



City of Phoenix

To: Mayor and Council
Executive Team

Date: March 5, 2009

From: Karen Peters
Government Relations Director

Subject: FEDERAL UPDATE: FEBRUARY 27 – MARCH 5, 2009

This memorandum provides an update of the past week's federal activities – Congressional action, lobbying and national meetings. Please let me or Tom Remes know if you have any questions or need further information on specific legislation or issues.

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FY09 Omnibus Appropriations Bill...Or Not

This morning, Majority Leader Harry Reid (D-NV) expressed concern that there may not be enough Senate votes to pass the FY 09 Omnibus Appropriations bill. He stated that if the Omnibus does not pass, Congress will need to implement a year-long Continuing Resolution. As reported last week, Phoenix is the beneficiary of a number of appropriations in the House version of the Omnibus that would be affected in that event.

American Recovery and Reinvestment Act (ARRA) Direct Funding Update

Yesterday the U.S. Bureau of Justice Assistance (BJA) released \$2 billion in formula funding made available in the American Recovery and Reinvestment Act. Phoenix's share is \$6,118,171. There is still \$225 billion in competitive grant money through BJA. Details for the grant are still pending.

Low Income Home Energy Assistance Program (LIHEAP) Strategy

The City's federal lobbyists hosted a meeting to discuss future strategy for increasing federal Low Income Home Energy Assistance Program (LIHEAP) funding for warm weather states. Attendees included Community Action Agency representatives from Arizona, Washington, New Mexico, Nevada, California and Oregon. The federal team will provide the group with a draft LIHEAP letter that they can use with their respective delegations and local governments. Additionally, it was mentioned that Phoenix adopted a LIHEAP resolution last year that could be used by other local governments or agencies as a model for expressing support for formula fairness for the LIHEAP program.

Bills Introduced by Arizona's Congressional Delegation

With all of the economic stimulus debate taking place in Washington D.C., it is easy to forget that the 111th Congress is still working on other issues. Listed below are a few bills that have been introduced so far by members of our Arizona delegation:

S.313 White Mountain Apache Tribe Water Rights Quantification Act of 2009

Introduced by Sen. Kyl

This bill authorizes, ratifies, and confirms the White Mountain Apache Tribe Water Rights Quantification Agreement and amendments made to such Agreement by this Act; provides for reallocations of certain water rights to the Tribe; requires the Secretary to: (1) enter into a specified contract with the Tribe for tribal water rights in Maricopa, Pinal, Pima, and Yavapai Counties in Arizona; and (2) plan, construct, maintain, and operate the White Mountain Apache Tribe rural water system; establishes in the Treasury the Rural Water System Construction Fund, consisting of specified funds; requires the Secretary to provide financial and technical assistance to complete the Hawley Lake, Horeshoe Lake, Reservation Lake, Sunrise Lake, and Big and Little Bear Lake reconstruction projects and facilities improvements; requires the Secretary to conduct a feasibility study of options for improving: (1) the manufacture and use of timber products derived from commercial forests on the White Mountain Reservation; and (2) forest management practices; and sets forth provisions relating to the satisfaction, waiver, or release of claims by the Tribe and for a limited waiver of U.S. or tribal sovereign immunity

S.36 Abolishing Aviation Barriers Act of 2009

Introduced by Sen. McCain

This bill repeals the prohibition against an air carrier operation of an aircraft nonstop in air transportation between Ronald Reagan Washington National Airport and another airport that is more than 1,250 statute miles away (perimeter rule); and prohibits the obligation of federal funds to enforce the Port Authority of New York and New Jersey perimeter rule banning flights beyond 1,500 miles (or any other flight distance related restriction) from arrival or departure at New York LaGuardia Airport.

H.Res.85 Amending the Code of Official Conduct in the Rules of the House of Representatives to strengthen the reporting requirements for Members who request earmarks.

Introduced by Rep. Flake

This bill amends Rule XXIII (Code of Official Conduct) of the Rules of the House of Representatives with respect to whether a Member, Delegate, or Resident Commissioner (Member) has a financial interest in any requested congressional earmark, limited tax benefit, or limited tariff benefit in any bill or joint resolution (or accompanying report), or in any related conference report (or accompanying joint statement of managers); treats as such a financial interest any campaign contribution to such individual in excess of a de minimis amount made by or on behalf of: (1) any political, for profit, or nonprofit entity; (2) any employee or person affiliated with any such entity; or (3) any political action committee (PAC) established by, administered by, or affiliated with any such entity, by or on behalf of its registered lobbyist, or by or on behalf of such PAC during the current or previous session of Congress.

H.R. 576 Solar Manufacturing Advancement Act of 2009

Introduced by Rep. Giffords

This bill amends the Internal Revenue Code of 1986 to allow a refundable investment credit, and 5-year depreciation, for property used to manufacture solar energy property.