BI-PARTISAN MARKETPLACE FAIRNESS ACT INTRODUCED IN HOUSE, SENATE

Conference of Mayors Priority Would Enable Internet, Mail-Order Sales Tax Collection

By Larry Jones

During a February 14 press conference on Capitol Hill, a bipartisan group of Senators and Representatives announced they were introducing a new Marketplace Fairness Act that will enable state and local governments to collect taxes on Internet, mail-order and other forms of remote sales. A total of 16 Senators and 37 Representatives joined together to introduce the new bill. Unlike the different bills introduced in the House and Senate in the previous session of Congress, this year the key sponsors of the bill worked through their differences and agreed to introduce identical bills in both chambers. This is significant because it could make it easier for the bill to move through the approval process.

Each year, an estimated $23 billion is lost in revenues due to a 1992 Supreme Court decision that prohibits state and local governments from requiring out-of-state merchants to collect their taxes. Once enacted, the Marketplace Fairness Act will not only help state and local governments collect these taxes, but will help make competition between all merchants fair and equitable, regardless of how the merchandise is sold.

Under the proposal, state and local governments would be encouraged to streamline and simplify their sales tax systems so Internet, mail-order and other out-of-state merchants can easily collect their taxes. For those state and local governments that comply with these streamlined simplification requirements, the bill would grant them the authority to require these merchants to collect their taxes.

During the press conference, the lead sponsors of the bill: Senators Richard Durbin (IL) and Michael Enzi (WY) in the Senate, and Representatives Steve Womack (AR) and Jackie Speier (CA) in the House discussed the need for the legislation, pointing out it should be approved at once to level the playing field between merchants on Main Street and those who sell over the Internet. They all shared their war stories about small businesses from their areas complaining about customers coming into their stores to check out merchandise.

See SALES TAX on page 3

Conference of Mayors Leaders Laud Immigration Reform Principles Issued by President, Senators

By Laura DeKoven Waxman

Reacting January 29 to immigration reform proposals offered by President Obama that day and a bipartisan group of Senators the day before, the three top officers of the Conference of Mayors released a statement saying that, “There is some hope today that the broken immigration system that has slowed the economic and social progress of our nation and its people for far too long will be repaired.”

Conference of Mayors President Philadelphia Mayor Michael A. Nutter, Conference of Mayors Vice President Mesa Mayor Scott Smith and Conference of Mayors Second Vice President Sacramento Mayor Kevin Johnson joined together in a statement noting, “This week a bipartisan

See IMMIGRATION on page 4

Biden, Nutter, Chiefs Urge Support for Gun Safety Plan

See Story on Page 9

Left to right, Senator Bob Casey (PA), Philadelphia Police Commissioner Chuck Ramsey, Vice President Joe Biden, and USCM President Philadelphia Mayor Michael Nutter in Philadelphia February 11.
The national debate on gun violence continues here in Washington, as it does across the nation.

President Obama was strong on this issue when he gave the State of the Union address this week. Over the past few weeks, police chiefs and their associations have stood for a ban on certain assault weapons as described in Senator Feinstein’s bill. As reported earlier, Conference President Philadelphia Mayor Michael Nutter stood with Senator Feinstein, other Senators, House members, police officers, and victims and families of victims at the introduction of her bill.

And this week Conference President Nutter stated after President Obama’s address that, “The President’s proposal to reduce gun violence, occurring now every day in our cities, is part of his strong national commitment to reduce the culture of violence, stop easy access to guns by those who should not legally possess them, and increased access to badly needed mental health services in our country.”

We have known since the babies and teachers were killed in Newtown that no one is safe, that no one should not have assault weapons to kill police officers and others wherever they are such as churches, movie theaters and elementary school classrooms.

Senator Feinstein has said that the ban will be an uphill battle. When she spoke to our Winter Meeting, she was superb. I have never seen a Senator better than her. It wasn’t just emotional words, pontification or poetry. She is armed with facts about the men, women, and children of our nation who are being shot down in cold blood right here in every region of our nation.

This week, I was encouraged by Charleston Mayor Joe Riley - the dean of our mayors - who called and urged that we push on, stand with Senator Feinstein and not be compromised on the assault weapons ban. And we will continue.

Senator Feinstein will hold her hearings later this month. President Nutter will continue to update you as we go forward supporting our former Mayor of San Francisco, Senator Dianne Feinstein.

The National Association of Counties, the National League of Cities – Political Strategy

Over the past weeks I have been meeting with the new Executive Directors of the National Association of Counties, Matt Chase and the National League of Cities, Clarence Anthony. We are centering our discussions on renewing political partnerships on current common issues.

Among the many common issues of our organizations, there are three on which our members are demanding action: the protection of the tax-exempt status of municipal bonds; the loss of established sales taxes due to internet purchases; and unfunded mandates due to federal and state legislation as well as court decrees.

The current tax-exempt status of municipal bonds providing the opportunity for infrastructure development across the nation is an issue that all three organizations have fought to protect. Today, there are proposals within Congress and the Administration to change this status to our detriment. We have argued that at a time when we do not have infrastructure spending coming from Washington, when we finally have our metro economies coming back from job growth, we must not change the one tax exemption that would do damage to the economic health of the metro economies and the nation. During the coming months, NACo, and NLC, and the Conference of Mayors will emerge with a stronger voice here in Washington. We have directed our staff to work together and they are doing so. Together we can make a difference. We have in the past. And we can do so now.

Immigration Reform

No doubt, immigration reform is moving through Congress, picking up steam because as Senator McCain said at the immigration reform press conference, it’s about the election. Of course, we all know this is a human issue on which we have long-sought solutions. But the 2012 ballot box results have both parties clambering now for the key Latino vote of the 2016 presidential elections. And there are ongoing elections between now and then that will require politicians to face the emerging increase of Latino vote percentages in many cities, states, and congressional districts. Within this debate are a number of issues that will cause the divisiveness in Washington to continue. The questions for our local governments are many. And one issue that we, as local government, must monitor is the cost of immigration reform to our local governments that are already fiscally challenged. We will keep you informed on our priority issues within the immigration reform legislation as it moves through Congress.

Conference of Mayors
Leadership Meeting
Washington DC February 27 - March 1

Conference President Nutter, Vice President Smith and I look forward to seeing many of you at our Leadership Meeting in Washington soon. Our primary reason for the meeting is to focus on the new Congress and our issues before both the Senate and the House. It’s most important we be here at this time. This is the time, after the inauguration of the President that all organizations, public and private, come back to DC to take care of their business to be sure that our friends and our enemies won’t do things knowingly or unknowingly that will hurt our cities and our people. I look forward to working with you as we move forward. See you soon.

U.S. MAYOR
Publisher, Editor-in-Chief
Tom Cochran
ISSN 1049-2119

Managing Editor: Ed Somers
Contributing Editors
Debra DeHaney-Howard
David Gattan
Eugene Lowe
Evanagelina Garcia
Kevin McCarty
Larry Jones
Tom McClumin
Kathryn Kreitshmer-Weyland
Geri Powell
Judy Sheahan

Published by: Cicuye Studios
Proofreader: Elena Temple-Webb

Account Representative
adviser@usmayors.org
Fax: 703-832-8317

U.S. MAYOR (ISSN 1049-2119) is published semi-monthly except for August, September and December by The United States Conference of Mayors, 1620 1 Street, NW, Washington, DC 20006-4005. Tom Cochran, Executive Director.
Subscription: $35 annually usmayors.org

CHANGE OF ADDRESS: Please e-mail address corrections to usmayor@usmayors.org. No telephone calls please.
Nutter Gives Mayors’ Response to President Obama’s State of the Union Address

Conference of Mayors President Philadelphia Mayor Michael A. Nutter released the following statement in response to President Obama’s State of the Union Address:

“The nation’s mayors are pleased that President Obama spoke tonight about moving this country forward with a comprehensive plan that will directly impact the communities we loyally serve.

“The President’s repeated push for a balanced approach to deficit reduction while also investing in our nation’s infrastructure, job creation and initiatives in manufacturing represent progress – particularly for the middle class who are struggling to support their families, keep their homes, and manage health care costs at the same time.

“The President’s proposal to reduce gun violence, occurring now every day in our cities, is part of his strong national commitment to reduce the culture of violence, stop the easy access to guns by those who should not legally possess them, and increase access to badly needed mental health services in this country.

“And the President’s proposal to reform our immigration policies and provide a pathway to legally recognize people who for years have been contributing to the economic fabric of this country is progress toward bringing millions of people out of the shadows and providing them real opportunities to succeed.

“Mayors know that cities and their metropolitan areas drive this nation’s economy as the employment, transit and residential centers of America, so investment in local economies – in Main Street – clearly means economic growth for the nation.

“As a nonpartisan organization of pragmatic ‘doers’ who work together everyday to promote progress in our nation’s cities, the U.S. Conference of Mayors stands ready to work with the President and Congress to bring Washington together for the good of our local economies to ensure a sustained national recovery.”

WASHINGTON OUTLOOK

SALES TAX

from page 1

only to go online later to order it tax-free from an Internet or mail-order company. Once enacted, the Main Street Fairness Act will stop this practice by requiring Internet and mail-order sales companies to collect state and local taxes.

Durbin told members of the press, “Businesses in Illinois aren’t looking for a handout from Washington. They don’t want special treatment. All they want is a level playing field. By giving states the authority to enforce existing tax laws, the Marketplace Fairness Act of 2013 eliminates the competitive advantage currently enjoyed by many Internet retailers at the expense of local businesses.” Further commenting on the practice, Enzi said, “For over a decade, congressional inaction has created one of the largest tax loopholes of our lifetime. It is time to stop discriminating through the tax code and put local and Main Street retailers on a level playing field with their out-of-state and online counterparts.”

The legislation is a high priority of the Conference of Mayors and other state and local groups. Conference of Mayors President Philadelphia Mayor Michael A. Nutter and other Conference of Mayors leaders have been pushing for the immediate passage of the legislation. Last year, several attempts were made to move the Senate version of the bill (S. 1832) by attaching it to major legislation considered by the full Senate.

Although 64 Senators were prepared to support the passage of the bill, Senators Max Baucus (MT) and Orrin Hatch (UT), the Chairman and Ranking Member of the Senate Finance Committee, objected to the bill being considered as an attachment to other bills because they felt it should be considered in conjunction with tax reform. In so doing, state and local governments will be expected to give up something for the Marketplace Fairness Act. And Baucus and Hatch have also made it clear that they would like to consider capping the tax-exempt interest on municipal bonds and other state and local taxes before the Marketplace Fairness Act is considered for passage.

Durbin is opposed to the Marketplace Fairness Act being considered in conjunction with tax reform. He is pushing to get the bill approved this year and said he has spoken to Senate Majority Leader Harry Reid (NV) who has expressed a willingness to work with him to see that the bill is considered.

Once enacted, the Marketplace Fairness Act will not only help state and local governments collect these taxes, but will help make competition between all merchants fair and equitable, regardless of how the merchandise is sold.
Conference of Mayors Endorses President’s Gun Safety Proposals

Mayors Back Sandy Hook Principles, Crime/Violence Commission

By Laura DeKoven Waxman

The U.S. Conference of Mayors announced January 28 its official endorsement of President Barack Obama’s “Plan to Protect Our Children and Communities by Reducing Gun Violence” and of two other measures also intended to reduce gun violence. One encourages responsible conduct by the gun industry, the other calls for a longer-term examination of crime and violence in America and the development of recommendations to reduce them.

“President Obama and Vice President Biden have offered a comprehensive set of concrete proposals that will help us to reduce the gun violence which occurs every day in our cities and prevent mass shootings like the one that occurred just six weeks ago in Newtown, Connecticut. If the horrific experience of Newtown could produce a positive outcome, it would be a national commitment to reduce the culture of violence, the easy access to guns, and the lack of access to badly needed mental health services,” said Conference of Mayors President Philadelphia Mayor Michael A. Nutter. Just three days after the Newtown tragedy, Conference of Mayors leadership and other big city mayors sent an open letter to President Obama and Congress urging the President to exercise his powers though Executive Order and Congress to introduce and pass legislation to make reasonable changes in the nation’s gun laws and regulations. Specifically, the mayors called for universal background checks, a ban on both assault weapons and high capacity magazines, and strengthening the penalties for straw purchases of guns. More than 200 mayors have now co-signed this letter.

“Clearly, the President listened to our call, commented Nutter. “We applaud him for issuing executive actions to reduce gun violence. And we applaud him for calling for critically needed legislation and urge Congress to ‘do the right thing’ and institute universal background checks and a ban on assault weapons and high capacity magazines, and strengthen penalties for gun trafficking.”

“As mayors of major cities, many of us do all we can to reduce gun violence, but our efforts are too often thwarted by trafficking from other areas and states,” Nutter continued. “The President’s plan, which would also crack down on those who buy guns for the express purpose of turning around and selling them to criminals, will be an enormous help to us.”

Since 1968, the Conference of Mayors has had strong policy in support of reducing gun violence. The organization has worked closely over the years with police chiefs in the development of those policies and in the enactment of critical legislation, including the Brady Act, which established the national background check system, and the 1994 crime bill, which established the COPS program and a ten-year federal ban on assault weapons and high-capacity magazines.

In addition to the Obama plan, the Conference of Mayors endorsed the Sandy Hook Principles, which are intended to encourage positive corporate behavior by gun and ammunition manufacturers, distributors and retailers by establishing a baseline standard for responsible conduct and business practices. It also called for the establishment of a National Commission on Domestic Terrorism, Violence and Crime in America to examine the issues of violent crime and its prevention, and make recommendations that would detail what government at all levels can do to reduce the domestic terrorism, violence and crime which plague cities every day and prevent mass shootings which have occurred with increasing frequency over the last few years. The Sandy Hook Principles and the Commission proposals are available online at usmayors.org.

IMMIGRATION

from page 1

Effort to break the political gridlock that has stymied reform has been launched. On Monday in Washington a bipartisan group of Senators announced a set of principles designed to guide reform. Today in Las Vegas President Obama discussed his principles for immigration reform and his intention to work with Congress on bipartisan legislation.

The mayors commented that, “Both are calling for further strengthening border security, creating an effective employer verification system, reforming the legal immigration system, and allowing the 11 million people residing in the country illegally to get right with the law and earn a pathway to citizenship. These principles are similar to those established in policy by The U.S. Conference of Mayors. We may not agree with every detail that is being proposed, but the important thing is that the conversation has begun in earnest.”

“The nation’s mayors intend to be a part of that conversation and to work with Congress and the Administration to see legislation enacted this year,” the mayors said. “We will be involved, as will our immediate Past President Los Angeles Mayor Antonio Villaraigosa, the Chair of our Task Force on Immigration Reform, Laredo Mayor Raul Salinas, and other mayors from across the nation. Together, we can push our national leaders to enact reform that is good for our families, our cities, our economy, and our country.”

Bipartisan Senate Plan

On January 28, Senators Charles Schumer (NY), John McCain (AZ), Dick Durbin (IL), Lindsey Graham (SC), Robert Menendez (NJ), Marco Rubio (FL), Michael Bennet (CO), and Jeff Flake (AZ) released a bipartisan proposal for immigration reform. While details are still being worked out, their proposal is based on “four basic legislative pillars.”

- Create a tough but fair path to citizenship for unauthorized immigrants currently living in the United States that is contingent upon securing our borders and tracking legal immigrants who have left the country when required;
- Reform our legal immigration system to better recognize the importance of characteristics that will help to build the American economy and strengthen American families;
- Create an effective employment verification system that will prevent identity theft and end the hiring of future unauthorized workers; and,
- Establish an improved process for admitting future workers to serve our nation’s workforce needs, while simultaneously protecting all workers.

President’s Plan

On January 29, the White House released some details on the key principles in the President’s plan. In his speech in Las Vegas the President encouraged Congress to move quickly on bipartisan legislation that was consistent with his principles, but warned if Congress does not do this in a timely fashion he will send a bill to Congress and expect quick action on it. His four principles are:

- Continuing to Strengthen Border Security: This includes enhancing infrastructure and technology, combating transnational crime, improving partnerships with border communities and law enforcement, cracking down on criminal networks engaging in passport and visa fraud and human smuggling, deporting criminal, streamlining removal of nonimmigrant national security and public safety threats, and improving the nation’s immigration courts.
- Cracking Down on Employers Hiring Undocumented Workers: This includes phasing in mandatory electronic employment verification, combating fraud and identity theft, and instituting protections for all workers.
- Earned Citizenship: This includes creating a provisional legal status that would be gained after undocumented immigrants come forward and register, submit biometric data, pass criminal background and national security checks, and pay fees and penalties before they would be eligible for a provisional legal status. Agricultural workers and those who entered the United States as children would be eligible for the same program. Individuals must wait until the existing legal immigration backlogs are cleared before getting in line to apply for lawful permanent residency (i.e. a “green card”), and ultimately United States citizenship.

See IMMIGRATION on page 5
Congress Focuses on Legislation Aimed at Reducing Gun Violence

By Laura DeKoven Waxman

Efforts to reduce gun violence are ramping up in Congress with the February 7 release of the report of the House Gun Violence Prevention Task Force, the introduction of several key pieces of legislation in recent weeks, and the beginning of hearings on the subject. The Task Force report and much of the legislation are entirely consistent with what the Conference of Mayors is calling for.

House Task Force Report

Chaired by California Congressman Mike Thompson, the Task Force Report proposes a comprehensive set of policy principles that the Task Force feels both respect the Second Amendment and will make schools, neighborhoods, and communities safer.

The task force stressed that it supports the Second Amendment rights of law-abiding Americans and that the Supreme Court’s decision in District of Columbia v. Heller (2008) held that “…the right secured by the Second Amendment is not unlimited,” and that within the limits described by Heller, the federal government has the responsibility to take appropriate steps to protect citizens from gun violence. It further said that it supports citizens’ rights to possess firearms for hunting, shooting sports, defense, and other lawful and legitimate purposes.

To reduce gun violence the task force called on Congress to:
- Reinstate and strengthen a prospective federal ban on assault weapons;
- Reinvest a prospective federal ban on assault magazines;
- Require a background check for every gun sale, while respecting reasonable exceptions for cases such as gifts between family members and temporary loans for sporting purposes;
- Strengthen the National Instant Criminal Background Check System (NICS) database;
- Prosecute those prohibited buyers who attempt to purchase firearms and others who violate federal firearm laws;
- Pass legislation aimed specifically at cracking down on illegal gun trafficking and straw-purchasing;
- Restore funding for public safety and law enforcement initiatives aimed at reducing gun violence;
- Support initiatives that prevent problems before they start;
- Close the holes in the mental-health system and make sure that care is available for those who need it;
- Help communities get unwanted and illegal guns out of the hands of those who don’t want them or shouldn’t have them;
- Support responsible gun ownership;
- Take steps to enhance school safety;
- Address the American culture’s glorification of violence seen and heard through movies, television shows, music and video games.

House of Representative Task Force Vice Chairs are Ron Barber (AZ), John D. Dingell (MI) Elizabeth Esty (CT), Chaka Fattah (PA), Carolyn McCarthy (NY), Grace Napolitano (CA), Ed Perlmutter (CO) David Price (NC), Bobby Scott (VA), Jackie Speier (CA), and Bernie Thompson (MS).

Proposed Legislation

Numerous bills have been introduced in the House and Senate, which aims to reduce gun violence. Among them are several that are consistent with Conference of Mayors’ legislative priorities, including those that would:
- Ban assault weapons and other high-capacity magazines – On January 24 Senator Dianne Feinstein (CA) introduced the Assault Weapons Ban of 2013 (S. 150). A few days later, McCarthy introduced companion legislation (H.R. 427) in the House.
- Strengthen the national background check system and eliminate loopholes in it – McCarthy introduced the Fix Gun Checks Act of 2013 (H.R. 137) on January 25. Senator Charles Schumer (NY) is expected to introduce similar legislation in the Senate shortly. McCarthy has also introduced a bill to close gun show loopholes (H.R. 141), and Senator Frank Lautenberg (NJ) has introduced similar legislation (S. 22).
- Strengthen gun trafficking penalties – The Gun Trafficking Prevention Act of 2013 has been introduced with bipartisan sponsorship in the House (H.R. 452) and the Senate (S. 179). House sponsors are Representatives Carolyn Maloney (NY), Elijah Cummings (MD), Patrick Meehan (PA), and Scott Rigell (VA). Senate sponsors are Kirsten Gillibrand (NY) and Mark Kirk (IL). The bills would target “straw purchasers” by specifically prohibiting the purchase or transfer of a gun if the intended recipient is legally prevented from owning it.

Senate Judiciary Committee Hearings

The Senate Judiciary Committee has held two hearings on reducing gun violence. Witnesses at the January 23 full committee hearing included Baltimore County Policy Chief James Johnson, Chair of the National Law Enforcement Partnership to Prevent Gun Violence; Captain Mark Kelly, USN (Ret.), representing Americans for Responsible Solutions that he and his wife former Congresswoman Gabrielle Giffords founded; and National Rifle Association Executive Vice President and Chief Executive Officer Wayne LaPierre. Giffords, who was seriously wounded at a constituent event in the January 2011 shooting in Tucson that killed six people, made a surprise appearance at the start of the hearing and in slow and halting language urged the Senators to “be bold, be courageous” and do something now to reduce gun violence.

LaPierre registered his strong opposition to any expansion of gun safety laws, claiming repeatedly that existing laws are not adequately enforced and new ones won’t reduce gun violence and will lead to a “huge, massive bureaucratization” of regulations.

Senate Judiciary Committee Chair- man Patrick Leahy (VT) indicated that he hopes the committee will mark up legislation in February.

In a February 12 hearing of the Subcommittee on the Constitution, Civil Rights and Human Rights, which is chaired by Senator Dick Durbin (IL), witnesses discussed protecting communities while recognizing the Second Amendment. Among them was Harvard Profes- sor of Constitutional Law Laurence Tribe, who told the subcommittee that he had examined the various proposals before the committee (specifically the ban on assault weapons and high-capacity magazines and improvements in the background check system) and that, “I am convinced that nothing under discussion in the Senate Judiciary Committee represents a threat to the Constitution or even comes close to violating the Second Amendment or the Constitution’s structural limits either on congressional power or on executive authority.”

Conference of Mayors President Philadelphia Mayor Michael A. Nutter submitted a statement for the record for this hearing, which detailed the problems of gun violence that cities face. He urged Congress to move quickly to enact legislation to ban assault weapons and high-capacity magazines, strengthen the national background check system and eliminate loopholes in it, and strengthen the penalties for straw purchases of guns.

IMMIGRATION

Consistent with current law, people with provisional legal status would not be eligible for welfare or other federal benefits, including subsidies or tax credits under the new health care law. There would also be strict requirements to qualify for lawful permanent resident status, earned citizen- ship for DREAMers, the establishment of an administrative and judicial review status for anyone whose provisional lawful status is revoked or denied, and new resources to combat fraud.

- Streamlining Legal Immigra- tion: This would include measures to keep families together, cut red tape for employers, enhance travel and tourism, “stapling” green cards to advanced STEM diplomas, creating a “startup visa” for job-creating entre- preneurs, expanding opportunities for investor visas and U.S. economic development, creating a new visa category for employees of federal national security science and technol- ogy laboratories, better addressing humanitarian concerns, and encour- aging integrating immigrants into American communities.
Congress Provides $50.5 Billion in Hurricane Sandy Relief, Makes Needed Reforms in Disaster Assistance Programs

By Laura DeKoven Waxman

The Sandy Recovery Improvement Act of 2013 signed into law January 29 by President Barack Obama provides $50.5 billion in immediate and long-term relief in response to Hurricane Sandy and makes several significant changes in the way the Federal Emergency Management Administration (FEMA) delivers disaster assistance to both individuals and public assistance applicants.

Of the funding provided, $17 billion is for immediate aid and $33.5 billion is for near- and long-term assistance and mitigation. Among the specific appropriations:

- $11.5 billion for FEMA’s Disaster Relief Fund, in which FEMA is required to publish estimates of public assistance grants and aid of any amount on the agency’s Web site;
- $16 billion for HUD’s Community Planning and Development Fund to be distributed through the Community Development Block Grant. HUD announced initial allocations of $5.4 billion of these funds February 6 to New York City and five states: New York City - $1.77 billion; New York State - $1.71 billion; New Jersey - $1.83 billion; Connecticut - $71.8 million; Maryland - $8.6 million; and Rhode Island - $3.2 million;
- $10.9 billion for the Public Emergency Relief Program for transit systems affected by Hurricane Sandy, including $2 billion made available within 60 days of enactment. Up to $5.4 billion may be used to carry out projects related to reducing the risk of damage from future disasters in areas affected by Hurricane Sandy;
- $5.35 billion to the Army Corps of Engineers for construction projects for response to and recovery from Hurricane Sandy;
- $520 million to the Small Business Administration for disaster loans and an additional $260 million in administrative expenses;
- $800 million for the Public Health and Social Services Emergency Fund at HHS, including $500 million for the Social Services Block Grant for repairs to social services facilities and $100 million for Head Start centers.

Many of the changes that the new law makes to the Disaster Assistance Programs are quite consistent with the reforms that the Conference of Mayors has been advocating for several years, based on the work of its Stafford Act Reform Task Force. Among them:

- For the Public Assistance Program: FEMA is authorized to develop alternative procedures that an applicant may use for Public Assistance permanent work and debris removal projects. It may implement this authority as a pilot program until the agency promulgates implementing regulations. It also may apply these alternative procedures to future major disasters, and in current disasters for projects where construction has not yet begun.
- Among the specified alternative procedures, permanent work grants may be based on capped estimates, with applicants accepting responsibility for any actual costs above the estimate; and applicants may use excess funds for activities that reduce risk in future disasters and other activities to improve future Public Assistance operations.
- Among the authorized alternative procedures for debris removal, grants may be based on capped estimates, with applicants accepting responsibility for any actual costs above the estimate; and may retain income from debris recycling without an offset from their grant. In addition, the new statute permits the reimbursement of straight time force account labor costs for applicants’ employees performing debris removal work.
- FEMA may now reimburse straight time force account labor costs for state, tribal and local government employees performing emergency protective measures, if such work is not typically performed by those employees.
- FEMA is directed to establish a nationwide dispute resolution pilot program, including arbitration by an independent review panel, for Public Assistance projects.
- For the Individual Assistance Program:
  - Childcare expenses are an eligible expense for reimbursement as part of Other Needs Assistance. FEMA is given explicit authority to lease and repair rental units for use as direct temporary housing. FEMA is required to review and revise through rulemaking the factors considered when evaluating the need for the Individual Assistance Program in a major disaster or emergency.

NTIA Announces State/Local Planning Grants for Implementation of Public Safety Broadband Network

By Laura DeKoven Waxman

The National Telecommunications and Information Administration (NTIA) announced February 6 that $121.5 million are available for grants to the states to plan for the establishment of the nationwide public safety broadband network. Within NTIA, the First Responder Network Authority, or FirstNet, is an independent authority authorized to ensure the design, construction, and operation of the nationwide public safety broadband network (PSBN), based on a single, national network architecture.

NTIA will award each state and territory an initial distribution of $500,000 to enable them to begin planning, consultation, and outreach activities. The remaining funds are allocated to the states on a formula basis that takes into account population and land mass. The states are required to provide at least 20 percent of the total program cost.

While the authorizing statute directs that the funds go to states, states may “sub-award” grant funds to units of government within the state. Program activities are intended to be statewide and to assist each state and territory in effectively consulting with regional, tribal, and local entities and adequately conveying their interests to FirstNet. Some cities are contacting their states to make sure they are included in the process.

Grant recipients must complete the following activities by the award end date, or within three years:
1) establish or enhance a governance structure to consult with FirstNet;
2) develop procedures to ensure local and tribal representation when the state is consulting with FirstNet;
3) conduct education and outreach for all relevant stakeholders that will be involved in the public safety broadband network;
4) identify potential public safety users for the PSBN;
5) develop a standard Memorandum of Agreement appropriate for the grantee state to facilitate the possible sharing of infrastructure with FirstNet;
6) develop staffing plans to involve local and tribal stakeholders in a future data collection in consultation with FirstNet; and
7) prepare a comprehensive plan as part of the Statewide Communications Interoperability Plan (SCP), or a plan complementary and similar to the SCP, describing the public safety needs that the grantee expects FirstNet to address, plus relevant milestones.

The application period is February 6 through March 19. Details are available online at http://www.ntia.doc.gov/other-publication/2013/sligp-federal-funding-opportunity.
Dredging, Levees, Earmark Ban Take Center Stage

By Judy Sheahan

The Senate Environment and Public Works Committee, chaired by Senator Barbara Boxer (CA), and the new Ranking Member Senator David Vitter (LA), held a January 31 and February 7 hearing on reauthorizing the Water Resources Development Act (WRDA). Topics of discussion included the ban on earmarks, harbor dredging, and levee maintenance.

WRDA, in the past, was primarily an earmark bill where Congressional members would authorize local projects for levees, dams, flood control, and ecosystem protection. However, with the earmark ban in place, it has been difficult to authorize new projects, get prior approved projects underway, or to get additional funding if projects hit their spending cap. In a draft bill from the last Congress, Boxer proposed the creation of a set of general requirements that once met, would automatically authorize the project. This, however, would not solve the problem for the projects that are underway but have gone over budget.

Levee maintenance was also discussed, especially the Army Corps policy that requires trees that grow on levees to be removed. The cost for compliance is estimated to cost billions of dollars. Lawmakers said that in addition to the costs, this policy would also destroy habitats and other ecosystems being used to protect endangered species.

The Harbor Maintenance Trust Fund was dealt with at the January 31 hearing. The Trust Fund collects approximately $1.5 billion annually but less than half the money is actually spent on harbor maintenance. It is estimated that only 26 percent of all ports are dredged to their authorized depths, which then requires ships to load less than full capacity. In addition, it is estimated that there is more than $7 billion in the Trust Fund. The bill would provide grants to help pay off the backlog of untested DNA evidence, including rape kits; subject non-Indian suspects on tribal lands, expansion of U visas, and protections to lesbian, gay, bisexual or transgender domestic abuse victims.

The President issued a statement praising Senate passage of the “strong bipartisan bill” and urged the House to act. House Majority Leader Eric Cantor (VA) has indicated he hopes to bring the bill up “in an expeditious manner.” It is likely, however, that several provisions will face challenges from conservatives, particularly the new ones relating to prosecution of non-Indian suspects on tribal lands, expansion of U visas, and expansion of protections to gay, bisexual or transgender domestic abuse victims.

Senate Passes Violence Against Women Act Reauthorization

By Laura DeKoven Waxman

By a vote of 78-22, the Senate adopted legislation February 12 to reauthorize and strengthen the Violence Against Women Act. Initially enacted in 1994, this law provides funding for grant programs aimed at enhancing judicial and law enforcement tools to combat violence against women; improving services for victims of domestic violence, dating violence, sexual assault, and stalking; providing services, protection, and justice for young victims of violence; strengthening the healthcare system’s response to domestic violence, dating violence, sexual assault, and stalking; and providing safe homes for victims of domestic violence, dating violence, sexual assault, and stalking.

Among the bill’s new provisions, it would:

• provide help to victims of human trafficking and allow a grant program designed to help children exposed to violence to also provide assistance to sex-trafficking victims;
• establish a grant program to reduce the backlog of untested DNA evidence, including rape kits;
• subject non-Indian suspects of domestic violence to prosecution before tribal courts for crimes allegedly committed on reservations;
• expand the number of temporary visas (U visas) for illegal immigrant victims of domestic violence; and
• expand protections to lesbian, gay, bisexual or transgender victims of domestic abuse.

The President issued a statement praising Senate passage of the “strong bipartisan bill” and urged the House to act.
We know you have good news to share about your mayor or a unique local program. Tell us about it so other cities can learn from your success!

Send your press releases and photos for U.S. Mayor newspaper to
USCM Public Affairs Office:
etemple@usmayors.org/202-861-6719
There’s a reason it’s called pumping Iron.

Iron = Strength.

Smart athletes know that pumping iron builds strength. And smart communities know that successful infrastructure projects begin with the strength of ductile iron pipe.

Ductile iron pipe is strong—ten times stronger than PVC. It is reliable, easy to install and it creates none of the laying and tapping headaches associated with PVC. And ductile iron has environmental advantages—while PVC production creates toxins that have caused some cities and corporations to ban it, iron pipe is made from recycled and recyclable materials and uses less energy in pumping. That’s why thousands of communities trust the strength of ductile iron.

It works out every time.

Iron Pipe. It’s What America Was Built On.

The appearance of paid advertising in U.S. Mayor does not imply support or endorsement by The United States Conference of Mayors for any of the products, services or messages advertised.
Conference of Mayors “Snapshot” Survey Finds Pension Problems Continuing in Majority of Cities

Mayors to be Asked for Information on Pension Reform Efforts for Major Conference Report

During the 2013 Annual Conference of Mayors this June in Las Vegas, the Conference of Mayors Metro Economies Committee will release a report on the efforts of cities across the nation to develop and implement fair and sustainable ways to meet pension obligations to their employees – past, present, and future. As envisioned by the Committee Chairman Louisville Mayor Greg Fischer, this “substantial” report will cover the nature of the pension problems confronting mayors in a large number of cities, the approaches they have taken to solving them, and the outcomes of those efforts. “We continue to believe that the most valuable role the Conference of Mayors can play in helping mayors find solutions to their public pension problems is to provide examples of how problems are being tackled in cities like theirs across the country,” Fischer said.

The initial step in preparing for this report was a brief survey of mayors taken prior to the Conference of Mayors’ Winter Meeting in January. That survey had two purposes: first, to provide a “snapshot” that would lend some perspective to current city pension problems across the nation, and to determine the role of the 2008 recession that decimated pension program investment values and government revenues in so many states and cities, and second, to identify the mayors who would be willing to provide more detailed information on their pension situations for the report to be released in Las Vegas.

Responses to the survey were received from 112 mayors. Survey results released by Fischer in the Metro Economies Committee meeting on January 17 included the following:

• Fifty-nine percent of the mayors said that their city recognized problems in meeting public pension obligations prior to the 2007-08 economic downturn.
• Of those, two out of three said that action to resolve pension problems had been taken by their city prior to the recession.
• Seventy-seven percent of the mayors said that the recession had exacerbated existing pension problems for their cities.
• Thirty-seven percent said that it created problems that had not previously existed.
• Eighty-eight percent of the mayors who reported either worsening problems or new problems following the recession said that action to resolve the problems had been taken.
• Thirty-six percent said they had planned to take action, or to take additional action, to resolve their problems.
• Three out of four mayors said that, beyond action on pension reform already taken or underway, meeting public pension obligations continues to pose a problem.
• Of those, 63 percent rated their current pension problem as significant; 37 percent said the problem was moderate.

In his report, Fischer said the survey results could be reduced to two summary points: “First, the mayors’ responses make it clear that the vast majority of the nation’s cities today are continuing to wrestle with problems in meeting public pension obligations that most consider to be significant, despite the efforts already made to resolve them. Second, while most cities recognized pension problems prior to the recession, and most had worked at the time to resolve them, the recession made existing pension problems worse in more than three out of four cases, and created new problems in many more.”

The mayor said he was pleased to report that “…more than nine out of ten mayors responding to the Conference’s brief survey said that, if asked to do so, they would provide a description of the approach taken to reforming their pension system, to share with other mayors. The Conference [of Mayors] will be reaching out to these mayors again in the near future to collect this information.”

The report issued by Fischer is available on the Conference of Mayors website at usmayors.org.

New U.S. Communities Contract Offers Clean, Green Products

By Kathryn Kretschmer-Weyland

AmSan-CleanSource has been awarded the new U.S. Communities contract that maintains a healthy environment while improving operational costs, productivity and human resource savings. AmSan-CleanSource will work with local governments to develop green solutions designed to reduce the environmental impact of cleaning processes while promoting a safer and healthier indoor environment. U.S. Communities Government Purchasing Alliance is a government purchasing cooperative that reduces the cost of goods and services by aggregating the purchasing power of public agencies nationwide. U.S. Communities provides world-class procurement resources and solutions to local and state government agencies, school districts (K-12), higher education, and nonprofits. Cities and other participating governments have access to a broad line of competitively solicited contracts with best in class national suppliers.

U.S. Communities is the only government cooperative purchasing organization to be founded by The U.S. Conference of Mayors, along with the National Association of Counties, the National League of Cities, the Association of School Business Officials, International, and the National Institute of Governmental Purchasing.

For more information about U.S. Communities and the various products and services offered to local governments, contact Kathryn Kretschmer-Weyland with the Conference of Mayors at 301-460-5251 or e-mail kweyland@usmayors.org. Cities can also register online at www.uscommunities.org.
Summer Youth Jobs Challenge

The U.S. Conference of Mayors is proud to announce the first annual National Summer Youth Jobs Challenge, to urge mayors to create innovative partnerships with their local business and non-profit communities to ensure that the nation’s youth have a meaningful summer job experience.

A summer job has always been a rite of passage for youth and young adults as a way to develop pertinent skills, earn extra income for themselves and their families, or begin a new and exciting career; but a recent Conference of Mayors/Zogby analytics survey found that two-thirds of America’s businesses did not hire any youth/young adults for the summer of 2012 and 84.3 percent said they did not make a (financial) contribution to a summer jobs program.

These survey results show that there is tremendous potential for cities, the private-sector and the foundation community to work together to increase the participation of our business sector in hiring youth next summer. The nation’s mayors want to raise the bar and partner with every business across America, and encourage all of them to hire young workers every summer.

How to Apply

Registering for the Challenge is easy – simply complete the online registration form on the Conference of Mayors website, www.usmayors.org, by clicking on the 2013 National Summer Youth Jobs Challenge icon. The registration merely requires that you select a city size, provide the city and mayor’s name, a contact person with their full contact information and foundation communities.

Eligibility for Participating in the 2013 National Summer Jobs Challenge

Every municipality in the United States is eligible to participate. All Summer Jobs programs initiated by the city government are eligible, with the primary requirement being private-sector or foundation participation, either through direct hiring of a Summer Jobs program participant or financial support for a Summer Jobs placement.

Eligible placement includes any young person aged 14-23 in a city-sponsored summer youth job. Results for the 2013 Challenge will be based on a per-capita percentage increase in summer youth participation rates over the summer of 2012. This puts cities that do not have an organized summer youth program on the same footing as those who have established programs.

Requirements for Participation

By joining the Challenge, mayors agree to develop an initiative to solicit their local business community to 1) hire youth for the 2013 summer, and/or 2) make a financial contribution to support summer job placements. At the end of the summer, the city agrees to complete a short Conference of Mayors Survey, providing information summarizing its summer jobs program, the number of youth hired, the companies, foundations and non-profit organizations that participated, and other basic information.

As a member of the Challenge, the city is encouraged to establish a goal of incorporating financial education into youths’ summer job experience, helping them to spend their “first paycheck” wisely.

What Award-Winning Mayors and Their Cities Receive

• National recognition as a 2013 National Summer Youth Jobs Challenge award winner at the 2014 U.S. Conference of Mayors 82nd Annual Winter Meeting in Washington (DC).
• Press releases for winning cities, as well as inclusion in a focused national media campaign by The U.S. Conference of Mayors announcing the award winners and publicizing cities’ achievements in winning.
• Permission to use the exclusive National Summer Youth Jobs Challenge logo on municipal flags, street signs, t-shirts, etc.
• Publication in U.S.Mayor, the twice-monthly news publication of The U.S. Conference of Mayors, describing the winning cities’ accomplishments.
• Every participating city will receive special recognition for their participation in the National Summer Youth Jobs Challenge and be listed on the Conference of Mayors National Summer Jobs Challenge website as a participating city.

• Participating businesses will also receive special recognition from the Conference of Mayors for their support on the Conference of Mayors website and in U.S.Mayor.

Timeline

Registration deadline is March 15. Winner’s announced at the Conference of Mayors 82nd Annual Winter Meeting in January 2014.

Technical Assistance

The Mayors Summer Youth Jobs Challenge is a collaboration of The U.S. Conference of Mayors, The U.S. Conference of Mayors Workforce Development Council (WDC), and the National DollarWise Campaign – Mayors for Financial Literacy. Both the WDC and the DollarWise Campaign are available to provide best practices on how to develop and structure public/private partnerships in support of summer youth jobs. For more specific information, contact James Kirby at jkirby@usmayors.org or 202-293-7330.

Calendar of Events

(Updated 02/14/13)

May 1-3

May 22-24

June 21-24

September 12-13

For updates or changes, visit our website at usmayors.org

MAYORS BUSINESS COUNCIL
Member Profile

Intellistreets

Intellistreets is a wireless information and control network for sustainability, security and entertainment with patented wireless technology communicating with individual luminaires. Streetlights are able to save 50-70 percent on energy consumption. The network is also enabled with a speaker system for two-way street level communication sensors, such as cameras, CB/RN, seismic, etc., that are also potential features.

For more Business Council profiles visit the Conference of Mayors website at usmayors.org/buscouncil
Conference of Mayors Retirement Program Now Offers Fiduciary Warranty, Investment Policy Statement

By Jeannie Fanning

The U.S. Conference of Mayors SM Retirement Program is dedicated to putting feedback from cities into action. This is just one of the many aspects that makes the oversight and advocacy of the Conference unique. Thanks to the input of cities across the country, the Conference of Mayors program is now offering both a fiduciary warranty and an investment policy statement to help cities and other municipalities meet their duties as plan fiduciaries.

Through governmental plans are exempt from ERISA, the laws of many states require governmental entities to follow fiduciary standards similar to ERISA in governing their plans. Although Great-West is not a fiduciary, and neither is the Conference of Mayors, the program pledges to help city plan sponsors meet their fiduciary obligations in the investment selection and monitoring process.

Through the Fiduciary Warranty, Great-West commits to restore unreimbursable losses resulting from an award of damages under ERISA, including reasonable attorney’s fees pursuant to the terms of the Warranty. Great-West warrants that the Conference of Mayors investment array, and the alternative funds list for larger plans satisfy the ERISA “broad range of investment” requirements, and are selected consistent with the ERISA “prudent man” standards. This warranty for Conference of Mayors Program Fiduciaries is unique in the small-mid size municipal market and is not now available under the prior Conference of Mayors program.

Cities who have attended one of the Conference of Mayors Fiduciary Training Seminars will have undoubtedly learned about the importance of an Investment Policy Statement. The purpose of an Investment Policy Statement is to set forth the guidelines and process used to monitor and evaluate the investment options included in a city’s investment plan, in this case a defined contribution plan such as a 401(k) or 401(a). This sets the structure for the investments to be offered under a plan, and provides the benchmarks that will be followed to meet fiduciary standards.

The Conference of Mayors program’s IPS provides cities with this key fiduciary tool, without the city having to create and incur the cost of drafting an IPS. Cities can see, clearly outlined, how and when the program will add, change, or remove investments based on performance benchmarks.

If you are concerned about your fiduciary obligations as a plan sponsor, the new Conference of Mayors program offers many important new benefits for you. To learn more about these benefits and for additional information, contact Kathryn Kretschmer-Weyland, Jeff Bean, or Jeannie Fanning with the Conference of Mayors at 202-302-6944. You may also submit questions online at fiduciary@usmayors.org.

---

**MAYORS BUSINESS COUNCIL**

**Member Profile**

**Fedcap Rehabilitation Services, Inc. (Fedcap)**

Fedcap was founded in 1937 as a non-profit in NYC. Its mission is to re-train individuals with barriers to re-enter the work place. As part of that re-training Fedcap began creating not only the workforce, but the employment opportunities. Today Fedcap operates numerous business units such as, Home Healthcare, Production and Manufacturing and Total Facilities Management, which includes, custodial services, culinary/concessions, security, mechanical maintenance, grounds maintenance, pest control, etc. Fedcap cares for over 20 million square feet of space for federal, state and municipal clients.

For more Business Council profiles visit the Conference of Mayors website at usmayors.org/buscouncil

---

**MAYORS BUSINESS COUNCIL**

**Member Profile**

**Pfizer, Inc.**

At Pfizer, we apply science and our global resources to improve health and well-being at every stage of life. We strive to set the standard for quality, safety and value in the discovery, development and manufacturing of medicines for people and animals. Our diversified global health care portfolio includes human and animal biologic and small molecule medicines and vaccines, as well as nutritional products and many of the world’s best-known consumer products. Every day, Pfizer colleagues work across developed and emerging markets to advance wellness, prevention, treatments and cures that challenge the most feared diseases of our time.

Special Interests: City Livability, Health Care, Human Development

For more Business Council profiles visit the Conference of Mayors website at usmayors.org/buscouncil
Best Practices

Jacksonville Week of Valor

Jacksonville (FL) is a city where one in every four residents is connected to the armed services. The military presence supplies an estimated $12.2 billion in annual economic impact to the city and an average of 900 veterans transition out of the service to establish residency in Jacksonville every month. With these kinds of numbers, the marching orders wrote themselves.

As city officials planned a weeklong celebration of the military and veterans community, Mayor Alvin Brown was clear that he wanted to go well beyond a simple “thank you” to create partnerships and programs that had a greater potential to set best practices. The result was the Week of Valor, a series of events rising through the “all hands on deck” cooperation of Jacksonville, the Chamber of Commerce, the Jacksonville Jaguars, the NFL, the NCA and the Department of the Navy to focus on the issues for service members, veterans and their families.

“I went into this thinking that we had a substantial opportunity to set the tone for how any military city should act around Veterans Day,” said Brown. “It’s not just a nice thing to do or a responsible thing to do. It’s the right thing to do. And I think we made inroads to begin addressing major issues like benefits access, continued education and affordable housing. The Week of Valor represents the start of something greater.”

Active-duty service members and veterans volunteered to talk about civic responsibility in more than 40 public schools. A Veterans Summit brought together local professionals to address challenges like Post Traumatic Stress Disorder and Traumatic Brain Injury with a goal of developing a blueprint for local human resource professionals to work with veterans in the job market. More than 100 companies committed to hiring veterans during a job fair where Secretary of the Navy Ray Mabus attended to be keynote speaker.

“The Navy is grateful to Jacksonville for hosting the 2012 Navy Marine Corps Classic and the Week of Valor, and for Jacksonville residents who proudly serve our military,” said Rear Admiral Jack S. Scoby, commander of Naval Region SE. “We look forward to continuing the close relationship enjoyed by the military and our Veterans.”

The Week of Valor drew big crowds from Jacksonville and throughout Northeast Florida. With more than 5,000 participants and 50,000 onlookers, Jacksonville’s Veterans Day parade ranks as one of the nation’s largest. More than 1,000 people attended the annual Chamber of Commerce military appreciation luncheon as well.

Since taking office July 1, 2011, the mayor’s leadership in military affairs has gained attention. The administration’s Jobs for Veterans partnership gained Pro Patria honors from the Florida chapter of Employer Support of the Guard and Reserve. The mayor also had a role in the Robin Hood Veterans Summit in New York by invitation from broadcaster Tom Brokaw to explain his approach.

“Jacksonville’s 2012 Week of Valor gave our terrific citizens many opportunities to say thank you to all those who serve, and those who have served our country. It really was a week of quality programming to build bridges of understanding,” said Rear Admiral (U.S. Navy/Ret.) Victor Guillory, the mayor’s director of Military Affairs, Veterans and Disabled Services. “As we gain a better grasp on the needs of today’s veteran, it’s clear that we have a great opportunity to do a lot of good.”