GT GreenbergTraurig

Memorandum

TO: Miami-Dade County

FROM: Greenberg Traurig

DATE: March 31, 2024

RE: March 2024 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 March. If you have any questions, or if we can be of any further assistance, please let us know.

Overview

Throughout the month of March, 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, Equity, 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

On March 23, 2024 the Senate cleared a second and final spending package after months of negotiations bringing to a close the fiscal 2024 appropriations process. The final 74-24 vote on the $1.2 trillion package (HR 2882) capped roughly 12 hours of back-room negotiations over amendment votes that came close to dragging the process passed the deadline. "It wasn't easy, but tonight our persistence has been worth it," Schumer said in announcing the deal, which allowed the Senate to bypass procedural rules to speed up passage. Congress had been racing to complete work on the package in hopes of beating a midnight deadline, when funding would lapse under a continuing resolution (PL 118-40). Both Democrats and Republicans found things to like about the measure covering about 70 percent of discretionary spending. Both sides stressed they did not get everything they wanted, after an agreement (PL 118-5) to raise the debt ceiling in June placed constraints on total funding levels. "We had to work under very difficult topline numbers and fight off literally hundreds of extreme Republican poison pills from the House, not to mention some unthinkable cuts," Senate Appropriations Chair Patty Murray, D-Wash., said on the floor ahead of the vote. "But at the end of the day, this is a bill that will keep our country and our families moving forward." President Biden soon after signed the bill into law closing out FY2024 appropriations and preventing a partial government shutdown.

Twenty-two Republicans voted against the bill, along with Sen. Michael Bennet, D-Colo., who protested the lack of Ukraine aid, and Sen. Bernie Sanders, I-Vt., who sought funding for Palestinian aid. The legislation would provide appropriations for agencies covered under the Defense, Financial Services, Homeland Security, Labor-HHS-Education, Legislative Branch and State-Foreign Operations bills. Sen. Murray touted funding for child care, research for cancer and Alzheimer's disease, and efforts to combat the opioid crisis included in the bill. She also took aim at House Republicans, who for months resisted the parameters of the deal former Speaker Kevin McCarthy, R-Calif., struck with Biden, eventually ending up with a final result that resembled the original agreement. "When we do work together, when we put our heads down and focus on solutions, and listen to our constituents, we can find common ground," Murray said. "But when House Republicans ... insisted on partisan poison pills, when they listened to the loudest voices on the far right — who, let's be real, were never going to vote for any bipartisan funding bill — well, that got us nowhere."

The House voted 286-134 to pass the bill earlier in the day, clearing the two-thirds majority needed to pass a bill under suspension of the rules. But in a blow to Speaker Mike Johnson, R-La., the bill failed to win support from the majority of House Republicans, with 101 voting for it and 112 voting against it, after facing criticism from the party's right flank. Rep. Marjorie Taylor Greene, R-Ga., introduced a resolution to vacate the speaker's chair (H Res 1103) after House passage of the appropriations package. The spending package faced a warmer reception in the Senate. Sen. Susan Collins of Maine, top Republican on the Appropriations Committee, praised the funding in the package directed at strengthening national security. "This legislation is truly a national security bill. Seventy percent of the funding in this package is for our national defense, including investments that strengthen our military readiness and industrial base, provide pay and benefit increases for our brave service members and support our closest allies," Collins said on the floor ahead of the vote. She also highlighted funding for the border included in the package, including spending to support additional detention beds, border patrol agents and port of entry officers.

Appropriations Committee Leadership Changes

Ahead of FY25 appropriations, the committee in charge will see a major shakeup in its leadership ranks. Texas Rep. Kay Granger's decision to step down early as chair of the House Appropriations Committee opens up one of the most powerful positions in Congress. But unlike the usual scramble to claim the powerful gavel, the race to fill Granger's seat may not be much of a race at all, with Oklahoma's Tom Cole emerging as a clear front-runner and consolidating support from senior appropriators. Rep. Cole (R-OK) the Transportation-HUD Appropriations Subcommittee chairman, is the only member running for the position thus far and has the support of nine of the other subcommittee leaders, also known as "cardinals." Alabama's Robert B. Aderholt, the Labor-HHS-Education Subcommittee chairman who has a seniority edge over Cole, is also weighing a bid. He's positioning himself as a more conservative alternative, as he joined a majority of the conference in opposing the most recent final fiscal 2024 appropriations package (PL 118-47). “The Congressman is being very deliberate in making a decision, because it’s clear we cannot continue under the same appropriations process and expect a different outcome,” Aderholt spokesman Carson Clark said in a statement.

However, Cole is considered a heavy favorite, as the membership of the GOP Steering Committee leans more toward the establishment wing of the party that provided the votes needed to get the spending package over the finish line last week. In fact, members of that Steering Committee voted 21-11 to support the new $1.2 trillion spending measure. And that margin grows wider when factoring in the four votes Speaker Mike Johnson controls on the committee and the two votes that Majority Leader Steve Scalise, R-La., controls. The Steering Committee has not yet scheduled its meeting to fill the position, though it is expected to take place after Congress returns from its current recess. Granger announced last week that she would be stepping into a “chairwoman emeritus” role as the fiscal 2025 process is likely to stretch well into the new fiscal year and she is retiring after this Congress.

Whichever person wins the contest to lead the committee faces a challenging fiscal 2025 dynamic, with a late start and the looming election making any final appropriations close to the Oct. 1 start of the fiscal year highly improbable. The spending caps laid out in last year's debt limit law (PL 118-5) will also be challenging for appropriators to navigate, with Republicans warily eyeing a 1 percent increase in defense spending allowed under the cap — amounting to a cut after adjusting for inflation. And Democrats will be looking for ways to boost nondefense spending, especially as some of the debt limit law's “side deal” money that would have increased fiscal 2025 nondefense spending was tapped for fiscal 2024 in the renegotiated appropriations agreement between Johnson, R-La., and Senate Majority Leader Chuck Schumer, D-N.Y.

Healthcare

The Biden administration announced in March that they were extending a special enrollment period to help people who are no longer eligible for Medicaid or the Children's Health Insurance Program sign up for coverage on healthcare.gov. The Centers for Medicare and Medicaid Services are extending the special enrollment period through Nov 30. It was originally set to end July 31. The extension comes as states undergo post-pandemic redeterminations in Medicaid and CHIP. States were prohibited from kicking people off of their Medicaid and CHIP rolls during the pandemic but now must verify that people receiving benefits are eligible.

Of the 94 million people enrolled in Medicaid or CHIP since March of 2023, 20 percent — or 19 million — have been disenrolled, according to KFF, a health research organization. Of those who have been disenrolled, about 70 percent were terminated for procedural reasons and may still be eligible for Medicaid or CHIP, according to KFF. "Protecting and strengthening access to health coverage in Medicaid, CHIP, and the Marketplaces is a top priority," said CMS Administrator Chiquita Brooks-LaSure. "Today's steps will help make sure more families stay connected to the health care they need to thrive." About one-third of people who lose Medicaid and CHIP eligibility will be eligible for marketplace plans.

Tax Package

Prospects for the popular, House-passed $79 billion tax package appeared bleak as both

Democrats and Republicans acknowledged the bill likely lacks the support needed to pass the Senate in its current form. Senate Finance Chairman Ron Wyden, D-Ore., said he and Senate Republicans traded offers on the family and business tax cut bill (HR 7024) in the hopes of winning GOP support, but both sides rejected proposals. Some Democrats have pushed to bring the bill to the floor as-is, but it's unclear whether enough Republicans would back it, Wyden said. "There are about seven Republicans that have said positive things about it," Wyden said. "Now, that's not the same thing as people saying, 'I'm voting for all of these procedural issues,' and the like."

The package Wyden negotiated with House Ways and Means Chairman Jason Smith, R-Mo., sailed through the House on a 357-70 vote in January, but has stalled in the Senate amid opposition from Sen. Michael D. Crapo, top Republican on Senate Finance. Crapo has led negotiations with Wyden on behalf of Senate Republicans. Some Democrats are pushing for leadership to bring the bill to the floor, but at least nine, and possibly more Republicans would need to vote for the package to clear the Senate's 60-vote threshold. Sen. Elizabeth Warren, D-Mass., has been openly critical of the package, which may leave Democrats with additional ground to make up. Majority Leader Chuck Schumer, D-N.Y., placed the measure on the calendar, allowing the Senate to bypass a committee vote on the package. Placing it on the calendar makes the bill available for floor consideration but does not guarantee the full Senate will take it up.

Sen. Todd Young, R-Ind., who supports the legislation, said that without concessions to Republicans, there isn't a pathway to 60 votes. "It was pretty clear to me that we're not going to get there with enough Republican numbers without more concessions," Young said. The package would revive a trio of business tax breaks, including full, upfront deductions of research and development investments, and expand the child tax credit with the biggest gains going to poor families with more than one kid. Senate Republicans have said they like many of the bill's business tax provisions but are content to wait until next year and the expiration of the 2017 tax cuts (PL 115-97) if they don't get the concessions they want from Democrats. Sen. John Hoeven, R-N.D., said it may work in Republicans' favor to save expanding the child tax credit as leverage in next year's tax negotiations. "If they'll work with Mike to get to something, then we can get it done this year," Hoeven said, referring to Crapo and Senate Democrats. "If they won't, then there's a good chance the sentiment may be from our caucus – we'll see – to push it into next year and make it part of the bigger effort as far as the Tax Cut and Jobs Act renewal or reauthorization."

Much of Republicans' criticism has focused on a provision allowing parents to use the previous tax year's income to qualify for the credit, which they say would weaken work requirements. Wyden said he offered to remove the provision from the bill, but that Republicans rejected the offer. "We were sent from the Republicans a position that could not get a single Democratic vote in the Senate," Wyden said. "So what we did is we sent back a proposal that dealt with the number one thing they were concerned about, which was the look-back. We basically worked very hard to come up with something that would take it out." Wyden said he remains willing to work with Republicans to get their support on the measure, noting that "the clock is ticking" as the April 15 tax filing deadline approaches.

Environment

On March 20, 2024 the EPA released a final rule that allows manufacturers more time to meet strict tailpipe emissions standards, responding to critics who contended that the rules would squeeze automakers into transitioning to electric vehicles too soon. The long-awaited standards for light- and medium-duty vehicles are still some of the strictest ever proposed by the agency, but they allow more leeway in the first three years than the initial proposal. Under the final standards, the EPA projected that it would result in a 50 percent reduction in fleet average greenhouse gas emissions for light-duty vehicles, and a 44 percent reduction for medium-duty vehicles by 2032. "With transportation as the largest source of U.S. climate emissions, these strongest-ever pollution standards for cars solidify America's leadership in building a clean transportation future and creating good-paying American jobs, all while advancing President Biden's historic climate agenda," EPA Administrator Michael S. Regan said in a statement.

Under the rule, the EPA projects light-duty vehicles to reach an industrywide average target of 170 grams per mile of carbon dioxide by model year 2027, decreasing annually to 85 by 2032. For medium-duty vehicles, the target would start at 461 grams per mile of carbon dioxide and dip to 274 by 2032. The Biden administration originally suggested that under its preferred alternative electric vehicles would account for two-thirds of sales by 2032. However, senior administration officials received significant pushback on that proposal. In the final rule, automakers will be allowed to meet the fleet emission reduction targets through various technologies, including advanced gasoline vehicles, hybrids, plug-in hybrid electric vehicles and battery electric vehicles.

The proposal did not account for plug-in hybrids, which have been criticized by some environmental groups for being dirtier than accounted for because they can rely upon their internal combustion engines more than a battery. However, senior administration officials said that if automakers manufacture plug-in hybrids that rely more on the gas engines, they would need to also make more battery electric vehicles to meet the fleetwide grams-per-mile standard.

Non-Governmental Partners and Coalitions

Throughout March, 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.