CONFERENCE OF MAYORS PRESIDENT JOHNSON BECOMES NATIONAL SPOKESPERSON AGAINST RACISM IN SPORTS

As the serious matter involving the alleged racist comments made by Los Angeles Clippers owner Donald Sterling became public, Conference of Mayors President Sacramento Mayor Kevin Johnson was front and center on behalf of the National Basketball Players Association.

See NBA on page 3

House Subcommittee Funds CDBG at $3 Billion, Cuts HOME

By Eugene T. Lowe

The House Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies approved funding on May 7 for the Community Development Block Grant (CDBG) formula program at $3 billion in FY 2015, a slight decrease in last year’s funding level of $3.030 billion. The House Subcommittee cut the HOME Investment Partnerships program to $700 million; the HOME cut is $300 million less than last year’s funding of one billion dollars. The Administration recommended funding CDBG at $3.3 billion and HOME at $950 million in its FY 15 budget request.

See CDBG on page 15

Foxx Announces Obama Transportation Bill

By Kevin McCarty

With a September 30 expiration date for the nation’s federal transportation law (MAP-21) fast approaching, President Barack Obama and Administration leaders provided additional impetus to mounting renewal efforts, unveiling a four-year, $302 billion renewal plan.

In conveying the Administration’s renewal package to Congress, U.S. Transportation Secretary Anthony Foxx said, “Importantly, this proposal will prevent the insolven-
Mayor Johnson stood with Los Angeles Mayor Garcetti, Kareem Abdul-Jabbar and other outstanding professional players to proudly say on national and worldwide TV that it was “a defining moment” not just for America’s professional sports, but indeed for America.

Sports, and especially professional basketball, are deeply embedded in the culture of our cities in 2014, and throughout the American struggle to search for its soul, the race issue in major sports has helped change the hearts and minds of many. That said, the struggle continues. And we need to talk about it and act. That’s what Kevin Johnson did last weekend. Mayor Johnson says that Commissioner Adam Silver is a hero. That may be true, but the action hero is the President of The United States Conference of Mayors, Sacramento Mayor Kevin Johnson.

No doubt, our Mayors Professional Sports Alliance Chair, Indianapolis Mayor Greg Ballard, and others will continue to stand with Mayor Johnson as this national conversation and the narrative of action continues.

Dallas, 82nd Annual Meeting—June 20-23, 2014

This week, President Kevin Johnson met with all USCM senior staff as we begin to produce the substantive part of our Annual Meeting. We will have key plenary sessions on education, transportation, climate and sports. Our registration at this time in early May for Dallas is higher than ever. Host Mayor Mike Rawlings has planned blockbuster evening social events that he talked to you about at our meetings and has sent to you since January. You don’t want to miss this one.

Remember the deadline for all resolutions to be submitted for consideration is Wednesday, May 21 at 5:00 p.m. EDT. The Nominating Committee will be sent to you on or before Friday, May 16.

Register now! Contact Carol Edwards at 202/861-6747 or cedwards@usmayors.org or go to usmayors.org/registration. We need you in Dallas and you need to be in Dallas. Happy Mother’s Day to all!
Following are key stories and news clips regarding Johnson’s leadership as the issue unfolded, as well as statements issued by Indianapolis Mayor Gregory A. Ballard, Chair of the Conference of Mayors Professional Sports Alliance:

USA TODAY, April 27
The NBA is investigating whether racially insensitive comments in an audio recording obtained by TMZ were made by Los Angeles Clippers owner Donald Sterling.

“The remarks heard on the recording are disturbing and offensive, but at this time we have no further information,” NBA executive vice president of communication Mike Bass said. He also said the league is conducting a “full investigation.”

The players union is also looking into the situation, according to president Chris Paul, who is also the Clippers point guard.

“On behalf of the National Basketball Players Association, this is a very serious issue which we will address aggressively,” Paul said in a statement. “We have asked Mayor Kevin Johnson to expand his responsibilities with the NBPA, to determine our next steps. While I originally came on to lead the Executive Director search, this issue requires immediate attention from the players association. I will be keeping Chris Paul, the Executive Committee, and all player representatives informed of every step.”

CBS NEWS, April 28
Sacramento Mayor and Special Adviser to the NBPA Kevin Johnson spoke with NBA Commissioner Adam Silver on Sunday about the alleged racist comments of Clippers owner Donald Sterling.

Johnson, who called this a “defining moment for the league,” said the players want decisive action from the commissioner and want to make sure Sterling is not in attendance for any remaining NBA playoff games, according to an ESPN report.

Johnson added that if the accusations are proven to be true, the players want to see significant punishment levied by the league.

“The players are waiting for the commissioner to act decisively,” Johnson said. “They want the maximum of what the constitution and bylaws will allow and we’re trying to figure out what that is. They want the maximum. They want a decision to be made quickly and decisively. If you don’t respect the players in this league, then the values that we all espouse are for naught.”

Indianapolis Mayor Greg Ballard, Chair of The U.S. Conference of Mayors Professional Sports Alliance April 28
“The nation’s mayors find the alleged statements made by Los Angeles Clippers owner Donald Sterling to be totally unacceptable. We do not believe that this kind of behavior is acceptable in the National Basketball Association or any of our major sports leagues. We call for The NBA Commissioner to take swift and appropriate action.”

LOS ANGELES TIMES, April 29
The seeds of Tuesday’s news conference outside city hall were planted by Sacramento Mayor Kevin Johnson, who represented the NBA players’ union as it responded to Sterling’s statements. Johnson began texting with Garcetti after his initial remarks demanding action from the NBA, according to a mayoral aide.

The two continued to communicate as Garcetti reached out to others in the NBA, including Clippers Coach Doc Rivers. On Monday, the same day that Garcetti spoke with Silver, Johnson recommended that both mayors give their
response outside L.A. City Hall.

“I think he [Johnson] understood it was the voice of L.A. that had to respond,” Garcetti said.

Before facing the media, Garcetti, Johnson and NBA figures such as Steve Nash and Kareem Abdul-Jabbar gathered in the mayor’s office and watched as the league’s commissioner announced the Sterling ban in New York. The room broke into applause.

Conference of Mayors
President Sacramento Mayor
Kevin Johnson, Los Angeles City Hall, April 29

“I hope that every bigot in this country sees what happened to Mr. Sterling and recognizes that if he can fall, so can you,” said Johnson, 48, who became Sacramento’s first African-American mayor in 2008, the same year the nation sent its first black president to the White House.

“Sports are pivotal in allowing a country to talk about real issues and civil rights – sports transcend,” he said. “This was truly bigger than basketball. It feels like the most important thing I’ve done since I’ve been mayor.”

Indianapolis Mayor Gregory Ballard, Chair of The U.S. Conference of Mayors Professional Sports Alliance, April 29

“On behalf of the nation’s mayors, who every day deal with bringing people together, we applaud NBA Commissioner Adam Silver’s swift and strong actions suspending Donald Sterling from the NBA and forcing a vote on selling the LA Clippers team. We also commend Sacramento Mayor Kevin Johnson, the NBA Players Association representative and President of The United States Conference of Mayors for his strong leadership in bringing this matter to a rightful conclusion. The mayors remain committed to professional sports portraying the richness of our diversity.”

SACRAMENTO BEE, April 29

An emotional Johnson opened up about how the week’s events had affected him in an interview with The Sacramento Bee as he waited to board a flight back to Sacramento two hours after the City Hall news conference. Pausing throughout the conversation to search for the right words to capture his thoughts, Johnson said he “knew we were on the brink of history” as the NBA prepared to announce its punishment of Sterling on Tuesday morning.

“When you have institutional racism, when you hear those audiotapes, you just can’t believe that it’s 2014,” he said.

“This was personal,” he added. “This was so personal for me.”

ASSOCIATED PRESS, May 1

The former NBA star [Johnson] led the city’s successful effort to keep the Kings from moving to Seattle and was recently sworn in as leader of The U.S. Conference of Mayors.

But he scored what might have been his biggest victory when he represented NBA players in demanding one of the harshest penalties in the history of U.S. sports against Donald Sterling, the owner of the Los Angeles Clippers, over racist remarks.

After intense lobbying by Johnson and numerous others, NBA Commissioner Adam Silver banned Sterling from the league for life, fined him $2.5 million, and said he would urge the NBA’s board of governors to make Sterling sell the Clippers.

... In targeting Sterling, Johnson used his unique experience as a former player and elected official to drive the discussions with NBA executives on behalf of the National Basketball Players Association.

NEW YORK TIMES, May 2

How much Johnson knew what Silver’s decision was going to be — at his news conference, Silver said he did not reach it until Tuesday morning — is not known. But Silver’s announcement, which included a reference to Lloyd and other N.B.A. pioneers, went beyond the “minimum” that Johnson had envisioned.

For the players, said Jeffrey Kessler, a prominent sports lawyer who serves the union as an outside counsel, it was an “empowering experience” and the one Johnson had envisioned.

In an email Thursday, Johnson wrote: “The past few days galvanized the players and they showed the powerful influence they have when they speak in one voice. Situations like the one the players faced this week will build the N.B.P.A. into a stronger union.”

Conference of Mayors
President Sacramento Mayor
Johnson on NBC’S MEET THE PRESS, May 4

“I am really proud of the players. ... The players wanted a voice in this process and they spoke out very strongly. ... Commissioner Silver’s sanctions really sent a signal around this league. He exceeded everyone’s expectations and he did it for the right reasons.”
Climate Change Already Underway Throughout U.S. According to New National Climate Assessment

By Kevin McCarty

A slate of business, government, academic and other leaders contributed to a comprehensive national report released last week that documents climate changes, which are already occurring throughout the U.S., with a first-ever assessment of regional impacts based on data-driven findings on extreme weather, heavy precipitation, sea level rise and temperature, among other conditions.

Dr. Jerry Melillo, Director Emeritus at the Ecosystems Center of the Marine Biological Laboratory in Woods Hole (MA), led the review process, briefing reporters and others at a White House event to unveil the report. “The Third National Climate Assessment is superbly documented, so that anyone can look at their region of the country and say, ‘It has gotten warmer,’ or ‘Precipitation levels have changed,’ or ‘Sea level is rising,’ or ‘Growing seasons have lengthened.’ This is data on current impacts: it is not projections. Every region of the country is being affected in some way by climate change.”

In addition to the Melillo-led 60-person National Climate Assessment and Development Advisory Committee, the federal advisory panel that oversaw the development of the report, more than 300 other experts participated in the review process.

Impact on Regions

“There is still time to act, but it is becoming more and more urgent because the longer we wait, the more difficult it will be to take effective action, and the greater the consequences will be for the American people. Action can be taken at all levels, including the local level, to adapt to the changes that are projected,” Melillo told participants at the May 6 briefing.

Among the many documented regional climate-change impacts, the report states, “Sixty-four million people are concentrated in the Northeast. The high-density urban coastal corridor, from Washington (DC) north to Boston, is one of the most developed environments in the world, containing a massive, complex, and long-standing network of supporting infrastructure. The Northeast also has a vital rural component.”

It further adds that communities in the Northeast (CT, DC, DE, MA, MD, ME, NH, NJ, NY, PA, RI, and VT) “…are affected by heat waves, more extreme precipitation events, and coastal flooding due to sea level rise and storm surge.”

Included in the Southwest region are the states of Arizona, California, Colorado, New Mexico, Nevada and Utah. “The Southwest is the hottest and driest region in the United States. Climate changes pose challenges for an already parched region that is expected to get hotter and, in its southern half, significantly drier. Increased heat and changes to rain and snowpack will send ripple effects throughout the region and its critical agriculture sector,” states the report. “Drought and increased warming foster wildfires and increased competition for scarce water resources for people and ecosystems.”

Other regions addressed in the report are the Great Plains, Midwest, Northwest, Southeast and the Caribbean as well as Alaska and Hawaii and the Pacific Islands.

Impact on Sectors

The assessment also reports on the impacts of climate change on the U.S. economy and individual sectors of the economy. The effects on water supply and related systems are particularly important cities in their role as water suppliers. “Climate change affects water demand and the ways water is used within and across regions and economic sectors. The Southwest, Great Plains, and Southeast are particularly vulnerable to changes in water supply and demand. Changes in precipitation and runoff, combined with changes in consumption and withdrawal, have reduced surface and groundwater supplies in many areas. These trends are expected to continue, increasing the likelihood of water shortages for many uses. Increasing flooding risk affects human safety and health, property, infrastructure, economies, and ecology in many basins across the United States…Increasing resilience and enhancing adaptive capacity provide opportunities to strengthen water resources management and plan for climate-change impacts.”

The toll of these changes on the nation’s energy infrastructure and energy resources suggest new challenges in this sector, especially as climate-change induced energy demand could threaten energy savings from local energy efficiency and renewable energy initiatives. “Extreme weather events are affecting energy production and delivery facilities, causing supply disruptions of varying lengths and magnitudes and affecting other infrastructure that depends on energy supply. The frequency and intensity of certain types of extreme weather events are expected to change. Higher summer temperatures will increase electricity use, causing higher summer peak loads, while winter temperatures will decrease energy demands for heating. Net electricity use is projected to increase. Changes in water availability, both episodic and long-lasting, will constrain different forms of energy production. In the longer term, sea level rise, extreme storm surge events, and high tides will affect coastal facilities and infrastructure on which many energy systems, markets, and consumers depend. As new investments in energy technologies occur, future energy systems will differ from today’s in uncertain ways. Depending on the character of changes in the energy mix, climate change will introduce new risks as well as new opportunities.”

Other major sectors assessed in the report were agriculture, ecosystems, health, oceans and transportation. More information on the Third National Climate Assessment is available online at http://www.globalchange.gov/.
82nd Annual Conference of Mayors

IN DALLAS
June 20-23

HIGHLIGHTS:

Friday Night:
• AT&T (Cowboys) Stadium – Performances by The Dallas Cowboy Cheerleaders, Asleep at The Wheel, and Leann Rimes

Saturday Night:
• Perot Museum of Nature and Science, and Klyde Warren Park – Barbeque Feast and Performance by Grammy Award Winning Artist Lyle Lovett and His Full Band

Sunday Night:
• Arts District and Once-in-a-Lifetime Concert by Grammy Award-Winning Artist Bonnie Raitt

Monday Night:
• Dallas Arboretum and Botanical Gardens – Backyard Bash

Registration Now Open at usmayors.org

Registration Contact: Carol Edwards 202-293-7330
Sponsorship Information: Geri Powell 202-861-6774
The U.S. Conference of Mayors announced its second annual National Summer Youth Jobs Challenge in April 2014. The Conference of Mayors has partnered with the Workforce Development Council (WDC) and the DollarWise Campaign 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.

The Conference of Mayors, WDC, and DollarWise are inviting mayors from across the United States to join by completing a brief online survey to describe their summer program. Three winning cities (small, medium, and large) will be selected for recognition during the 2015 Conference of Mayors Winter Meeting for their programs’ excellence.

Mayors are still eligible to join and can do so at: http://www.usmayors.org/jobschallenge.

For more information on the 2014 National Summer Youth Jobs Challenge, contact James Kirby at jkirby@usmayors.org.
New Orleans Mayor Landrieu Hosts TAPES Meeting on Violence Prevention

By Jocelyn Bogen

New Orleans Mayor Mitchell Landrieu, Chair of the Conference of Mayors Tourism, Arts, Parks, Entertainment, and Sports (TAPES) Standing Committee, convened a special meeting April 25-26 for mayors to exchange information about how cities are using the arts for violence prevention and intervention.

Landrieu opened the meeting with a presentation on NOLA for Life, a comprehensive murder reduction strategy, which was created in 2012 as a response to the city’s historically high murder rate. Key pillars of the program are investing in prevention and promoting jobs and opportunities. Through partnerships with local organizations NOLA for Life provides opportunities and training for African-American men and youth to participate in the different cultural economy sectors. There were 34,198 jobs in the cultural industries in 2013. The New Orleans’ cultural industries outperformed every other major industry in the past decade, and is considered an increasingly critical part of the city’s economy.

Conference of Mayors CEO and Executive Director Tom Cochran talked about how the Conference of Mayors has a long history of encouraging the use of arts programs to address economic and social problems.

Americans for the Arts Chief Counsel of Government and Public Affairs Nina Ozlu Tunceli provided each mayor with a creative industries report for their cities, which offers a research-based approach to understanding the scope of economic importance of the arts. She concluded her remarks on highlighting national programs focused on at-risk youth and the arts.

The meeting featured a special guided bus tour that showcased how New Orleans has used the integration of arts and culture into the prevention of youth violence. Mayors toured the Treme neighborhood, which highlighted a midnight basketball facility, Armstrong Park’s Congo Square Preservation Society’s Living classroom, and Golden Feather, a restaurant and community space used for the passing on the Mardi Gras Indian Tradition to youth and adults.

Mayors also toured the Oretha Castle Haley Corridor. This community features NOLA for Life partners that utilize art and

See TAPES on page 9
culture for youth violence prevention, such as Café Reconcile, Cease Fire and Youth Empowerment Project (YEP).

The tour concluded with a visit to the Ashé Cultural Arts Center, located in Central City. The Center provides opportunities for art presentations, community development, artist support, and the creation of partnerships that amplify outreach and support efforts.

TAPES meeting attendees enjoyed a special performance by Trombone Shorty, one of New Orleans most renowned and Grammy nominated artists, who grew up in the Treme neighborhood. New Orleans Cultural Economy Outreach Manager Asante Salaam delivered a special presentation on the New Orleans Jazz and Heritage Festival, which some of the participants attended.

Left to right, North Miami Mayor Lucie Tondreau, Durham Mayor William Bell, West Sacramento Mayor Christopher Cabaldon, Santa Barbara Mayor Helene Schneider, and Pembroke Pines Mayor Frank Ortis visit the historic Armstrong Park and participated in African drumming as part of a presentation by Congo Square Living Classroom.
Mayors Goodman Honored with Riley Award

By Tom McClimon

Las Vegas Mayor Carolyn Goodman, along with her husband, Oscar, the former mayor, were honored with the Joseph P. Riley Award for Leadership in Urban Design at the American Architectural Foundation Gala held April 24 in Washington (DC). The Riley Award is named for the long-serving mayor of Charleston and past president of The U.S. Conference of Mayors, Joseph P. Riley, Jr. The award is presented annually by the American Architectural Foundation and The U.S. Conference of Mayors.

The Goodmans were honored for their work in helping to guide an urban design renaissance in downtown Las Vegas. Among the projects they have championed are the Smith Center for the Performing Arts, the Cleveland Clinic Lou Ruvo Center for Brain Health, the National Museum of Organized Crime and Law Enforcement, and the Fremont East Entertainment District. They also spearheaded the public-private partnership that led online retailer Zappos to relocate its corporate headquarters into Las Vegas City Hall and build an award-winning LEEDS-certified new city hall.

In presenting the award to the Goodmans, Conference of Mayors CEO and Executive Director Tom Cochran said both Goodmans have transformed the “old” Las Vegas into the current happening place in the city. “When people see these new monuments to urban design and see all that is happening now in the new downtown, they will remember the Goodman name,” Cochran said.

Left to right, American Architectural Foundation President and CEO Ron Bogle, USCM CEO and Executive Director Tom Cochran, former Mayor of Las Vegas Oscar Goodman, Las Vegas Mayor Carolyn Goodman and American Architectural Foundation Board of Regents Chair G. Sandy Diehl, III.
Q. I thought that most state and local employees were on track to have more than adequate retirement savings, but I have seen articles indicating that public employees are not saving enough. What can employers do to help employees achieve retirement readiness?

A. It is true that state and local employees have historically been perceived as having more than adequate retirement savings, as being on track to maintain their standard of living in retirement. A 2011 study by the Center for Retirement Research found, however, that many public sector retirees may fall well short of their pre-retirement earnings. Since that study, a number of factors continue to make it more difficult for public employers to sustain the level of retirement, health and disability benefits they have traditionally provided to their employees. Certain benefits are being eliminated entirely for new employees.

As public employees are increasingly called upon to take personal responsibility for their economic future, many employers are looking for ways to help. Designing your eligible 457(b) deferred compensation plan to cover more employees and provide the type of financial education and planning tools they need to make informed decisions is an excellent way to improve their retirement picture! Continuously monitor your program to ensure the plan design is serving the best interests of your participants and assisting them to prepare for a secure future. Here are five specific recommendations:

Retirement Readiness at the Plan Level. Partner with your plan provider to develop a roadmap for improving employee retirement readiness. For example, at Great-West Financial®, employees have access to a Retirement Income Control Panel on the plan’s website. It provides a realistic assessment of each participant’s level of retirement readiness by calculating an estimate of their projected monthly income after they retire based upon their current account balance, contribution rate, expected retirement age, Social Security benefits, and any other assets the participant has listed in their profile. If there is a projected shortfall in desired retirement income, participants can choose from a number of action items to close that gap, such as increasing plan contributions, changing their investment selections or delaying retirement.

Financial Literacy and Investment Advice. Implement targeted, action-oriented communication and education programs that stress the need for employees to prepare for retirement, and demonstrate how participating in the 457(b) plan can help reach their goals. Educational meetings should focus on financial literacy to improve participants’ knowledge about the various types of plan investments. Work with the plan’s service provider to offer investment advice, not just guidance. Advice tailored to each employee’s unique situation and financial goals can be very beneficial to those who are not well versed in investments. Ask your provider about managed accounts and other tools to help employees make informed investment decisions.

Guaranteed Lifetime Income. Consider adding a guaranteed lifetime income payout option to ensure participants won’t outlive their retirement savings. Ask your plan service provider for options.

For more information about The U.S. Conference of Mayors Deferred Compensation Program with Great-West Financial and to learn how to implement in your city, contact Kathryn Kretschmer-Weyland, Jeff Bean and Jen Mosca with the Conference of Mayors at 202-302-6944; Tim Bock at USCMTeam@gwrs.com; or visit the website www.USCMRetire.org/transition.

1 Munnell, Aubry, Hurwitz, Quinby, Center for Retirement Research, Boston College, “How prepared are State and Local Workers for Retirement?” State and Local Retirement Plans series, No. 22, October 2011.
Help Your Small Business with Partner America

Having Partner America help businesses become more profitable so they can hire more employees and grow their business is something every mayor should take advantage of, according to American Management Services Executive Vice President and COO Lou Mosca.

Partner America is designed to assist mayors in providing the resources and information small businesses need to thrive within their local communities and the global economy. Through Partner America, the mayor is able to champion small businesses for their economic importance, as well as lead owners to opportunities that might otherwise not be realized.

Mosca is encouraging mayors to reach out to their small business owners and offer the services of Partner America as a way to provide the help and assistance they need to stay competitive and grow.

Partner America is a strategic partnership between The U.S. Conference of Mayors and American Management Services. To find out more about Partner America, visit the website www.partneramerica.com or call Jeff Bean at 202-446-8140.

Small Business Facts:
• The 23 million small businesses in America account for 54 percent of all U.S. sales.
• Small businesses provide 55 percent of all jobs and 66 percent of all net new jobs since the 1970s.
• The 600,000-plus franchised small businesses in the U.S. account for 40 percent of all retail sales and provide jobs for some eight million people.
• The small business sector in America occupies 30-50 percent of all commercial space, an estimated 20-34 billion square feet.
• The number of small businesses in the United States has increased 49 percent since 1982.
• Since 1990, as big business eliminated four million jobs, small businesses added eight million new jobs.
  - Source: Small Business Administration

Calendar of Events
(Updated 04/10/14)

June 20-23
82nd Annual Conference of Mayors, Dallas. Contact: Carol Edwards cedwards@usmayors.org / 202-293-7330. Sponsorship: Geri Powell gpowell@usmayors.org / 202-861-6774. Registration Open at usmayors.org

September 27-29
Fall Leadership Meeting, Sacramento (USCM Executive Committee, Advisory Board, and Chairs Only). Contact: Carol Edwards cedwards@usmayors.org / 202-293-7330; Sponsorship: Geri Powell gpowell@usmayors.org / 202-861-6774. Registration Available in July.

USCM Community Policing Meeting at Clinton Presidential Center, and USCM Ports/Exports and Imports Meeting, Little Rock
• Community Policing: October 8-9
• Ports/Exports and Imports: October 10
  Contact: Carol Edwards cedwards@usmayors.org / 202-293-7330; Sponsorship: Geri Powell gpowell@usmayors.org / 202-861-6774. Registration Available Soon

October 15-17
Municipal Waste Management Association (MWMA) Fall Summit, San Diego. Contact: Jubi Headley jheadley@usmayors.org / 202-861-6798. Registration Available June
House Appropriations Bill Includes Funding for COPS

By Laura DeKoven Waxman

The House Appropriations Committee reported out a Commerce-Justice-Science spending bill May 8, which would provide $96.5 million for Office of Community-Oriented Policing Services programs, including $43.5 million for hiring grants. While this represents a considerable cut from this year’s levels of $274 million for COPS programs, including $151 million for hiring grants, it departs from recent House appropriations bills in which the entire Office would have been zeroed out (FY 2012 and FY 2014) or drastically cut (FY 2013). In each of those years the Senate restored some COPS funding in its CJS spending bills and the final bills included funding.

The bill passed the full committee on a voice vote; it was reported out of Subcommittee April 30 also on a voice vote. In all, it would provide $51.2 billion in discretionary funding, $398 million less (a less than 1 percent decrease) than this year’s funding level.

Following are funding levels for key programs in addition to COPS included in the bill:

- Byrne JAG - $376 million, or $354 million after carve-outs. This topline represents level funding, but actually provides an increase of $10 million after the carve-outs.
- Second Chance Act - $63 million (down from $68 million)
- Juvenile Justice Title II formula grants - $45 million (down from $55 million)
- Juvenile Justice Title V grants - $0 (down from $15 million)
- Juvenile Mentoring grants - $90 million (up from $89 million)
- Office of Violence Against Women STOP grants - $195 million (up from $193 million)
- Victims of Trafficking grants - $46 million (up from $14 million)
- Sexual Assault Kit Backlog - $36 million (new program)
- Justice Reinvestment Initiative - $30 million (up from $28 million)
- Residential Substance Abuse Treatment - $12 million (up from $10 million)
- Drug courts - $41 million (level funded)
- Mental health courts - $9 million (up from $8.25 million this year)
- Veterans treatment courts - $5 million (up from $4 million this year)
- DNA analysis and crime labs - $125 million (level funded)
- Criminal History Improvements (NCHIP) - $59 million (level funded)
- State Criminal Alien Criminal Assistance Program (SCAP) - $210 million (up from $180 million)
- Comprehensive School Safety Initiative - $75 million (level funded for the second year of this new research and grant program)

Policy Riders

The bill includes several gun-related provisions. It would:

- prevent federal funds from being spent on salaries or administrative costs associated with any effort to deny Americans the ability to import certain guns, parts and ammunition that are categorized as “antique” or “relic” firearms;
- ban funding to implement the International Arms Trade Treaty until after the Senate ratifies it, where a majority of lawmakers have already gone on the record opposing it; and
- withhold funding for efforts to make gun dealers inform the Justice Department when they sell multiple rifles or shotguns to the same person.

Several gun safety amendments were offered in full committee, but these were either defeated or withdrawn. Defeated were amendments to repeal language in the FY 2013 appropriations law that would permanently block funds for any federal rule requiring gun dealers to conduct physical inventories and to require gun dealers to conduct background checks on prospective employees. Withdrawn was an amendment to give the attorney general more leeway to deny gun transfers to buyers with ties to terrorism.
Highway Trust Fund Nearly Insolvent

While transportation proponents remain hopeful that final Congressional action on a multi-year bill can still be accomplished this year, the immediate threat to the program is the looming insolvency of the federal Highway Trust Fund. A recent governmental review projected that the fund will not be able to pay all of its bills by late August.

“Before the end of the summer, the Highway Trust Fund is projected to become insolvent. This situation, in addition to the upcoming expiration just weeks later of the authorities that fund our federal surface transportation programs, is forcing many states and communities to put on hold crucial transportation projects because they do not have the funding certainty to build and repair the roads, bridges, and other critical transportation projects that the nation depends upon to move people, energy, and freight,” Foxx said in his April 29 letter to Congressional leaders.

“The Administration encourages serious, bipartisan efforts in Congress to address this near-term crisis. But we should also use the opportunity of reauthorization to invest in modernizing our aging infrastructure to grow our economy and to empower American communities to meet the transportation needs of a growing population that will increase by 100 million in the coming decades,” Foxx wrote.

It is estimated that an infusion of about $15 billion in additional revenue is needed to keep the Trust Fund solvent into next year, giving Congress and the Administration more time to reach agreement on a multi-year renewal plan, including the additional revenues that will be needed to pay for the legislation.

Transit, Rail, Freight, Metros Slated for More Investment

The Administration’s plan places particular emphasis on increasing the share of federal resources to be made available for transit investment, especially accounts that seek to bring rail networks and bus systems up to a state of good repair. Under the plan, total transit spending would increase substantially (71 percent) over the four-year period.

Overall, the Administration’s plan proposes to raise transit’s share of total highway/ transit funding, from its nearly 20 percent share under current law to a level closer to 30 percent.

In a notable proposal, the President recommends that Amtrak and intercity passenger rail programs be made part of the surface transportation law, including the establishment of a separate account with substantially more resources allocated to passenger rail services provided by Amtrak, states and commuter rail providers. In another policy reform, the Administration is recommending the creation of a new discretionary program to leverage investment in freight-related facilities and networks, including freight rail.

With the notable exception of renewing its call for authorization of the TIGER competitive grant program as part of the base transportation law, the Administration leaves the current highway program categories largely in place as authorized under MAP-21. Importantly for mayors and other local leaders, the Administration recommends directing more of the funds provided to the Surface Transportation Program (STP) and the Transportation Alternatives Program (TAP) be directed to those regions defined as “high performing MPOs.” To accomplish this, the proposal serves a share of STP and TAP funds, about a quarter of each program’s funding, to be allocated later by U.S. DOT. In addition, the legislation proposes to reserve an additional $250 million annually to support “metro mobility” initiatives in local/metro areas. The Conference of Mayors, along with other local/regional government organizations, for some time, urged Congress and the Administration to direct a higher share of federal highway program funds to metro areas through their MPOs.
Supreme Court Decides “Good Neighbor Provision” Clean Air Act Case

The Clean Air Act’s Good Neighbor Provision prohibits upwind states from emitting air pollution in amounts that will contribute significantly to downwind states failing to attain air quality standards. In *EPA v. EME Homer City Generation*, the Supreme Court resolved two issues related to the Good Neighbor Provision on April 29. Justice Ginsburg wrote the 6-2 opinion.

The Court first considered how responsibility for air pollution should be allocated. This is no easy question when “[m]ost upwind states propel pollutants to more than one downwind state, many downwind states receive pollution from multiple upwind states, and some states qualify as both upwind and downwind.”

EPA chose cost-effectiveness in its Transport Rule. So, for example, for nitrogen oxide, all upwind states have to reduce pollution at a cost threshold of $500 per ton. The DC Circuit held that EPA must instead consider only each upwind state’s physically proportionate responsibility for each downwind state’s air quality problem.

The Supreme Court disagreed concluding that the Good Neighbor Provision allows EPA to consider costs. “EPA’s cost-effective allocation of emission reductions among upwind states, we hold, is a permissible, workable, and equitable interpretation of the Good Neighbor Provision.”

EPA issued Federal Implementation Plans (FIPs) allocating each upwind state’s emissions budget. Upwind states argued that they should have been given an opportunity to develop and implement State Implementation Plans (SIPs) before FIPs were issued.

If SIPs are inadequate EPA has two years to issue FIPs. The upwind states in this case failed to submit adequate SIPs. When EPA issued each state’s emissions budget it issued FIPs allocating the budgets. The DC Circuit required EPA to give states a “reasonable” time period to propose SIPs implementing their budgets. The Supreme Court disagreed noting that the Clean Air Act makes it clear that once EPA has found a SIP inadequate, EPA has a statutory obligation to issue a FIP.

States and local governments filed on both sides in this case. Upwind states are mostly in the South and Midwest. This case is a win for states and local governments in downwind states (and, of course, the EPA).

The Supreme Court will decide another Clean Air Act case this term involving regulating greenhouse gases emissions from stationary source.

WASHINGTON OUTLOOK

CDBG from page 1

The FY15 CDBG funding level is a big change from the House Subcommittee’s action last year when it recommended cutting the program from $3 billion to $1.6 billion. After the budget deal by the House and Senate, CDBG was eventually funded at $3.030 billion by the full Congress.

In a press release from the House Appropriations Committee, the transportation and housing bill “…includes $40.3 billion for HUD programs, a decrease of $769 million below the FY14 enacted level and $2 billion below the Obama Administration’s budget request.”

Section 8 tenant-based is funded at $19.36 billion and Section 8 project-based is funded at $9.75 billion. The bill fully funds the Administration request for veterans’ housing at $75 million. The bill cuts the public housing capital fund by $100 million from its funding level of $1.8 billion in FY14 and provides level funding for the public housing operating fund at $4.4 billion. The bill provides $420 million for Housing for the Elderly (Section 202), $36.5 million above the FY14 level, and $135 million for Housing for Persons with Disabilities (Section 811), an increase of $9 million above last year’s funding level. HUD’s homeless assistance grants are funded at $2.1 billion, the same as last year’s funding level.
The Supreme Court on May 5 in a 5-4 decision held that the town of Greece did not violate the First Amendment by opening its meetings with a prayer. Read Greece v. Galloway opinion here.

While anyone could give a prayer at a Greece board meeting, from 1999-2007 all pray givers were Christian. Some referred to Jesus in their prayers. The town recruited “board chaplains” from a local directory and nearly all congregations were Christian. Clergy crafted their own messages without any input from the town.

Susan Galloway and Linda Stephens argued that legislative prayer cannot contain sectarian language or themes such as the “death, resurrection, and ascension of the Savior Jesus Christ.” They also argued that prayers before town board meetings “…create social pressures that force non-believers to remain in the room or even feign participation in order to avoid offending the representatives who sponsor the prayer and will vote on matters citizens bring before the board.” Justice Kennedy’s majority opinion rejected both arguments.

In Marsh v. Chambers, in 1983, the Court held the Nebraska Legislature didn’t violate the First Amendment by opening its sessions with a prayer delivered by a chaplain paid from state funds. The proposition that Marsh allows only nonsectarian prayer “is irreconcilable with the facts of Marsh and with its holding and reasoning.” Only allowing nonsectarian prayer would require state legislatures and local governments to “act as supervisors and censors of religious speech” and it isn’t clear when a prayer is sectarian. But, the Court warned, sectarian prayers can go too far “[i]f the course and practice over time shows that the invocations denigrate nonbelievers or religious minorities, threaten damnation, or preach conversion.”

Galloway and Stephens argued that in terms of coercion, prayer in the town board meeting context is fundamentally different than prayer in the state legislative context because citizens can only address state legislatures by invitation, but citizens often attend town board meetings because they have business before the board. But prayers in both contexts aren’t intended for the public but for the lawmakers “who may find that a moment of prayer or quiet reflection sets the mind to a higher purpose and thereby eases the task of governing.” Coercion could be possible though “if town board members directed the public to participate in the prayers, singled out dissidents for opprobrium, or indicated that their decisions might be influenced by a person’s acquiescence in the prayer opportunity.”

Justices Thomas and Scalia didn’t join the Court’s coercion analysis but joined the Court’s judgment. They opined that First Amendment coercion exists only “…by force of law and threat of penalty.” The Court’s “liberal” justices dissented: Justice Kagan’s opinion was joined by Justices Ginsburg, Sotomayor, and Breyer, who also wrote separately.

The deadline for member mayors to submit Resolutions for Consideration at the 82nd Annual Meeting in Dallas is: May 21 at 5:00 p.m. EDT

Rules and Procedures available at usmayors.org
Boston Mayor Martin J. Walsh announced the formation of a Universal Pre-Kindergarten Advisory Committee May 6 to recommend a city-wide strategic framework and action plan to double the enrollment of four-year-olds in high quality, full-day pre-kindergarten programs by 2018. Access to full-day pre-kindergarten with a certified teacher in a Boston Public School or in a community-based program is part of the city’s multi-year effort to improve the achievement of all Boston students and close the achievement gap by grade three.

“Pre-kindergarten programs ensure that all students start kindergarten ready to learn,” said Walsh. To create the framework and action plan for the expansion of full-day pre-kindergarten programs, the Universal Pre-Kindergarten Advisory Committee will look at many factors including class space requirements, teacher qualifications, funding requirements, and potential partnerships for before school, after school, and summer wrap-around services.

There are approximately 6,000 four-year-olds living in Boston, and the population of four-year-olds is projected to grow to as many as 8,000 by 2030. Currently, approximately one-third of all four-year-olds (2,200) are in the nationally recognized Boston Public School Pre-Kindergarten (K1) Program, while others attend community-based private programs. An estimated 25 percent of all Boston four-year-olds do not attend a pre-kindergarten program. Walsh’s FY15 budget adds over 100 K1 seats for four-year-olds. Research on early childhood programs with trained teachers and smaller teacher to student ratios have been shown to yield benefits in increased performance, academic achievement, improved behavior, prevention of delinquency and crime, and labor market success.
City Efforts To Entice “Flying Flowers” Take Flight

By St. Louis Mayor Francis Slay

St. Louis is at work cultivating the local return of a great migration of butterflies — most specifically, that of the Monarch. It doesn’t take much to make a Monarch feel welcome, just a good meal and a safe place to lay their eggs and feed their larvae.

Butterflies are both a symbol of hope and a vehicle for positive change. Who doesn’t smile when they see a butterfly? Research findings and mounting evidence supports the importance of connecting people with nature. Simply put, we are hardwired to respond favorably to elements of the natural world. Studies are showing there are actual physical and psychological benefits to exposing people to nature — things like lowering stress and anger, reducing blood pressure, improving comfort, minimizing fear and improving overall happiness.

There are dozens of notable organizations working to help Monarch butterflies; St. Louis is partnering with some of them to bring these successes to the people at the local level and neighborhood scale. We launched “Milkweeds for Monarchs: The St. Louis Butterfly Project” for the benefits it will bring to plants, pollinators and people.

Monarchs play an important pollinator role in our ecosystem and agricultural system as they make their annual epic move from Canada to Mexico, and back again. But that migration is now a threatened biological phenomenon.

The skies once were thick with, as Walt Whitman put it, “Butterflies and butterflies, all sorts, white, yellow, brown, purple — now and then some gorgeous fellow flashing lazily by on wings like artists’ palette dabb’d with every color.”

I remember being about 13 years old or so, playing in Lindenwood Park in St. Louis and seeing clouds of Monarch butterflies all over the place. My friends and I marveled at their beauty and tried to catch a little bit of their magic. But, I’ve never seen that again in my life. I remember it so well, and I’d like to see it again.

Monarch populations, though, have declined 90 percent over the past two decades. The misuse of herbicides and insecticides has largely killed their habitat. But, we can contribute to its revival — each of us, with little effort, in our own yards and gardens. All it takes is to plant a square yard (or more) of a milkweed mix — hardy and handsome non-invai-
usive weeds that are ideal hosts to caterpillars intent on metamorphosis. Monarch caterpillars can only feed on milkweed to grow and survive, so without milkweed, we would have no Monarch butterflies.

By planting milkweeds and a variety of nectar plants, you can help the Monarch butterfly as well as other pollinators like bumblebees. Conservation can start at home, at school, at work, or on any vacant lot.

City agencies are working together, joining the St. Louis Zoo, the Missouri Botanical Garden, Forest Park Forever, the Missouri Department of Conservation, and a growing cadre of neighborhood gardeners to establish, by the September 2014 migration, at least 50 city-sponsored milkweed gardens — at fire houses, police Area Stations and other public places — with residents establishing another 200, as part of the 250th Anniversary celebration of St. Louis’s founding.

Launched on Earth Day 2014, this initiative already has met with an overwhelmingly positive response. It’s a simple and tangible project that will translate into almost immediate results.

The St. Louis initiative is a modest but powerful part our city’s Sustainability Plan, a comprehensive 260-page library of ideas developed through public engagement to increase economic, social and environmental opportunities. While the Plan has thousands of ways to enhance sustainability, I am prioritizing the city’s implementation efforts on a list of 29 measurable action items, including several that will help improve the city’s natural and built environment.

The purpose of the Milkweeds for Monarchs initiative is to reinforce in ways as sublime as the beauty of the butterfly the connections between people and urban natural resources and the joy of experiencing biodiversity in our everyday lives.

St. Louis is spearheading this effort to help grow the Monarch population in ways that people can experience them, and I hope other cities across the country will join us — both for the butterflies and the people who see them.

We owe butterflies plenty. In St. Louis, our hope is to provide them with a safe and nourishing place to land.

For more information about “Milkweeds for Monarchs: The St. Louis Butterfly Project,” contact St. Louis Sustainability Director Catherine Werner at WernerC@stlouis-mo.gov.