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Sent: Thursday, May 06, 2010 3:07 PM
To: Lashway, Lisa
Subject: Bi-weekly Federal Relations Update Period Ending 4-30-2010



**Municipal Clerks
for Mayors, Elected Officials
and Staff**



May 6, 2010

RE: Bi-weekly Federal Relations Update - Period Ending April 30, 2010

I. Immigration Reform Back on the Radar in Washington

II. Municipal Implications of Federal Airport Reauthorization

Debate

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Grants

Dear Mayor:

Here is the latest from the Federal Relations team at the National League of Cities (NLC). This notice also includes timely information on some grant funding opportunities.

I. Immigration Reform Back on the Radar in Washington

Last Friday, the state of Arizona enacted a new immigration law that criminalizes illegal immigration by defining it as trespassing and empowers police to question anyone they have a "reasonable suspicion" is an illegal immigrant. President Obama and Attorney General Holder have criticized the legislation with the President saying that it "threatened to undermine basic notions of fairness." The Administration is considering suing to block the legislation from taking effect.

The new law set off a fresh round of debate in Washington about the need for federal comprehensive immigration reform, which NLC has been urging Congress to enact for several years. Yesterday, Senate Democrats released a blueprint for an immigration proposal that emphasizes border security and

would prohibit states and municipalities from enacting their own immigration rules and penalties. While President Obama praised the effort, it remains unclear whether sufficient bi-partisan support exists to advance the proposal this year. To view a copy of the proposal, [click here](#).

Senate leaders have said they have 56 Democrats lined up to support comprehensive legislation and are seeking more Republican votes. Several attempts to reform immigration have failed in the Senate in previous sessions, even with bipartisan support. Rather than face getting blocked in the Senate, House leadership will wait for the Senate to act before bringing up any legislation.

To view a copy of NLC's resolution supporting comprehensive reform, [click here](#).

II. Municipal Implications of Federal Airport Reauthorization Debate

An informal conference committee continues efforts to reconcile differences between the House (H.R. 915) and Senate (S. 1586) versions of a long awaited bill to reauthorize federal airport programs. Federal aviation programs have been running on short-term extensions since the program expired in September 2007.

As the conference continues, NLC is monitoring several issues important to municipalities, including: (1) a House provision imposing new requirements for aircraft rescue and fire fighting standards rather than the current standards established in cooperation with airports and fire fighters; (2) increased funding for the formula Airport Improvement Program (AIP) contained in both the House and Senate versions of the bill; and (3) a House provision allowing individual airports to raise the Passenger Facility Charge (PFC) from the current \$4.50 to a proposed \$7.00, which NLC supports.

On the first point, NLC continues to oppose language in the House bill that could place an increased financial burden on municipal airports by requiring the Federal Aviation Administration (FAA) administrator to consider adoption of National Fire Protection Association (NFPA) standards for Aircraft Rescue and Fire Fighting (ARFF). Currently, the FAA in cooperation with airports and firefighters establishes the ARFF standards. Adoption of the NFPA standards would increase airport infrastructure and staffing costs precipitously, without providing proof of the ultimate safety benefits.

Notably, a June 2009 independent analysis done by the Airport Cooperative Research Program (ACRP) on how proposed ARFF changes would impact airports estimated the changes would initially cost airports \$2.8 billion, with an additional \$1.3 billion annually required for operations and maintenance costs.

III. Legislation Introduced to Preserve Spectrum for Public Safety

Last week, New York Congressman Peter King introduced H.R. 5081, the Broadband for First Responders Act of 2010, which would allocate the 700 MHz D Block of spectrum to public safety for the development of a national interoperable public safety broadband network. The legislation, which NLC supports, will ensure first responders are able to build and access a broadband network capable of providing reliable high speed data and voice applications to meet current and future public safety needs.

The legislation comes as a response to NLC's request that Congress oppose the commercial auction of the 700 MHz D block of spectrum, proposed by the Federal Communication Commission (FCC) in the National Broadband Plan (NBP), and to support legislation reallocating the spectrum to public safety.

The 700 MHz D block of spectrum provides a unique opportunity for state and local governments to create a modern, reliable nationwide interoperable communications network that can handle both voice and data communications. The network would allow for quick exchange of pictures, video, and text, enhancing the ability to save lives by quickly passing information to first responders, public institutions, and private citizens.

Under the FCC's proposal, private interests provide priority access to public safety on commercial networks for a fee. This would require technology that does not yet exist and the creation, implementation, and enforcement of a new regulatory structure.

IV. Department of Transportation Announces TIGER II Grant Availability

Recently, the U.S. Department of Transportation announced the availability of \$600 million in for the Department's National Infrastructure Investment Grant or TIGER II program. For additional information on the program, see: <http://edocket.access.gpo.gov/2010/pdf/2010-9591.pdf>.

Pre-applications are due July 16, 2010, and final applications on August 10, 2010.

V. FEMA Announces Availability of Assistance to Firefighter Grants

Last week, the Federal Emergency Management Agency (FEMA) announced the availability of funding for the Assistance to Firefighter Grant (AFG) Program. Fire departments and other eligible organizations can use these grants to reduce losses from fire and fire-related hazards. The deadline to submit applications is May 28, 2010. AFG provides firefighters and nonaffiliated emergency medical services (EMS) with direct funding to increase response capabilities and protect the health and safety of the public. Eligible uses include training, first responder health and safety programs, and purchasing equipment and response vehicles. The FY 2010 AFG Program

guidance and application kit is available at www.firegrantsupport.com and at www.usfa.fema.gov.

We thank to the people at NLC for their efforts on our behalf, and for this timely information. If you have any questions on these items, contact Jon Moran at 609-695-3481, ext. 121.

Very truly yours,

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Executive Director

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