appropriations Subcommittee ranking member David E. Price, D-N.C., called the budget “a heartless request” and one that the administration apparently didn't want appropriators to take “seriously.”

“Unfortunately, the Department's FY 2019 budget request doubles down on last year's request, which was roundly rejected on a bipartisan, bicameral basis,” Price said.

Transportation-HUD Subcommittee Chairman Mario Diaz-Balart, R-Fla., also referred to appropriators' rejection of the previous attempt to eliminate the programs.

“Once again, this year, the budget request proposes to eliminate a number of programs that are important to our mayors, cities, and small towns — the Community Development Block Grant program and the HOME Investment Partnerships program, in particular,” he said.

Several members questioned Carson on the dinette set purchase, as well as the role his wife, Candy Carson, played in that purchase and the actions of his son, Ben Carson Jr., whose involvement in arranging a listening tour in Baltimore for his father is being investigated by HUD's inspector general at Carson's request.

“I'm not really big into decorating, if it were up to me [the offices] would probably look like a hospital waiting room,” Carson said.

Carson said he was aware of \$3,500 in decorating expenses that took place early in the administration, which he noted is “considerably less than the historical norm” since new department heads typically redecorate.

He said he was also aware of a 50-year-old dining room table with exposed nails that was considered dangerous and needed to be replaced. "I left it with my wife," he said of the choice of dining room tables.

But when he saw the bill, Carson said, he "immediately canceled" the order. He said he had never met Helen Foster, a HUD official allegedly demoted after attempting to alert others to the expensive purchase.

Carson pointed out that at the time the events occurred, no deputy or assistant secretary had yet been confirmed at HUD.

"I was dealing with running an organization with virtually no secretarial help," he said.