Proposed National Municipal Policy Amendments & Resolutions
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Procedures for the Adoption of National Municipal Policy and Resolutions
Congress of Cities and Exposition
Austin, Texas
November 2014

The National Municipal Policy (NMP) is NLC’s comprehensive, standing statement of goals, principles, policies, and program objectives on federal policy issues directly affecting or of concern to cities and towns. The NMP serves as the basis for NLC’s advocacy efforts on behalf of the nation’s cities and towns. The policy is subject to annual modification by delegates from direct member cities and state municipal leagues during the Congress of Cities.

Because the opportunity for the membership to amend the NMP occurs only once each year, amendments to the policy typically do not endorse or oppose specific congressional bills, current presidential positions, or technical aspects of federal regulations. Instead, positions on such timely matters – which are subject to major changes during the annual legislative and administrative processes – are the subject of NLC resolutions that stand for one year, from their time of passage until the adjournment of the next Congress of Cities.

At the Congressional Cities Conference in March, the policy and advocacy committees set agendas for the year. At meeting(s) following the Conference, their respective steering committees developed recommendations for policy amendments and resolutions. Additionally, during the summer, all NLC direct member cities and state municipal leagues were invited to submit recommendations of policy amendments and resolutions by an August 8, 2014, deadline.

Prior to the Congress of Cities, steering committee reports with policy amendments and proposed resolutions are emailed to all policy and advocacy committee members and NLC members. These reports are also made available on the NLC website.

**Policy and Advocacy Committee Meetings: Wednesday, November 19**

NLC’s Policy and Advocacy Committees will each meet on Wednesday, November 19, at the Congress of Cities. The Official Rules and Procedures presented here and in the NLC Bylaws shall govern the conduct of each committee meeting. In the event that procedural matters arise that are not addressed by the Official Rules or Bylaws, Robert’s Rules of Order Revised shall govern the conduct of the meeting.

At these meetings, committee members first will consider and act on recommendations prepared by their steering committees. Action also can be taken on policy amendments or resolutions submitted to NLC by the August 8 advance submission deadline, if the steering committee did not endorse those positions. Sponsors of these amendments or resolutions, or their representatives, can appear before the policy and advocacy committee on behalf of their proposed recommendations. Finally, the policy and advocacy committee can hear additional proposals from the floor from committee members.
Individuals submitting resolutions or policy changes on-site must bring 100 copies to the meeting and furnish them to the head table at the beginning of the meeting. An electronic copy of the proposal should also be provided, in advance if possible, to the NLC staff contact for the committee. (NLC staff should be notified in advance of this intention if at all possible.)

Policy and advocacy committee meetings are open to all conference participants. However, only policy and advocacy committee members – including steering committee members – are eligible to vote, make formal motions, and debate items. Committee members will receive identification ribbons at the conference registration booth.

Adoption of recommendations is by a majority vote of policy and advocacy committee members present and voting. Proxies are not permitted. Every reasonable effort will be made to assure that the views of all committee members are heard.

**Resolutions Committee Meeting: Thursday, November 20**

Proposals approved by the policy and advocacy committees are forwarded to the NLC Resolutions Committee for consideration. The Resolutions Committee will meet during the Congress of Cities on Thursday, November 20 at 3:00 p.m. The policy and advocacy committee chairs will report the recommendations of their respective committees to the Resolutions Committee members.

In addition to these amendments and resolutions, the Resolutions Committee will consider any appeals by sponsors of policy amendments or resolutions that were received in NLC’s offices by the August 8 advance submission deadline and subsequently rejected during policy and advocacy committee debate (100 copies needed). Proposals from Resolutions Committee members or the Board of Directors also are eligible for consideration by the Resolutions Committee (100 copies needed).

Only Resolutions Committee members or alternates appointed by state municipal leagues may participate and vote during the meeting. The only individuals who will be recognized to speak at the Resolutions Committee are members of the Resolutions Committee, board members, policy and advocacy committee chairs, and sponsors of policy recommendations being appealed. Adoption of recommendations is by majority vote of Resolutions Committee members present and voting. Proxies are not allowed.

The Official Rules and Procedures presented here and in the NLC Bylaws shall govern the conduct of the Resolutions Committee meeting. In the event that procedural matters arise that are not addressed by the Official Rules or Bylaws, Robert’s Rules of Order Revised shall govern the conduct of the meeting.
Annual Business Meeting: Saturday, November 22

Resolutions Committee actions are referred to the Annual Business Meeting for consideration and adoption by the voting delegates. The report of the Resolutions Committee will include only recommended policy language amendments and resolutions.

The Annual Business Meeting will be held during the Congress of Cities on Saturday, November 22 at 2:30 p.m.

To cast a vote at the Annual Business Meeting, all voting or alternate delegates must be registered with the Credentials Committee and must have official voting materials. Each direct member city has a certified voting delegate, or alternate, who is entitled to vote at the Annual Business Meeting. The delegate may cast a certain number of votes based upon the direct member city’s population as of the 2010 census; member cities may not split their votes. Each state municipal league is entitled to cast a total of 20 votes by its delegate or delegates, and those votes may be split and distributed at the discretion of each state municipal league. Voting delegates must be present to vote. Proxies are not permitted.

After brief presentations by each of the policy and advocacy committee chairs, the Annual Business Meeting’s Presiding Officer will call for adoption of NMP amendments and resolutions as proposed by the Resolutions Committee. Amendments to each chapter will be considered in the order in which those chapters appear in the NMP. Motions from the floor to amend the Resolutions Committee’s recommendations require a majority vote for passage. Final adoption of amendments to the NMP requires a two-thirds vote of voting delegates.

Policy proposals not submitted by the Resolutions Committee may be presented by petition to the NLC Policy Office at the Congress of Cities. Such petitions must be received by 10:00 a.m. on the day of the Annual Business Meeting, Saturday, November 22. Petitions must carry the text of the proposal and printed names, titles, and signatures of 10 certified voting delegates with their respective cities and states. The petition must receive a majority vote of the voting delegates to be accepted for floor consideration, and all proposals to amend or adopt the NMP and all separate resolutions require a two-thirds vote for final approval.

The Official Rules and Procedures presented here and in the NLC Bylaws shall govern the conduct of the Annual Business Meeting. In the event that procedural matters arise that are not addressed by the Official Rules or Bylaws, Robert’s Rules of Order Revised shall govern the conduct of the meeting.

For further information about this process prior to the Congress of Cities or to contact the NLC staff for a Committee, contact Avery Peters, 202.626.3020 or peters@nlc.org.

During the Congress of Cities, please contact the Federal Advocacy staff at the Policy Office located in the Austin Convention Center, Room 8C.
PROPOSED POLICY AMENDMENTS AND RESOLUTIONS FROM THE

FINANCE, ADMINISTRATION AND INTERGOVERNMENTAL RELATIONS STEERING COMMITTEE

FAIR
POLICY AMENDMENTS


Please note:

- Proposed new language is **underlined**;
- Proposed language for deletion is **struck out**; and
- Existing, unchanged language is shown as plain text.

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1.01 Intergovernmental Relations

Q. Election Administration

Voting is fundamental to democracy in the United States’ form of government. Citizen trust in the integrity of this process is essential. Procedures and administration of this process must be completely honest, transparent and impartial. State and local officials are primarily responsible for administering the voting process but all levels of government – federal, state and local – should exercise oversight in a balanced and even-handed manner. Control of such processes should remain in the jurisdiction of state and local officials. NLC is opposed to any federal laws that disenfranchise individuals from exercising their most fundamental constitutional right to vote.

NLC does support federal establishment and enforcement of standards for voting for Americans overseas, particularly members of the U.S. military and federal government employees and their dependents. The federal government should annually review state laws for any procedural or statutory inconsistencies with applicable federal laws and promptly inform state governments, the state municipal league and the state association of counties in each state of any problems and ways to cure them.

1.02 Finance

C. Municipal Finance Mechanism

2. Advanced Refunding

Tax-exempt bonds are an important source of capital investment at the local level. NLC supports federal legislation that increases the number of times local governments can apply for advanced refunding in order to take advantage of lower interest rates for refinancing public debt. Additional opportunities for advanced refunding would allow local governments to access capital at lower costs, thereby mitigating the strain on already finite resources at the local level and ensuring that necessary services are not shortchanged, neglected or eliminated.
NLC Resolutions are annual statements of position that last for one year from the date of their passage until the next Congress of Cities. For current resolutions, the committee has the following options:

1. Renew the resolution for the following year;
2. Incorporate the resolution into permanent policy; or
3. Let the resolution expire.

The table below summarizes the actions on Resolutions recommended by the FAIR Policy Steering Committee.

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Please note:
- Proposed new language is underlined;
- Proposed language for deletion is struck out; and
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WHEREAS, the United States Postal Service (USPS) faces a severe fiscal crisis; and

WHEREAS, USPS is projected to have an operating loss of $4.6 billion in FY 2014 facing a $16 billion annual deficit by FY 2013 even after achieving savings of almost $2 billion; and

WHEREAS, the Government Accountability Office includes USPS on its list of “high-risk” federal agencies and issued a report calling on USPS to develop and implement a broad restructuring plan; and

WHEREAS, as part of its plan to address this fiscal crisis USPS is studying closing postal facilities and other service cuts; and

WHEREAS, USPS is also looking at consolidating mail processing facilities, realigning carrier routes, increased automation and reduction of mail service from six to five days per week; and

WHEREAS, as it studies postal facility closures, USPS is reviewing several factors including mail volume, proximity to other postal facilities and potential savings in labor and utility costs; and

WHEREAS, postal facilities often serve as an anchor of many central business districts and as a major focal point of urban commercial neighborhoods; and

WHEREAS, the loss of a postal facility can severely impact the health of a central business district or urban commercial neighborhoods and pose a setback to local government community and economic development plans; and

WHEREAS, postal facilities located in central business districts and urban commercial neighborhoods are often more accessible to the elderly, people with disabilities and households without a motor vehicle than other post offices; and

WHEREAS, many low- and moderate-income households do not have Internet access; and

WHEREAS, under current law USPS must undertake a formal public notification and comment period prior to closing a post office; and

WHEREAS, legislation has been introduced to require USPS to undertake a formal public notification and comment period prior to closing any postal facility.
NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) understands the severity of the fiscal crisis USPS is facing and the need for USPS to take drastic action to address it; and

BE IT FURTHER RESOLVED that NLC urges USPS to consider impacts on local government community and economic development plans and impacts on low- and moderate income households, the elderly and the disabled as it studies postal facility closures; and

BE IT FURTHER RESOLVED that NLC supports legislation that would create a formal public notification and comment period prior to the closure of any postal facility; and

BE IT FURTHER RESOLVED that NLC urges USPS to take a comprehensive approach to restructuring that does not rely disproportionately on postal facility closures; and

BE IT FURTHER RESOLVED that NLC urges USPS and Congress to prevent disproportionate impacts on cities and neighborhoods as USPS is restructured.
WHEREAS, current federal revenues and expenditures are unbalanced requiring large deficits to the detriment of future generations and to programs important to cities and towns; and

WHEREAS, the aging population and the rising cost of health care will cause spending on the major mandatory health care programs to grow to 14 percent of GDP by 2038, twice the seven percent average of the past 40 years¹; and

WHEREAS, the Government Accounting Office projects that by 2040 the national deficit will be so large that balancing the budget could require cuts in total federal spending levels of as much as 60 percent, or raising taxes to almost two times today’s levels; and

WHEREAS, revenue from today’s tax laws are insufficient to pay for the promises successive Congresses and Administrations have built into new and current programs; and

WHEREAS, long-term structural deficits have significant, lasting consequences for federal, state and local governments, as well as contribute to the further breakdown of intergovernmental relationships in the face of increased parochialism; and

WHEREAS, federal budgetary conditions may dictate a changing role for the federal government in communities, local businesses and the infrastructure that supports our national economy just when greater investment is needed to spur economic growth and ensure our competitiveness in the global arena; and

WHEREAS, to be globally competitive our economy demands an immediate reexamination and update of the nation’s tax systems; and

WHEREAS, maintaining tax-exemption on municipal bonds is essential to help our national economy grow and create jobs because three-quarters of the total United States investment in infrastructure is accomplished with tax-exempt financing from over 50,000 state and local governments and authorities; and

WHEREAS, state and local budgets face significant uncertainty and serious risk of destabilization because of linkages to unsustainable federal policies; and

WHEREAS, the National League of Cities (NLC) further believes intergovernmental partnerships must be strengthened to provide a framework of economic growth that balances the critical role of each level of government in the economic health of the nation, while also preserving important principles of federalism.

¹ 2013 Long-Term Budget Outlook, Congressional Budget Office (June 2013).
NOW, THEREFORE, BE IT RESOLVED that NLC calls on Congress and the President to adopt a non-partisan plan to reduce the deficit and balance needed reductions in spending with revenue enhancement, while making growth-enabling investments in cities; and

BE IT FURTHER RESOLVED that NLC calls on Congress and the President to maintain tax-exempt municipal bonds to promote employment and investment in our nation’s cities and towns, and reform our nation’s tax code to provide a more sufficient revenue stream; and

BE IT FURTHER RESOLVED that NLC calls on Congress and the President to obtain input and actively partner with cities in a transparent process that leads to a balanced plan to resolve and reduce the current and growing deficit over a defined period of years, so the federal government can meet its long-term future financial obligations and preserve the ability of local governments to invest in their own communities; and

BE IT FURTHER RESOLVED that reductions in federal spending should not come solely from domestic discretionary programs essential to vibrant communities and the families who live in them; and

BE IT FURTHER RESOLVED that any balanced deficit reduction plan should not rely on accounting tricks by transferring responsibilities or imposing unfunded mandates on our cities and towns; and

BE IT FURTHER RESOLVED that any structural changes in federal programs implemented for deficit reduction should allow for an adequate transition period for our hometowns to prepare for our shared sacrifice.
WHEREAS, rapid growth in interstate commerce has complicated state and local government efforts to collect legally authorized sales and use taxes on remote transactions representing a significant loss of state and local government resources; and

WHEREAS, the University of Tennessee Center for Business and Economic Research estimates that state and local governments were unable to collect $23 billion in sales tax on e-commerce in 2012; and

WHEREAS, the Streamlined Sales Tax Project (SSTP) adopted as its original mission the following statement: “The Streamlined Sales Tax Project will develop measures to design, test and implement a sales and use tax system that radically simplifies sales and use taxes”; and

WHEREAS, the National League of Cities (NLC) has supported the SSTP since its inception in 2000; and

WHEREAS, 44 states and the District of Columbia approved the Streamlined Sales and Use Tax Agreement (Agreement) which sets the minimum sales and use tax statutory simplifications required of any state that wishes to participate in the simplified system; and

WHEREAS, to date, 23 state legislatures have amended their sales and use tax statutes to conform to the requirements of the Agreement; and

WHEREAS, Congress is considering legislation to provide states that are members of the Agreement and in compliance with the federal legislation the authority to require out-of-state sellers to collect and remit sales and use taxes on remote transactions attributable to those states; and

WHEREAS, the federal legislation is expected to impose additional requirements beyond those supported by the SSTP and included in the Agreement, including simplification of collection and administration of local telecommunications taxes; and

the proposed requirements for state collection and administration of local telecommunications taxes are contrary to local control and propose “federalizing” traditionally local tax matters; and

WHEREAS, the proposed requirements for state collection and administration of local telecommunication taxes are directly contrary to NLC’s longstanding policy, which opposes federal efforts to curb the ability of local officials to collect local telecommunications taxes.
NOW, THEREFORE, BE IT RESOLVED that NLC supports efforts by states to streamline and simplify their sales and use tax collection and administration systems; and

BE IT FURTHER RESOLVED that NLC commends the Streamlined Sales Tax Governing Board for considering the challenges that the Agreement’s destination sales tax sourcing requirement presents to those states using origin-based sourcing and working to identify solutions that would allow those states to participate in the Agreement; and

BE IT FURTHER RESOLVED that NLC commends Congress on recognizing the importance of the issue and introducing legislation that would grant states the authority they need to require sellers, regardless of location, to collect sales and use taxes owed to them; and

BE IT FURTHER RESOLVED that NLC strongly opposes the inclusion in federal legislation of proposed requirements for state collection and administration of local telecommunication taxes, and will oppose federal legislation that includes such requirements; and

BE IT FURTHER RESOLVED that NLC opposes the inclusion in federal legislation of any other requirements, beyond those supported by the SSTP and included in the Agreement that would preempt local government collection or administration of revenues or would diminish local government net revenues.
CALLING TO RESOLVE THE CONFLICT
BETWEEN STATE AND FEDERAL MARIJUANA LAWS
MEDICINAL USE OF MARIJUANA

[Steering Committee Recommendation: Renew with edits]

WHEREAS, state and local governments share with the federal government the responsibility to ensure public health and safety is addressed through competent, thoughtful, and comprehensive legislation and regulation and is reflected of local values and needs; and

WHEREAS, some states have passed or are considering voter referenda or legislation authorizing the growth and distribution of marijuana for adults’ recreational use; and

WHEREAS, a growing number of states have passed voter referenda or legislation authorizing the growth, distribution, possession and use of marijuana for a variety of medical conditions for patients suffering from serious and chronic diseases; and

WHEREAS, the federal Controlled Substances Act (CSA) establishes a regulatory system designed to combat recreational drug use by making it unlawful to manufacture, distribute, possess or use any controlled substance including marijuana; and

WHEREAS, the federal government has classified marijuana as a Schedule I controlled substance, creating a conflict between the laws in various states authorizing medicinal and recreational marijuana in certain circumstances and the CSA’s prohibitions against marijuana under any circumstance; and

WHEREAS, the federal government has not provided guidance to financial institutions on the accommodation of businesses associated with authorized medical or permitted adult recreational use of marijuana, leaving those businesses without banking and financial services; and

WHEREAS, the lack of banking services creates a cash-only operation that heightens the risk of crime in local communities,

WHEREAS, America’s cities are expending scarce resources as a result of this conflict between federal and state law.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) urges the federal government to resolve this conflict; and

BE IT FURTHER RESOLVED that NLC urges the federal government to consider a precise interpretation of the CSA to recognize and address whether the medicinal use of marijuana in prescribed circumstances and adult recreational use is or is not in conflict with the CSA.
NLC RESOLUTION 2014 - 5

SUPPORT FOR MODERNIZATION AND EQUAL APPLICATION OF THE
COMMUNITY REINVESTMENT ACT

[Steering Committee Recommendation: Expire]

WHEREAS, the Community Reinvestment Act has encouraged responsible banking practices for more than 30 years; and

WHEREAS, the Community Reinvestment Act creates incentives for banks to provide basic financial services for low- and moderate-income communities including responsible home mortgage lending, housing and homeowner counseling, and foreclosure mitigation, and

WHEREAS, the U.S. Federal Reserve Board reports that the Community Reinvestment Act did not contribute to the current economic or home foreclosure crisis, and that only six percent of all high-cost, high risk loans in 2006 were considered on bank CRA exams; and

WHEREAS, fundamental structural changes to the U.S. home finance system and the housing market have weakened or eliminated the intended protections and benefits of the Community Reinvestment Act for the majority of U.S. homebuyers; and

WHEREAS, fundamental structural changes to the U.S. banking and finance system have weakened or eliminated the application of CRA fiscal accountability measures for financial institutions to the cities and towns in which they do business; and

WHEREAS, cities and towns working to fulfill the CRA accountability gap in innovative ways that ensure that local tax generated revenues are invested in responsible financial institutions that partner with local governments to maximize benefit of public investments to the taxpayer; and

WHEREAS, on March 20, 2002, the City of Philadelphia signed into law a requirement that all banks authorized to receive deposits from the City submit an annual statement of community reinvestment goals within Philadelphia; and

WHEREAS, on March 5, 2010, the Los Angeles City Council unanimously supported a Responsible Banking Initiative that requires financial institutions with which the City contracts to provide an annual “report card” detailing their investment and lending activity in Los Angeles; and

WHEREAS, the ultimate ability of cities and towns to impact the activities of financial institutions operating within their jurisdictions is necessarily limited by federal regulatory authority and the financial impact of municipalities on financial institutions portfolios.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities supports Congressional efforts to modernize the Community Reinvestment Act such that it can remain relevant within dynamic market conditions, and
BE IT FURTHER RESOLVED, that standards and protections intended under the Community Reinvestment Act should be provided for all consumers regardless of how lending institutions may be classified; and

BE IT FURTHER RESOLVED, that the benefits afforded by the Community Reinvestment Act should apply equally to every city and town regardless of size or circumstance; and

BE IT FURTHER RESOLVED, that federal efforts to modernize the Community Reinvestment Act should encourage and compliment, and not supplant, efforts of local governments to incent transparent and responsible banking practices from financial institutions doing business with cities and towns.
NLC RESOLUTION 2014 - 6

ENABLING ADOPTION OF PENSION BENEFIT ALTERNATIVES THAT REDUCE COSTS TO PUBLIC SECTOR EMPLOYEES

[Steering Committee Recommendation: Renew]

WHEREAS, many local and state governments are struggling to provide retirement security for employees over the long term while dealing with structural budget problems, tax base and investment losses from the economic downturn, and other fiscal pressures;

WHEREAS, in many cases, the rising costs of providing pension and retirement benefits have resulted in significant contribution increases borne by public sector employees;

WHEREAS, local and state governments are proposing changes to pension plan offerings that can address budget problems while also reducing the cost of retirement benefits to public sector employees through their voluntary election of alternative plans;

WHEREAS, U.S. Treasury Department guidelines, rulings, and review processes related to determining the tax treatment of retirement plan contributions impact whether local governments can effectively offer those choices to employees; and

WHEREAS, the U.S. Treasury Department has been asked by several local and state governments to review such pension plan proposals and issue such guidance as provided prior to 2006.

NOW THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) calls for federal administrative and regulatory action to clarify these tax issues and enable offerings of alternative pension plans that would ensure a more sustainable pension system, reduced costs to employees, and stronger local and state government financial conditions; and

BE IT FURTHER RESOLVED, NLC calls upon the U.S. Department of the Treasury to expeditiously promulgate clarifying guidelines or rules that ensure favorable tax treatment of certain retirement plan contributions picked up by governmental employers when employees are given an option to choose a lower-cost plan.
WHEREAS, the National League of Cities (NLC) adopted a resolution in 1992 encouraging the military to end discrimination against gays, lesbians and bisexuals; and

WHEREAS, NLC adopted a resolution in 1998 in support of hate-crimes legislation; and

WHEREAS, NLC adopted a resolution in 2004 affirming local authority over marriage; and

WHEREAS, in 2012 over 180 mayors from across the nation, many of them members of NLC, pledged to support ending the exclusion of same-sex couples from marriage and repealing federal marriage discrimination under the Defense of Marriage Act; and

WHEREAS, as officials of great American cities, we personally know many gay and lesbian people living in our cities who are in committed, long-term relationships, who are active participants in the civic life of our communities, and who deserve to be able to marry the person with whom they share their life; and

WHEREAS, our cities derive great strength from their diversity, and gay and lesbian families are a crucial part of that diversity; and

WHEREAS, allowing same-sex couples the freedom to marry enhances the economic competitiveness of our communities, and improves the lives of families that call our cities home.

BE IT RESOLVED that NLC supports the full inclusion of all families in the life of our nation, with equal respect, responsibility, and protection under the law, including the freedom to marry. We oppose discriminatory constitutional amendments and other attempts to deny the freedom to marry.
WHEREAS, the right to vote is fundamental for our democracy;

WHEREAS, the right to vote should not be made a political issue nor abridged;

WHEREAS, states across the country have enacted laws that make it harder for many people, particularly African-Americans, Hispanics, naturalized citizens, the elderly, students and people with disabilities to exercise their right to vote;

WHEREAS, states have enacted laws to require presentation of government issued photo identification in order to vote;

WHEREAS, as many as 11 percent of United States citizens – more than 21 million individuals – do not have government-issued photo identification and could lose their right to vote without obtaining such.  

NOW THEREFORE, BE IT RESOLVED that the National League of Cities calls on the United States Department of Justice and, if necessary, the United States Supreme Court to reject any law that disenfranchises individuals from exercising their most fundamental constitutional right to vote.

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PROPOSED FAIR RESOLUTION # 1

LOCAL GOVERNMENT SUPPORT FOR MARKETPLACE FAIRNESS

[Steering Committee Recommendation: Adopt]

WHEREAS, our Main Street merchants are important parts of our local communities – providing employment to residents, contributing to charities, and keeping communities vibrant; and

WHEREAS, the Supreme Court ruled that state and local governments do not have the authority to require the collection of sales tax by retailers that have no physical presence or nexus in the state (Bellas Hess 1967; Quill 1992); and

WHEREAS, the Court’s precedent puts our Main Street merchants at a five to ten percent competitive disadvantage by following the law and collecting sales tax at the time of purchase, while remote online retailers are not required to do so; and

WHEREAS, if state and local governments could collect the $23 billion in sales taxes on e-commerce\(^2\) that are already owed, cities could better provide basic services, such as infrastructure investment and public safety, to residents without a penny coming from the federal government; and

WHEREAS, Congress is considering legislation, such as the Marketplace and Internet Tax Fairness Act S.2609, that would give states the option to collect from remote online retailers the same tax that merchants on Mains Street currently collect; and.

WHEREAS, the federal government, historically, has been reluctant to interfere with the ability of local governments to raise and regulate their own revenues and should not undermine municipal autonomy with respect to remote sales tax collection.

NOW, THEREFORE, BE IT RESOLVED that NLC commends Congress on recognizing the importance of resolving the issue and the need to put remote retailers and traditional ones on a level playing field; and

BE IT FURTHER RESOLVED, that NLC urges Congress to pass legislation in 2014, such as the Marketplace and Internet Tax Fairness Act S.2609.

\(^2\) University of Tennessee Center for Business and Economic Research study
POLICY AMENDMENTS AND RESOLUTIONS
FROM THE

ENERGY, ENVIRONMENT AND
NATURAL RESOURCES
STEERING COMMITTEE

EENR
AMENDMENTS

Only sections of the *NLC National Municipal Policy (NMP)* where modifications are proposed are reproduced in this report. The complete text of the current *NMP*, divided into seven policy chapters, can be found here or at [http://www.nlc.org/influence-federal-policy/resources/national-municipal-policy](http://www.nlc.org/influence-federal-policy/resources/national-municipal-policy).

Please note:
- Proposed new language is *underlined*;
- Proposed language for deletion is *struck out*; and
- Existing, unchanged language is shown as plain text.
Section 2.00 Environmental Quality
D. Principles

3. Climate Change Mitigation

Greenhouse gases, such as carbon dioxide, methane and nitrous oxide, are chemical compounds that trap heat in the atmosphere, leading to a warming of the atmosphere. The federal government must develop policies to rapidly reduce greenhouse gas emissions in order to prevent the worsening of the already visible measurable effects of climate change on the global environment, such as the warming of the atmosphere and oceans, melting ice caps and glaciers, and rising sea levels. NLC believes that the solution to reducing greenhouse gas emissions, while simultaneously strengthening the economy, lies in conserving energy coupled with replacing fossil-based energy systems with renewable energy as rapidly as practicable, protecting the environment, and developing new technologies, while strengthening the economy. NLC urges the federal government to develop a multi-pollutant strategy to reduce emissions from power plants, mobile sources and other major sources to provide significant reductions in greenhouse gas emissions.

As the federal government adopts and implements these strategies, it must ensure that the Nation’s cities are part of the decision-making process. Moreover, this is an urgent global problem that demands a solution; all countries, including developing countries, must be part of the solution and not exempted.
NLC Resolutions are annual statements of position that last for one year from the date of their passage until the next Congress of Cities. For current resolutions, the committee has the following options:

1. Renew the resolution for the coming year (with or without edits);
2. Incorporate the resolution into permanent policy; or
3. Let the resolution expire.

The table below summarizes the actions recommended by the EENR Steering Committee:

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NLC RESOLUTION 2014 - 9

WATER INFRASTRUCTURE FINANCING AND REGULATORY PRIORITIZATION

[Steering Committee Recommendation: Renew with edits]

WHEREAS, the nation’s water infrastructure systems are significant assets that protect public health and the nation’s water resources; and

WHEREAS, green infrastructure, such as constructed swales, wetlands, green roofs, infiltration planters, rain gardens, and enhanced floodplains and riparian buffers, augmented by permeable pavers, rain barrels, and trees, is a valuable part of water infrastructure systems that can help local governments manage runoff; and

WHEREAS, well-maintained systems contribute substantially to our citizens’ general welfare and the nation’s prosperity; and

WHEREAS, municipal resources dedicated to water infrastructure are currently overwhelmingly directed to compliance with new and ever more complex federal mandates and are therefore unavailable for critical maintenance, repair, and rehabilitation needs; and

WHEREAS, local water and sewer rates and stormwater fees are rapidly becoming unaffordable for many of our citizens; and

WHEREAS, financial participation by the federal government in assisting cities in maintaining and upgrading water infrastructure systems has declined severely in the past 20 years; and

WHEREAS, the gap between needs and expenditures for wastewater, stormwater and drinking water, according to multiple reports, is estimated at hundreds of billions of dollars over the next few decades; and

WHEREAS, this funding gap does not include anticipated expenditures to comply with new Clean Water and Safe Drinking Water Act mandates, new responsibilities and costs relating to water security, source water protection or additional needs for re-use of treated effluent; and

WHEREAS, at a time where financial resources are increasingly limited, costly federal and state regulatory requirements to carry out the objectives of the Clean Water Act are consistently being added without a sense of which regulations should be addressed first and in what priority order; and

WHEREAS, local governments deserve a regulatory approach to help determine where to invest ratepayer and city dollars to maximize water quality benefits and protect public health and safety.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) continues to urge Congress and the Administration to reverse the decline in federal financial participation in funding municipal water infrastructure needs by developing a financial option that strikes the right balance between local responsibility and federal assistance; and
BE IT FURTHER RESOLVED that NLC supports water infrastructure funding through the state revolving loan fund programs and urges Congress to reauthorize and fully fund the Clean Water and Drinking Water State Revolving Loan Fund programs; and

BE IT FURTHER RESOLVED that Congress and the Administration enact new legislation which provides adequate and reliable long-term funding for municipal water infrastructure needs to help close the funding gap. This funding shall be used solely to address water infrastructure needs and must not rely on traditional sources of revenue, such as a federal tax on water or sewer charges; and

BE IT FURTHER RESOLVED, that Congress and the Administration should work together to establish a new approach whereby local governments can work with their state and federal counterparts on an approach to regulatory prioritization based on principles of affordability and financial capability, while maximizing environmental benefit, to meet the requirements and objectives of the Clean Water Act and Safe Drinking Water Act.
NLC RESOLUTION 2014 – 10

CONGRESSIONAL ACTION TO SUPPORT PACE
PROPERTY ASSESSED CLEAN ENERGY PROGRAMS

[Steering Committee Recommendation: Renew with edits]

WHEREAS, utility bills represent a major part of operating costs for home and business owners; and

WHEREAS, the building sector accounts for 39 percent of the nation’s energy use, 72 percent of its electricity use, one third of all global greenhouse gas emissions and represents the single largest, most accessible opportunity for deep emission cuts in the United States; and

WHEREAS, investing in cost-effective energy efficiency and renewable energy improvements to homes and businesses can save energy, cut utility bills up to $140 billion per year, create thousands of local jobs, reduce reliance on fossil fuels, and dramatically reduce greenhouse gas emissions; and

WHEREAS, a recent study that found default risks are on average 32 percent lower in energy efficient homes, recommends that the lower risks associated with energy efficiency should be taken into consideration when underwriting mortgages\footnote{Home Energy Efficiency and Mortgage Risk, UNC Center for Community Capital and Institute for Market Transformation, (March 2013), available at: \url{http://www.imt.org/resources/detail/home-energy-efficiency-and-mortgage-risks}}; and

WHEREAS, Property Assessed Clean Energy (PACE) financing programs are an innovative local government solution to help property owners finance energy efficiency and renewable energy improvements – such as energy efficient boilers, upgraded insulation, new windows, solar installations, etc. – to their homes and businesses; and

WHEREAS, the PACE program removes many of the barriers of energy efficiency and renewable energy retrofits that otherwise exist for residential homeowners and businesses, particularly the high upfront cost of making such an investment and the long-term ability to reap the benefits of cost savings; and

WHEREAS, 31 states plus the District of Columbia have passed laws enabling local governments to develop PACE programs; and

WHEREAS, the U.S. Department of Energy strongly supports PACE, and in 2010 dedicated $150 million to assist in the development of local PACE programs and issued guidelines to ensure that PACE programs meet safety and soundness requirements and adequately protect property owners, tax payers, and investors in the bond and mortgage markets; and

WHEREAS, locally-administered PACE programs are an exercise of the traditional authority of local governments to utilize the tax code for public benefit; and
WHEREAS, PACE programs help local governments meet a core obligation to their citizens to maintain housing stock and improve housing opportunities for all citizens; and

WHEREAS, the PACE program is an achievement of the intergovernmental partnership to realize national policy goals, namely, reducing energy consumption, that will positively impact the fiscal conditions of every level of government; and

WHEREAS, despite PACE’s great promise, the Federal Housing Finance Agency (FHFA) and the Office of the Comptroller of the Currency on July 6, 2010 issued statements that immediately forced existing PACE residential programs to halt operations and froze the development of dozens of other residential PACE programs nationwide; and

WHEREAS, despite the FHFA directive, many commercial and a few residential PACE programs are operating or are in development in hundreds of municipalities across the country.

NOW, THEREFORE, BE IT RESOLVED that locally-administered PACE programs operating in accord with state and federal guidelines are a safe and sound investment of public and private funds; and

BE IT FURTHER RESOLVED that locally-administered PACE programs represent an essential contribution of local governments to further the national economic recovery and energy agendas; and

BE IT FURTHER RESOLVED that the National League of Cities (NLC) urges FHFA to work with local governments seeking to establish PACE programs that benefit from the same senior lien status of all other projects that are funded through municipal assessments that improve private property and meet public policy objectives; and

BE IT FURTHER RESOLVED that NLC urges Congress to adopt legislation that clearly reaffirms the right of state and local governments to exercise liens or assess special taxes or other property obligations to protect and improve housing stock for the public good, including energy efficiency improvements, by directing federal regulators to enforce underwriting standards that are consistent with guidelines issued by the U.S. Department of Energy for PACE financing programs or by implementing any other appropriate measure.
WHEREAS, building codes address matters essential to the public health, safety, and welfare and, as such, have traditionally fallen within the jurisdiction of local governments; and

WHEREAS, while the traditional purposes of building codes centered on concerns like fire safety, sanitation, and structural integrity, local governments are increasingly using their building codes to promote energy efficiency; and

WHEREAS, energy efficient buildings consume less energy and cause the emission of fewer air pollutants, both significant governmental interests; and

WHEREAS, although there are nationally uniform energy efficiency standards for home appliances (the Energy Policy and Conservation Act, as amended by the National Appliance Energy Conservation Act and the Energy Policy Act of 1992), there is no federal law directly addressing energy efficiency in buildings; and

WHEREAS, it is unclear whether local standards that only indirectly concern the energy efficiency of products covered under these federal laws are preempted; and

WHEREAS, unless the federal government expressly preempts the field of green building regulation, local governments across the country will continue to seek methods of increasing buildings’ energy efficiency, reducing resource consumption, and reducing pollution and construction waste; and

WHEREAS, the federal interest in ensuring that home appliances meet certain minimum standards for energy efficiency is not impacted by local standards; and

WHEREAS, the overall energy efficiency rating of a home depends upon many factors, not simply the Seasonal Energy Efficiency Rating (SEER) of the home appliances, and property owners are free to choose any mix of energy efficiency products and construction techniques in meeting such code requirements; and

WHEREAS, state and local building codes are tailored to local conditions: what works in Anchorage may not work in Miami; and

WHEREAS, a federal court case (Air Conditioning, Heating and Refrigeration Inst. (AHRI) v. City of Albuquerque, Civ. No. 08-633, 2008 WL 5586316 (D.N.M. Oct. 3, 2008)) held that provisions in various federal energy conservation acts concerning home appliances related to heating, ventilation, and air conditioning preempt local government green building regulations and temporarily enjoined the City of Albuquerque from enforcing its Energy Conservation Code,
which sought to increase energy efficiency requirements for multifamily and commercial buildings by 30 percent by adopting regulations stricter than federal requirements; and

WHEREAS, *AHRI v. Albuquerque* suggests the need for Congress to clarify the authority of local governments to adopt green building codes in concert with federal statutes and regulations on appliance efficiency; and

WHEREAS, without this clarification, cities that seek to use green building codes to encourage high performing, sustainable development remain vulnerable to legal attack.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) urges Congress and the Administration to continue to respect the fundamental authority of local governments to develop local building codes in the best interests of their community and respect voluntary, above-code efforts; and

BE IT FURTHER RESOLVED that the NLC supports clarification that federal law concerning energy efficiency in home appliances does not preempt more stringent state and local “green” energy efficiency building codes.
NLC RESOLUTION 2014 - 12

TAX EXEMPT FACILITY BONDS FOR WATER AND WASTEWATER

[Steering Committee Recommendation: Renew]

WHEREAS, local governments are responsible for the vast majority of investment in water and sewer infrastructure, investing over $1.6 trillion in the last 53 years\(^1\), including over $115 billion in 2011\(^2\); and

WHEREAS, future spending for public water and wastewater systems is estimated to range between $2.5 and $4.8 trillion over the next 20 years\(^3\); and

WHEREAS, federal loan and grant assistance to cities and local governments continues to decline in real dollars; and

WHEREAS, public-private partnership approaches can provide options for communities to access sources of private capital to meet water infrastructure needs; and

WHEREAS, private activity bonds or tax exempt facility bonds are a form of tax-exempt financing that can be used for water infrastructure projects; and

WHEREAS, exempt facility bonds utilize private capital instead of public debt and shift the risk and long-term obligation from the municipality to the private equity partner; and

WHEREAS, Congress provides to states a capped annual allocation ("volume cap") of tax exempt bonds, based on population, but historically, most of the tax-exempt bonds are issued to short-term projects such as housing and education loans; and

WHEREAS, Congress has previously enacted legislation eliminating the state volume cap for such municipal infrastructure projects such as airports, landfills, and ports; and

WHEREAS, eliminating the state volume cap is estimated to make available $5-6 billion in private capital for water projects, while the cost in foregone revenue to the federal government is nominal\(^4\).

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NOW, THEREFORE, BE IT RESOLVED that the National League of Cities supports legislation removing the federal volume cap on tax-exempt bonds for water and wastewater infrastructure projects.
WHEREAS, cities throughout the country face multiple health, social, and environmental issues connected to food, including hunger and malnutrition, as well as having to cope with health problems such as Type 2 diabetes, heart disease, and other chronic diseases for which the increasing incidence of obesity and overweight adults and children are significant risk factors; and

WHEREAS, supporting public health and protecting our environment are essential to the viability and livability of our cities and our economy; and

WHEREAS, improving nutrition and reducing hunger are not only moral concerns, but also critical for decreasing social vulnerability, increasing the capacity of children to learn, and improving economic opportunity; and

WHEREAS, agriculture represents an important part of both rural and urban economies, yet, farmland, farms, and farmers are at risk because of policy barriers and inadequate infrastructure; and

WHEREAS, access to healthy food is increased when local and regional food production, processing, distribution and retail work together to build strong markets for healthy foods, and regional food economies are an important source of employment in our communities; and

WHEREAS, maintaining and improving the security of a diverse food supply is essential to local emergency preparedness and regional self-reliance; and

WHEREAS, the current food system has led to an unsustainable reliance on chemical inputs and cheap oil for production and distribution and the paradox of simultaneous increases in both obesity and chronic hunger; and

WHEREAS, around the country local governments and community groups are developing approaches to the renewal of the Farm Bill that reflect these concerns and priorities; and

WHEREAS, local governments have an important role to play in creating a healthy food system, but federal policies and actions significantly impact the ability of cities to fully realize these goals; and

WHEREAS, the policies, programs, and funding included in the reauthorization of the 2008 Farm Bill will affect how successful cities can be in improving our local food systems and in doing so, advance goals of environmental sustainability, economic development, public health, race and social justice, and emergency preparedness.
NOW, THEREFORE, BE IT RESOLVED that the National League of Cities calls upon the federal government to adopt a Farm Bill that is consistent with these principles in the areas of healthy food, public health and sustainability:

- **Health-centered Food System:** Focus on the relationship of food and ecologically sound agriculture to public health. Improving the health of the nation’s residents must be a priority in developing policies, programs, and funding.

- **Sustainable Agricultural Practices:** Promote farming systems and agricultural techniques that prioritize the protection of the environment so that the soil, air, and water will be able to continue producing food long into the future. Integral to both domestic and global agricultural policies should be agricultural techniques and farming practices that enhance environmental quality, build soil and soil fertility, protect natural resources and ecosystem diversity, improve food safety (to protect against foodborne illness and disease), and increase the quality of life for communities, farmers and farm workers. Sustainable agricultural practices should be more broadly supported and applied and reliance on oil should be reduced.

- **Community and Regional Prosperity and Resilience:** Enhance food security by strengthening the viability of small and mid-scale farms, and increasing appropriately scaled processing facilities, distribution networks, and direct marketing. Develop strategies that foster resiliency, local innovation, interdependence, and community development in both rural and urban economies. New coordination across city, county, state, and federal agencies, as well as between government, civil society, and businesses is needed to allow communities greater flexibility to plan and take action for strong and diverse food systems in every region.

- **Equitable Access to Healthy Food:** Identify opportunities and reduce barriers by developing policies and programs that increase the availability of and improve the proximity of healthy, affordable, and culturally-relevant food to urban, suburban, and rural populations. Protect the nation’s core programs that fight food insecurity and hunger while promoting vibrant, sustainable agriculture.

- **Social Justice and Equity:** Develop policies, programs, and strategies that support social justice, worker’s rights, equal opportunity, and promote community self-reliance. The policies reflected in the Farm Bill impact the lives and livelihoods of many people, both in the United States and abroad.

- **Systems Approach to Policymaking:** Reduce compartmentalization of policies and programs and approach policy decisions by assessing their impact on all aspects of the food system including production, processing, distribution, marketing, consumption, and waste management. Consider the interrelated effects of policies and align expected outcomes to meet the goal of a comprehensive health-focused food system.
WHEREAS, oil and natural gas production contributes to America’s domestic energy security; and

WHEREAS, hydraulic fracturing is a method of enhancing oil and gas production that involves the pumping of a mixture of mostly water and sand, with some chemical additives which are determined based upon the target formation, to open fissures within the target formation to allow for the release of oil or gas; and

WHEREAS, hydraulic fracturing has become widely used in the oil and gas industry for wells targeting sandstone and shale formations that are considered “tight” or impermeable, which are widely distributed across the United States; and

WHEREAS, hazardous chemicals introduced during hydraulic fracturing, as well as naturally occurring hydrocarbons unlocked by fracturing, have the potential risk to make their way into aquifers used as domestic water sources not only via the fractures themselves but also via natural joints, faults, and fissures in bedrock layers that might otherwise be supposed to be impermeable to fluid flow; and

WHEREAS, contamination to drinking water has the potential to occur via drilling muds, improperly cased wells, and natural hydrocarbons found in target formations and released by hydraulic fracturing; and

WHEREAS, groundwater supplies are an important, and sometimes exclusive, source of drinking water for municipalities around the United States; and

WHEREAS, aquifers that become contaminated can be prohibitively expensive and/or technically infeasible to clean up, and contamination, whether related to oil and gas activities or other contamination sources (including biogenic methane) can result in the pollution of underground water supplies for long periods of time; and

WHEREAS, clean, fresh water suitable for drinking and other municipal uses is becoming an increasingly scarce and valuable commodity that merits careful stewardship; and

WHEREAS, protection of drinking water resources is a primary concern to Americans.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities urges Congress and the Administration to undertake responsible management of oil and gas drilling and
production activities such that hydraulic fracturing does not pose a threat to domestic water supplies; and

BE IT FURTHER RESOLVED that Congress and the Administration require oil and gas companies to disclose the full and complete list of all chemical ingredients, consistent with reasonable intellectual property protections, used in the hydraulic fracturing process utilizing a public chemical disclosure registry such as FracFocus.org; and

BE IT FURTHER RESOLVED that dependent on the outcome of scientific studies, Congress should consider repealing Section 322 of the Energy Policy Act of 2005 (P.L. 109-58)\(^1\), which exempts hydraulic fracturing from the protections imposed by the Safe Drinking Water Act, and allow states and municipalities to enact more stringent regulations than those of the federal government.

\(^1\) Section 322 *Energy Policy Act of 2005 (P.L. 109-58)* states:

**SEC. 322. HYDRAULIC FRACTURING.**
Paragraph (1) of section 1421(d) of the Safe Drinking Water Act (42 U.S.C. 300h(d)) is amended to read as follows:
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(1) UNDERGROUND INJECTION.—The term ‘underground injection’—
(A) means the subsurface emplacement of fluids by well injection; and
(B) excludes—
(i) the underground injection of natural gas for purposes of storage; and
(ii) the underground injection of fluids or propping agents (other than diesel fuels) pursuant to hydraulic fracturing operations related to oil, gas, or geothermal production activities.”.
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"
NLC RESOLUTION 2014 - 15

SUPPORTING AND ADVANCING RESILIENT COMMUNITIES TO PREPARE FOR EXTREME WEATHER EVENTS

[Steering Committee Recommendation: Renew with edits]

WHEREAS, across the country local governments are seeing the devastating effects associated with a changing climate and recent extreme weather events, such as heat waves, droughts, heavy downpours, floods, and hurricanes, and changes in other storms, have brought renewed attention to the need for cities to anticipate, prepare for and adapt to these events; and

WHEREAS, while all regions of the country are impacted by climate change, approximately one third of the U.S. population—more than 100 million people—live in coastal communities that are threatened by rising sea levels, which could impact economic development, land availability, property values, insurance rates, beaches and tourism, and critical water, transportation and energy infrastructure; and

WHEREAS, the recent National Climate Assessment reports that current evidence of climate change appears in every region and impacts are currently visible in every state, and concludes that the evidence of human-induced climate change continues to strengthen; and

WHEREAS, extreme weather events can have severe impacts on local and regional infrastructure, economies, public safety, public health, natural landscapes and environmental quality; and

WHEREAS, the capability of maintaining energy availability is a critical first order priority in maintaining critical infrastructure and building community resilience; and

WHEREAS, there is currently insufficient information, technical coordination or financial assessment of the costs and mechanisms to rapidly retrofit and redesign local energy systems to enable them to be more resilient to a range of potential disruptive events, such as extreme weather, terrorism, and energy price escalation; and

WHEREAS, the United States has seen 130170 separate billion-dollar-plus disasters in the past 30 years since 1980, including 1411 in 2011-2012 and 11-9 in 2012-2013 which caused $188-140 billion in economic damages; and

WHEREAS, in 2005 Hurricane Katrina led to 1,833 deaths and more than $108 billion in losses, and a subsequent $120 billion in supplemental disaster assistance and in 2012 Hurricane

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Sandy led to 159 deaths and is projected to have caused more than $50 billion in damages\(^4\), and a subsequent $60.4 billion in supplemental disaster assistance; and

WHEREAS, Hurricane Sandy led to 159 deaths and is projected to have caused more than $50 billion in damages\(^5\), and a subsequent $60.4 billion in supplemental disaster assistance; and

WHEREAS, rising temperatures are lengthening the wildfire season and increasing wildfire risks throughout the Western United States due to earlier snow melts and forests that are drier, longer\(^6\) and the costs of putting out wild fires has increased dramatically, from $440 million in 1985 to $1.7 billion in 2013 (2012 dollars)\(^7\); and

WHEREAS, 2012 was one of the worst years for wildfires, with more than 9.3 million acres burned and more than $2.7 billion appropriated to the U.S. Department of Interior and U.S. Forest Service for fire prevention and suppression\(^8\); and

WHEREAS, The U.S. Drought Monitor report shows that 30 percent of the contiguous United States is experiencing “moderate” to “exceptional” drought, with 82 percent of California experiencing “extreme” or exceptional” drought\(^9\); and

WHEREAS, 2012 was the hottest year on record and extreme weather affected every region of the country, including extreme and prolonged drought giving way to a rise in food prices, devastating wildfires, damaging pest infestations, and increased flood events and most notably, Hurricane Sandy; and

WHEREAS, as extreme weather events such as these become more common, local governments in all geographic and climatic regions require resources to assist them in anticipating, preparing for and adapting to these events; and

WHEREAS, local governments are first responders—preparing in advance of emergency situations, offering immediate assistance to those impacted, and identifying strategies, solutions, and partnerships to address situations quickly and efficiently; and

WHEREAS, taking action now to adapt to a changing environment and create community resilience will help save lives, strengthen local economies, save taxpayer dollars and build preparedness for future events; and

WHEREAS, the President’s Task Force on Climate Preparedness and Resilience, comprised of state, local and tribal leaders, will make recommendations to the President on ways the federal government can assist local efforts to address and prepare for the impacts of climate change.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) urges Congress and the Administration to take urgent action to support federal efforts that will help states and local governments conduct vulnerability assessments, develop and implement long-term mitigation, adaptation and resiliency action plans, and identify innovative financing opportunities to implement these assessments and plans in order to prepare, plan for and more quickly recover from extreme weather events; and

BE IT FURTHER RESOLVED that NLC calls on Congress and the Administration to recognize the unique risks and opportunities communities face and to offer customized tools and incentives to local governments to encourage communities to plan for and rapidly respond to the effects of climate change and extreme weather; and

BE IT FURTHER RESOLVED that the federal government should develop a national strategy to assist communities in integrating the risks of extreme weather events into emergency management planning and responses to identify and quantify the economic value of regional infrastructure at risk under different sea level rise scenarios; and

BE IT FURTHER RESOLVED that NLC calls on the federal government to outline strategies and actions to reduce the vulnerability of federal programs to the impacts of climate change; and

BE IT FURTHER RESOLVED that NLC calls on Congress and the Administration to offer tools and incentives to local governments to encourage communities to consider the effects of climate change and extreme weather in their adaptation and resiliency planning; and

BE IT FURTHER RESOLVED that NLC calls on the federal government to better align federal funding with local preparedness and resilience-building efforts; and

BE IT FURTHER RESOLVED that NLC calls on Congress to fully fund grant programs that help local governments prepare, respond and recover from extreme weather events; and

BE IT FURTHER RESOLVED that the federal government develop grant and technical assistance programs to enable communities to develop community energy transition plans that insure the capability of cities to maintain critical energy and infrastructure during disruptions to local, regional or national energy infrastructure; and

BE IT FURTHER RESOLVED that a national pilot project initiative be established to conduct detailed assessments and designs for resilient city energy system retrofit and redesign across a range of different regions and city sizes.
PROPOSED EENR RESOLUTION # 1

SUPPORTING URGENT ACTION TO REDUCE GREENHOUSE GAS
EMISSIONS AND MITIGATE THE EFFECTS OF CLIMATE CHANGE

[Steering Committee Recommendation: Adopt]

WHEREAS, the recent National Climate Assessment reports that current evidence of climate
change appears in every region and impacts are currently visible in every state, and concludes
that the evidence of human-induced climate change continues to strengthen; and

WHEREAS, while some impact of climate change are inevitable, sharp reductions in
greenhouse gas emissions will reduce the severity of the impacts and limit the rate of climate
change; and

WHEREAS, the U.S. Environmental Protection Agency (EPA) has initiated separate
rulemaking processes for reducing greenhouse gas emissions from new and existing coal and
natural-gas fired power plants, with a goal of reducing carbon dioxide emissions by 17 percent
below 2012 levels by 2030; and

WHEREAS, in order to meet that goal and to help mitigate the effects of climate change on
communities, improving energy efficiency, increasing energy conservation and deploying
renewable energy systems will be essential at the local, state and federal levels; and

WHEREAS, improving energy efficiency, increasing energy conservation and deploying
renewable energy systems will save taxpayer dollars, boost the national and local economy,
increase our nation’s energy independence, and improve environmental quality; and

WHEREAS, the building sector accounts for 39 percent of the nation’s energy use, 72 percent
of its electricity use, and one third of all global greenhouse gas emissions; and

WHEREAS, indoor and outdoor lighting accounts for 18 percent of electricity consumed in the
nation, and rapid conversion to efficient lighting would result in significant greenhouse gas
reductions as well as a decrease in base load energy needs; and

WHEREAS, cities have been laboratories of innovation, successfully pioneering and
demonstrating cost-effective clean energy solutions, including increasing energy efficiency for
public and private buildings, particularly through use of the American Recovery and
Reinvestment Act of 2009 Energy Efficiency and Conservation Block Grant (EECBG) funds,
and local strategies that create jobs, save energy and taxpayer dollars, promote renewable
sources, and cut greenhouse gas emissions; and

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2 U.S. Department of Energy
WHEREAS, all levels of government must work to become more resilient by achieving greater energy independence based on a multi-pronged strategy of aggressively expanding renewable energy, significantly increasing energy efficiency portfolio standards, and creating new financing mechanisms; and

WHEREAS, the President’s Task Force on Climate Preparedness and Resilience, comprised of state, local and tribal leaders, will make recommendations to the President on ways the federal government can assist local efforts to address and prepare for the impacts of climate change.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) urges Congress and the Administration to take urgent action to reduce greenhouse gas emissions across a broad sector of the economy to mitigate the effects of climate change; and

BE IT FURTHER RESOLVED that NLC calls on Congress to pass energy efficiency legislation to incentivize energy efficiency improvements in residential and commercial buildings, schools and federal buildings located in communities; and

BE IT FURTHER RESOLVED that NLC calls on Congress to pass a national renewable portfolio standard that increases the share of electricity from renewable sources; and

BE IT FURTHER RESOLVED that NLC calls on Congress to pass a long-term extension of the investment tax credit and the production tax credit for renewable energy as an incentive for their development and deployment and to reauthorize and fully fund the EECBG; and

BE IT FURTHER RESOLVED that NLC calls on Congress and the Administration to develop a partnership with local governments and provide appropriate sufficient funding through the energy block grant structure or other funding structures at the U.S. Department of Energy to further incentivize clean energy at the local level.
POLICY AMENDMENTS AND RESOLUTIONS FROM
THE
COMMUNITY AND
ECONOMIC DEVELOPMENT
STEERING COMMITTEE
CED
RESOLUTIONS

NLC Resolutions are annual statements of position that sunset at the end of the policy year unless action is taken. The Committee reviewed each of the 2014 resolutions that originated in the Committee to determine recommendations for 2015. The Committee has the following options:

1. Renew the resolution for the coming year (with or without edits);
2. Incorporate the resolution into permanent policy; or
3. Let the resolution expire

The table below summarizes the actions on Resolutions recommended by the CED Policy Steering Committee

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Please note:
- Proposed new language is underlined;
- Proposed language for deletion is struck out; and
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NLC RESOLUTION 2014 - 16

SUPPORT FOR GREEN AFFORDABLE HOUSING AND FINANCING

[Steering Committee Recommendation: Expire]

WHEREAS, our nation’s low-income households spend on average 19.5 percent of annual income on home energy costs, while the average median-income household spends just 4.6 percent; and

WHEREAS, the greening of affordable housing will not only lower utility costs for low-income families, but also create healthier, more vibrant home environments for families that live in public housing developments; and

WHEREAS, incorporating green building practices in affordable housing will promote environmentally smart site planning near public transportation and other community resources, energy efficiency, water conservation and the use of environmentally beneficial building materials that foster healthier outdoor and indoor environments; and

WHEREAS, a number of cities, state housing agencies and the federal government have already incorporated green building criteria into their affordable housing programs; and

WHEREAS, many affordable housing developers have already demonstrated that it is possible to build both green and affordable, including over 9,000 affordable units (40 percent) of the over 22,000 residential units registered with the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) for Homes Rating System; and

WHEREAS, following the National Green Building Standard can facilitate the development of housing that is both environmentally friendly and affordable; and

WHEREAS, affordable housing owners have also demonstrated an ability to complete green retrofits where incentivized by U.S. Department of Housing and Urban Development (HUD), including 80 percent of private owners in the Mark to Market program electing to pursue HUD’s innovative Green Initiative; and

NOW, THEREFORE BE IT RESOLVED that the National League of Cities calls on the Congress to adopt legislation that would transform and modernize the U.S. housing market through the use of Energy Efficient Mortgages and Location Efficient Mortgages while ensuring that the benefits of green buildings are accessible to Americans of all income levels through the use of standards and incentives for affordable housing projects, including green building standards for single-family or multifamily structures.

BE IT FURTHER RESOLVED that federal regulators, including the Federal Housing Finance Agency, should respect local governments traditional authority to utilize the municipal tax code in the best interests of the public and, furthermore, assist local governments that undertake
innovative financing mechanisms, such as the Property-Assessed Clean Energy (PACE) program, that enable municipal investments in new green housing and energy efficiency retrofits to single-family or multifamily homes without direct federal funding.
SUPPORT FOR SUSTAINABLE DEVELOPMENT IN CITIES AND TOWNS

[Steering Committee Recommendation: Expire]

WHEREAS, over half of today’s global population lives in an urban setting – a number expected to increase to over 70 percent by 2050; and

WHEREAS, this rapid urbanization has led to pockets of resource use intensity, resulting in increased waste, pollution and greenhouse gas emissions; and

WHEREAS, cities and towns sit at the intersection of law, policy, economic development, land use decisions, and the public interest and can be a guide to the federal government and other entities of how to address these challenges and encourage sustainable development; and

WHEREAS, many cities and towns are already at the forefront of developing and implementing cutting-edge strategies to inspire a bottom-up approach to resource efficiency through the adoption of climate action plans, the implementation of green building codes and standards, the revision of an existing municipal plan, or the use of policies based on the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) or the National Green Building Standard; and

WHEREAS, the federal government has shown increased support for sustainable communities through the Sustainable Communities Partnership, a collaboration between the Department of Housing and Urban Development, the Department of Transportation, and the Environmental Protection Agency,

NOW, THEREFORE BE IT RESOLVED that the National League of Cities calls on the Congress of the United States to incorporate policy in new and existing legislation that incents and supports, but does not mandate, sustainable planning and development activity at the local and regional level.
WHEREAS, in the U.S., 126 public seaport agencies have jurisdiction over 185 public ports operating along the Atlantic, Pacific, Gulf and Great Lakes coasts, as well as in Alaska, Hawaii, Puerto Rico, Guam, and the U.S. Virgin Islands; and

WHEREAS, U.S. ports and waterways handle more than 2 billion tons of domestic and import/export cargo annually; and the U.S. Department of Transportation projects that total freight moved through U.S. ports will double by 2020 and triple by 2030; and

WHEREAS, port authority activities support community and regional economic development ventures important to cities and towns, such as manufacturing and processing, foreign trade zones, commercial fisheries and recreational fishing, and cruise-based tourism; and

WHEREAS, public ports stimulate employment and economic growth including 13.3 million jobs in marine cargo-related spending (Martin Associates, Lancaster PA, 2008); $3.95 trillion in international trade (U.S. Census Bureau, 2007); and more than $23.2 billion in U.S. Customs duty revenues in fiscal 2007 (U.S. Customs & Border Protection, 2007); and

WHEREAS, deep-draft ports that accommodate oceangoing vessels move 99.4 percent of U.S. overseas trade by volume and 64.1 percent by value, according to the U.S. Census Bureau; and

WHEREAS, approximately $5.25 billion is now being spent to deepen and widen the Panama Canal, which will more than double its capacity by 2015 and permit passage of ships that are 50 percent wider, 25 percent longer; and

WHEREAS, ships of this size are expected to carry more than half of the world’s containers by December 2015, according to fleet forecasts from shipping data company Alphaliner; and

WHEREAS, with few exceptions, U.S. deep-draft ports do not meet the minimum harbor floor depth of 50 feet to accommodate the largest shipping vessels; and

WHEREAS, a nearly $16 billion investment gap exists in meeting the needs of the nation's ports and inland waterways, according to a report by the Society of Civil Engineers; and

WHEREAS, delays in freight movements impose real costs on businesses that reduce productivity, impede competitiveness, and increase prices for consumers; and

WHEREAS, major infrastructure renovations at U.S. deep water ports will displace significant parts of commercial fishing fleets to smaller fishing ports requiring greater infrastructure and dredging capacity in smaller ports as well; and
WHEREAS, U.S. ports must gain permission from the federal government to undertake a deepening of their harbors in an approval process that has grown as long as fifteen years, potentially placing U.S. ports at a competitive disadvantage with the ports of Canada, Mexico and the Caribbean; and

NOW, THEREFORE, BE IT RESOLVED that NLC urges the federal government to formulate and adopt a clear federal ports strategy with the goal of helping U.S. ports and fast freight corridors prepare to accept larger ocean container ships expected to pass through the Panama Canal beginning in 2015; and

BE IT FURTHER RESOLVED that NLC urges the federal government to fully fund authorized commitments to ports and harbors for dredging and other ongoing infrastructure maintenance, in addition to funds appropriated for modernization of ports to accommodate the world’s largest container ships and fast freight corridors through or around urban centers; and

BE IT FURTHER RESOLVED that NLC supports the United States Army Corps of Engineers (USACE) “3x3x3 rule” whereby feasibility studies must be finished within three years, should cost no more than $3 million, and must fit in a 3-inch binder in order to accelerate the modernization of U.S. ports.
NLC RESOLUTION 2014 - 19

PROMOTING LOCAL JOB CREATION AND ECONOMIC DIVERSIFICATION BY SUPPORTING AND INCENTING FILM, TELEVISION AND DIGITAL MEDIA PRODUCTION

[Steering Committee Recommendation: Expire]

WHEREAS, our nation's economic future, is strongly influenced by industries that succeed through innovation, technology and creativity in the global marketplace; and

WHEREAS, the digital media industry embodies all of these critical attributes and is one of our nation's fastest growing and most important sources of good wage jobs at a range of skills levels; and

WHEREAS, the National Black Caucus of Local Elected Officials (NBC-LEO) is working to educate local officials and other members of the National League of Cities on the growing importance of the digital media industry for job creation and economic success; and

WHEREAS, NLC and NBC-LEO recognize the benefits of film, television and digital media production for cities and towns, including industry-related infrastructure development that can revitalize communities and support small businesses that serve the industry's varied production needs, as well as create a tourism industry from audiences around the world drawn to urban and rural production locations; and

WHEREAS, competition from foreign governments that provide incentives to attract film, television and digital media production is resulting in the loss of more than $10 billion in production activity annually and more than 50,000 jobs each year in the United States;

NOW, THEREFORE, BE IT RESOLVED, that NLC encourages and supports local, state and federal efforts to promote and incent film, television and digital media production for domestic job creation, and to stem the loss of employment to foreign locations; and

BE IT FURTHER RESOLVED, that NLC encourages Workforce Investment Boards and other publicly funded employment assistance providers to partner with employers in the digital media industry to create paths to employment in film, television, and digital media production; and

BE IT FURTHER RESOLVED, that NLC commends NBC-LEO for increasing awareness among local officials regarding opportunities created by the digital media industry for cities and towns, including the potential for growth in local employment and local revenue.
POLICY AMENDMENTS AND RESOLUTIONS
FROM THE

HUMAN DEVELOPMENT
STEERING COMMITTEE

HD
AMENDMENTS


Please note:
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4.00 Introduction

Through concerted action that improves the social, economic, and physical well-being of our residents, we can conserve our nation’s most important resource, human capital. In particular, the cornerstone of the federal government’s comprehensive human development strategy must be the self-sufficiency of every individual. The National League of Cities (NLC) believes that the cornerstone of the federal government’s comprehensive human development strategy should be the self-sufficiency of every individual. Through policy recommendations and legislative action, the federal government should:

Through policy recommendations and legislative action, the federal government must:

- Create a coordinated system of social services to assist our society’s citizens attain the highest level of self-sufficiency and independence; Establish a coordinated system of social services;

- Establish and implement a national policy on children and youth, including full funding for early childhood programs, child care, Head Start and Early Head Start for all children who need them; Establish and implement a national policy on children and youth;

- Fully fund federally-mandated education programs, including No Child Left Behind Act (NCLB) and the Individuals with Disabilities Education Act (IDEA); Fully fund federally-mandated programs;

- Create a comprehensive system of services designed to prevent unwed teenage pregnancy and eliminate poverty; Fund services designed to prevent unwed teenage pregnancy and eliminate poverty;

- Promote full employment and assist the unemployed; Promote full employment;

- Promote equal opportunity efforts in education, employment, and social services;

- Provide a floor of financial support through Social Security upon retirement or disability; Provide a floor of financial support for seniors and persons with disabilities through Social Security;

- Provide assistance to individuals with disabilities so that they too may realize their potential; Provide assistance to individuals with disabilities;

- Ensure that Americans are able to access adequate health care and establish a federal block grant program to enhance our public health systems; Ensure that all Americans have access to adequate physical and mental health care;

- Establish a comprehensive, coordinated, flexible and continuous system of care for individuals with mental illness; Establish a federal block grant program to enhance our public health system;
• Implement an effective immigration enforcement policy and provide resources directly to local communities for the transition costs associated with new immigrants and refugees; and Implement comprehensive immigration reform; and

• Support coordinated planning or program development by cities to ensure that cultural resources are accessible to all citizens. Support efforts to ensure that cultural resources are accessible to all citizens.

4.01 Social Services
A. Principles

While recognizing that human resources policy relates to all citizens, the federal government must give special emphasis and priority to social service funds for the problems of the nation’s most vulnerable: the poor, the working poor, the unemployed, the physically and mentally challenged, the elderly, young people, and minorities. With this assistance, they too can attain the highest level of independent living of which they are capable. NLC believes that the federal government should give special emphasis to social service funds for the nation’s most vulnerable populations. Within this framework, the federal government should allow state and local governments to determine the types of services most appropriate to meet each community’s needs. Within the framework of national priorities, the federal government should allow the state and local governments to determine the types of services most appropriate to meet the communities’ needs.

The federal government must ensure that preventive services, which provide long term benefits, must be an essential part of any system. Elimination of such services often results in more serious, continuing problems that cost substantially more to treat.

• Goals

The federal government should:

• Provide increased funding for the Social Services Block Grant and other federal block grants that help local communities to provide social services; Increase funding for the Social Services Block Grant and other federal block grants that help local communities provide social services;

• More effectively provide coordination, flexibility, and oversight, in full partnership with local officials; Provide coordination, flexibility, and oversight, in full partnership with local officials;

• Not provide direct grant funding to religious organizations without maintaining critical constitutional safeguards; and Ensure that all community-based organizations, including faith-based, that receive federal funds comply with all legal and constitutional civil rights requirements; and

• Focus on assisting senior citizens, individuals with disabilities, children, immigrants and refugees, and homeless individuals.
B. Recommended Federal Actions

A. Funding

A. Funding for Social Service Programs

The federal government must continue to provide flexible federal funding to local communities for quality and responsive human resource programs. To support that process effectively, the federal government must increase funding for effective social service programs by an amount that compensates for the annual rate of inflation at a minimum. The federal government should provide sufficient and flexible federal funding to local communities for quality and responsive human services programs. This includes adequate funding of the Social Services Block Grant (SSBG), which helps serve many of the needs of special populations, the Community Services Block Grant (CSBG), which was designed to reduce poverty.

NLC urges the federal government to adequately fund the Social Services Block Grant (SSBG), which helps serve many of the needs of special population groups. NLC opposes reductions in the funding level of the SSBG program or reductions in the flexibility for use of these funds.

NLC also supports the Community Services Block Grant (CSBG), a program that was enacted with the SSBG to complement its functions. The federal government should maintain CSBG as a separate program since it provides federal funds for distribution to local agencies for activities designed to reduce poverty.

NLC supports the federal government’s actions in using federal block grants to provide social services, such as the Temporary Assistance for Needy Families (TANF), the Social Services Block Grant (SSBG), the Community Services Block Grant (CSBG), and the Child Care Development Block Grant. However, the federal government must:

A. Protect the goals of the original programs even after the development of the block grant;

B. Ensure that the shift in authority from the federal to the state level does not create fragmentation at the local program level; and

C. Maintain or increase the funding levels so that states are not allocating funds to replace lost federal dollars. The result is often less funding for already inadequately funded programs and elimination of other programs, rather than the creation of a more efficient and effective comprehensive delivery system.

B. Coordination

B. Necessary Federal Reforms

a. Coordination by the Federal Government

The federal government must create a coordinated system of administration and delivery of human services, which should minimize fragmentation of services on the local level where public and private services are delivered. The Administration should establish an Intergovernmental Human Development Task Force with its primary focus on working toward coordination and related human service planning and management.
The federal government should create a coordinated system of administration and delivery of human services to avoid fragmenting services at the local level where public and private services are delivered. The federal government should include local officials in the planning, monitoring, evaluating, and decision-making on federal policies and programs. Federal regulations governing social services should be sufficiently flexible so that local government can ensure that programs meet local needs.

b. Local Involvement

In addition to consultation with multi-county and nonprofit organizations, the federal government must include local elected officials in the planning, monitoring, evaluating, and decision making on federal policies and programs.

e. Flexibility

Federal regulations governing social services must be more flexible so that local governments can ensure that programs meet local needs. The federal government should consolidate programs to provide flexibility to permit adaptation to local needs. There should be few regulations and a minimum of red tape.

C. Program Evaluation

d. Performance Standards

The Administration should evaluate social service programs on the basis of well defined performance standards that relate to program administration and participant development, as well as on the basis of numbers served or placed. The federal government must eliminate programs that it has evaluated and found to be ineffective. Social services programs should be evaluated on the basis of well-defined performance standards that relate to program administration and participant development, as well as on the basis of the numbers served or placed in programs.

C. Faith-Based Organizations as Service Providers

D. Faith-Based Organizations

NLC has significant reservations about the philosophical foundation and assumptions of the federal faith-based initiative. NLC opposes any grant of federal funding to religious organizations. If, however, the federal government authorizes any faith-based system of assistance and service delivery, it should operate under the policies described below:

NLC believes that any faith-based organization or system of assistance and service delivery should be required to maintain critical safe guards to ensure the separation of church and state and adhere to all civil rights statutes and constitutional protections when hiring employees and providing services to clients. In addition, faith-based organizations should be required to meet the same accountability standards as any other service provider.

a. Separation of Church and State

Local governments have a long and rich history of working with faith-based organizations that provide a variety of community and social services using government funds. While NLC appreciates federal efforts to encourage community and faith-based programs to expand the provision of such services, any federal initiatives to directly fund faith-based organizations must maintain critical safeguards to protect the separation of church and state. NLC supports the following constitutional safeguards:
• Organizations may not use government grant or contract funds for religious activities such as worship, religious instruction, or proselytizing.

• The federal government should not fund programs where religious exercise is a required element of the program (such as promoting religion to counter drug abuse).

• Any federal funding program should require that the religious organization segregate the government contract and grant funds it receives into a separate bank account to ensure that taxpayer money is not being spent on religious activities.

• Beneficiaries should have a right to a secular alternative if they do not wish to receive services from a religious organization. Any federal provisions that require local governments to operate parallel programs (both faith-based and secular), however, must include adequate federal funds to finance such local government activities. If not, the requirement constitutes an unfunded mandate.

b. Civil Rights Issues

Faith-based organizations must satisfy the same legal standards as other non-profit and community development organizations competing for federal grants. NLC urges Congress to ensure that any federal legislation to provide funding directly to faith-based organizations specifically upholds state and local laws.

• Employees—When hiring employees for programs funded by the government, all grantees must follow local, state, and federal laws, including Title VII of the federal Civil Rights Act of 1964. Religious organizations should retain their ability to use religious criteria in employment for those positions in nongovernmental programs that are privately funded.

• Clients—When serving clients in programs funded by the federal government, a faith-based organization cannot be allowed to discriminate. In addition, a faith-based organization must follow all state and local civil rights laws.

c. Funding

Any federal faith-based initiative must provide additional resources for social service programs operated by religious groups. In particular, if the federal government requires cities to provide alternatives to faith-based programs, it must provide additional resources to cities to fund those alternatives. It should not redirect existing appropriations currently allocated to local governments and social service providers and redistribute them to religious organizations. Religious organizations cannot replace government’s role of supporting a social safety net.

d. Block Grants to Local Governments

The federal government should not make grants directly to faith-based organizations. Any federal faith-based initiative should distribute federal funds directly to local governments, preferably through block grants. Relying on federal guidelines and criteria, cities and towns should be able to set the rules specific to their local needs and organizations.

e. Accountability
Using the same accountability standards for other community-based organizations, the federal government must hold faith-based organizations accountable for the use of government funds and for the provision of services delivered.

f. Technical Assistance Needed

The federal government should provide technical assistance to small organizations so that they may increase their ability to compete for grant funding and develop the capacity needed to deliver social service programs.

g. Liability Issues

Any legislation to promote a federal faith-based initiative must not impose new legal liabilities on local governments or their officials. Congress must not impose an increased liability on cities and their individual elected officials based upon denial of funding opportunities to faith-based organizations.

E. Special Populations Group Programs

Although cities recognize the need for flexibility in social services programs, certain population groups require additional consideration because of the need to focus a range of federal programs on their special problems. NLC supports federal efforts to focus funding and program services on special populations including:

These groups include:
- Senior Citizens (see also HD Section 4.06, Social Security and Seniors and Social Security);
- Individuals with Disabilities (see also HD Section 4.07, Individuals with Disabilities);
- Children (see also HD Section 4.02, Children and Learning);
- Immigrants and Refugees (see also HD Section 4.104.09, Immigration and Refugees); and
- Homeless Individuals (see also HD Section 4.03(C)(5), Poverty and Income Support, Preventing Homelessness). (see also HD resolution# )

Such a policy does not support further categorization of programs. Rather it suggests that the federal government must carefully explore the effect of federal policy in other programs on these groups.

4.02 Children and Learning

A. Principles

Cities and their elected leaders play a critical role in education. While local elected officials rarely control their local education agencies, local elected officials have a huge state in educational outcomes and the impact those outcomes have on the local economy and workforce. In addition, local elected officials have significant influence and can mobilize important resources to the benefit of local school systems.

NLC supports all efforts to create effective and comprehensive early childhood development programs and high quality education systems that ultimately provide individuals with the skills needed to secure meaningful employment and lifetime skills. All children must be able to develop their capabilities to the greatest extent possible. This capability should be achieved
through effective, comprehensive early childhood development programs and high-quality education, resulting in employability and lifetime skills.

NLC believes that the federal government, through funding and program support, should work with the states and local communities to improve education in the United States. To ensure school readiness for all students, the federal government should ensure that local communities have sufficient resources to support families, and children and youth from ages zero to 18 years. The federal government must ensure that local governments are able to prepare children to be ready to learn through the prenatal care of mothers, parental training and support, and quality programs for infants, toddlers, and pre-schoolers.

Through legislation and funding, the federal government must work with states and local communities to improve basic educational programs for citizens in general and for groups with special needs. Because the quality of its public education system is one of the major determinants in a city’s ability to offer a satisfactory quality of life for its residents, as well as to attract and retain business and industry jobs that support its residents, cities play a critical role in education. The out-migration of residents of inner cities to suburban and rural areas can be traced, in many cases, to substandard education programs.

The federal government must also ensure that local communities have sufficient resources to support families, children and youth from the child’s age of 5 years to 18 years. This will assure continued school readiness by providing and facilitating services supportive of families and the educational process. Examples include library services, health care, safe disciplined drug-free environments, parks and recreation programs, and joint cooperative use of facilities with school districts.

- **Goals**

  Working with local leaders and schools, the federal government should: must provide strong leadership for our children and families through the following actions:

  - Establish and implement a national policy on children and youth, which is coordinated, holistic, and focused on preventive efforts;
  - Provide a comprehensive array of services that foster appropriate early childhood development for all children, including health and nutrition for proper development, parent training and support, and appropriate early learning experiences;
  - Ensure that high-quality, safe, and affordable child care is available to all children who need it;
  - Adequately fund Head Start and Early Head Start;
  - Congress must fully fund all federally-mandated education acts, including No Child Left Behind and the Individuals with Disabilities Education Act (IDEA); and
  - Provide resources to local communities to help individual students meet performance standards; and
  - Provide resources for pilot programs to more effectively involve parents, strengthen families, and bring communities into our schools.
**B. A. Recommended Federal Actions**

The federal government must:

- Establish a broad, coordinated policy based on sound data, funding for development of creative program models, and support for a broad range of family and child-oriented services for low-income people;

- Allow state governments to provide leadership to adapt national priorities to their own conditions; and

- Recognize that local government bears the burden of responding directly to the problems and must be seen as the critical participant in molding services for the children, families, and youth in its community.

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**National Commitment and Funding for Children and Youth**

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Congress and the Administration must increase their commitment by establishing a national policy on children and youth.

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This policy must:

- Make children and youth a truly national priority and must recognize the needs and problems of children and youth, particularly the special needs of disadvantaged youth;

- Be comprehensive in scope and insure the coordination and cooperation of service delivery systems at all levels of governments;

- Provide a permanent source of funding at levels sufficient to meet the needs of children and families; and

- Recognize and address a comprehensive continuum of care and development, taking a holistic, integrated and preventive approach to the problems of children and families, without fragmenting and treating each problem separately.

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To implement and direct this national policy with an integrated and sustained effort, the President must form the “President’s National Children and Youth Council” consisting of the Secretaries of Education, Labor, Health and Human Services, Agriculture, and Housing and Urban Development.

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This Council should also receive input from a diverse advisory group and focus on establishing a permanent source of funding on a national scale, developing model programs, fostering partnership initiatives, and creating a reliable national database on children and youth.

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**A. Early Childhood Development**
Early childhood development efforts, from birth to age six, have the greatest potential for enriching a child’s life in the long term. As part of a comprehensive approach to early childhood development, the federal government must include the following elements: NLC supports early childhood development programs that have the greatest potential for enriching a young child’s life in the long term. Such programs should include:

- Health and nutrition for proper development;
- Parent training and support, including flexible child care arrangements; and
- Appropriate early learning experiences.

The federal government should base its early childhood development policies and programs on a holistic approach. This approach should go beyond the provision of a safe environment and adequate nutrition to include enrichment of the entire environment during the early years. This holistic approach should support the creation of sound relationships between child and caregiver, self-esteem, curiosity, appropriate language development, and sequential learning.

To achieve this, NLC urges the federal government to provide increased funding and programmatic flexibility, technical assistance and policies that support collaboration and participation across the federal, state and local levels so that local governments are able to provide for early childhood education for all children. This funding should be used for pre- and post-natal health and social services and nutritional assistance so that children ages zero to six develop properly, and parenting skills programs for mothers, fathers, and other caregivers.

### a. Health and Development of Infants, Toddlers, and Pre-schoolers

Pre/postnatal health services and nutritional assistance are critical to the proper development of children ages zero through six. The federal government must provide for the basic health and development of infants, toddlers, and preschoolers through increased funding and expanded services of:

- Programs that meet the nutritional needs of infants and toddlers in low-income families, such as the “Women, Infants, and Children” Program (WIC) and food stamps;

- Prenatal and postnatal health care and immunization, for all women and children, including welfare recipients and working poor families, obtained through Medicaid and State Children’s Health Insurance Program (S-CHIP) (see also HD Section 4.08 for NLC policy on presumptive health insurance for all children);

- Programs serving infants and toddlers with physical and mental disabilities, as well as those with terminal illnesses, including AIDS; and

- Additional comprehensive programs that identify developmental problems in the earliest years, emphasizing prevention and intervention services. (See also HD Section 4.02(C)(3) on the Individuals with Disabilities Education Act)

### b. Parenting Programs
Because early childhood development is critical, the federal government must also establish family support programs, including parenting education for mothers and fathers, family health care, and nutritional guidance.

NLC supports federal funds for parenting skills programs. Concepts of care giving and environmental stimulation should be part of any parenting skills programs.

NLC urges the federal government to develop and fully fund a new competitive grant program to provide direct funding to cities for parenting programs in their communities. For infants, toddlers, and preschool children, the cognitive and social environment provided in the home predicts children’s language development, intelligence, school readiness, and school achievement in reading and math.

The federal government must allow cities that receive federal funds the flexibility to tailor their parenting programs to local concerns. Eligible programs should aid mothers and/or fathers, and should:

A. Partner with school districts to provide a comprehensive program of pregnancy prevention and/or parenting skills to youth;
B. Partner with community organizations to provide classes for parents about non-violent discipline techniques, family literacy, building language skills of young children, and establishing stable family routines;
C. Encourage low income parents to enroll in parenting skills programs and provide information about and access to the programs through TANF, food stamp, and unemployment offices, housing authorities and public housing communities, child care and Head Start centers, and other points of contact for public assistance;
D. Work with non-custodial parents, mothers and/or fathers, who need to learn how to develop healthy relationships with their children;
E. Provide one-on-one programs with social workers or volunteers who mentor and advise parents;
F. Offer in-home sessions of observation and counseling to strengthen family relations.

See also HD Section 4.02(C)(3), School-Age Children, for a discussion of strengthening families with school-age children.

Child Care

A high federal priority in this country should be the creation of new, and expansion of existing, high-quality child care services that are safe, accessible, and affordable.

Furthermore, NLC urges the federal government to:

• Significantly increase funding to the Child Care Development Block Grant (CCDBG) to ensure that all families can find accessible and affordable child care and encourage states to use some of their CCDBG funds for capacity building to increase the number of child care providers;

• Increase funding for the Child Care Development Block Grant to ensure that all families can find accessible and affordable child care;

• Ensure that child care is available full day and after school, evenings, nights, and weekends. It should provide a physically safe environment with flexible hours for working parents and should be community-based, near work sites, or easily accessible to transportation. The federal government should provide training and financial incentives for child care centers and in-home day care providers to maintain more flexible hours;
• Ensure that the child care services are comprehensive, incorporating preventive and protective services for child abuse and neglect, early and periodic health screenings, nutritional programs, educational enrichment, and appropriate interventions for children with special needs;

• Create minimum federal standards for high-quality, safe and affordable child care: High-quality day care should provide intellectual stimulation, opportunities to learn and reinforce language and socialization skills, high staff-to-child ratios, an appropriate developmental curriculum, and child care workers with the expertise to address developmental problems. These federal standards should also provide maximum flexibility on the local level to reflect the diverse needs of each community;

• Provide supplemental funds to states to improve the quality of their child care providers while still increasing the number of children served. These funds can be used to develop a larger, well-trained pool of early childhood workers through strengthened recruitment, training, compensation and scholarship programs, grants in aid and low-interest loans for those studying childhood development. Recruitment efforts should include attracting bilingual/bicultural personnel;

• Support research geared to developing first-class day care models and provide a consistent data base of information on child care needs, solutions to child care problems, successful programs, and sources of funding for child care programs; and Support research on best practices and effective service delivery; and

• Provide incentives such as training grants, capital improvement funds, liability protection, etc. to encourage home care providers to come into compliance with existing and/or new regulations.

NLC also recognizes that the federal government cannot be the only means of subsidizing child care. The federal government should: NLC also recommends that the federal government:

• Provide tax incentives to businesses to provide child care facilities at worksites and to subsidize the child care costs of their employees;

• Encourage public-private partnerships through matching funds and financial incentives;

• Educate employers on the economic benefits of providing child care; and

• Urge the Small Business Administration (SBA) to view child care as a legitimate business and make available low-interest loans to those interested in starting day care services.

c. Bridging Child Care and Early Learning

Further, NLC urges the federal government to strengthen child care and early learning systems by bridging gaps between child care and early learning providers and supporting policies within
Head Start that foster collaboration with early education programs and child care. The federal government must strengthen the entire child care/early learning system by:

- Providing linkages between child care providers and preschool programs to ensure a smooth transition for children; and
- Supporting policy development within Head Start that fosters collaboration with other early education programs and/or child care and reduces barriers to such collaboration.

B. Early Childhood Learning
d. Early Learning

i. Early Childhood Learning Programs

Recognizing parents’ efforts in fulfilling their responsibilities, NLC strongly supports quality, early childhood learning programs for all children. NLC also supports federally-subsidized, quality, early childhood learning programs for all children who are at risk or low-income, particularly those ages three to five. Local leaders should be able to easily coordinate these Pre-School, Pre-Kindergarten, and Head Start programs without legal and regulatory barriers to working with each other or extended child care. NLC strongly supports quality, early childhood learning programs for all children, including federally-subsidized, quality, early childhood learning programs for at-risk and low-income children.

Developmentally appropriate early childhood learning programs can make major contributions to the development of children’s physical and emotional well-being, social competence, and cognitive abilities. By ensuring that such programs are available to all children, they will then be better prepared to begin their elementary education and achieve long-term school success.

As part of this federal policy for children and youth, NLC urges the federal government to provide: NLC urges the federal government to:

- An increase in funding for and expansion of services provided by those programs that have proven to be cost-effective; Increase funds for the expansion of services provided by early childhood programs that have proven to be cost-effective;

- Strengthened recruitment, training, compensation and other retention efforts targeted at child development, personnel creating scholarship programs, grant-in-aid programs for students who will commit to working in the local community for a specified period of time, and low-interest loan programs for early childhood development training;

- Incentives for more involvement by the private sector in funding early childhood activities, leveraging federal and non-federal support for these programs, and providing employee benefit packages that ensure greater participation by parents in the early education of their children; and Provide incentives to the private sector to become more involved in early childhood and early learning activities; and

- Support for continued development and evaluation of educational approaches for preschool children. Provide support for development and evaluation of education approaches for pre-school children.
The federal government should appropriate adequate funds to provide Head Start preschool experiences for all low-income children ages three to five years. NLC supports the Head Start program and urges the federal government to extend its authorization and increase its appropriations, so that all eligible children can participate.

NLC also urges the federal government to adequately fund the Early Head Start program, which provides high quality child and family development services to pregnant women and low-income families with children ages zero to three. The federal government should also increase its funding of developmental activities for low-income children from birth to age three, such as Early Head Start.

Where appropriate, the federal government should provide sufficient funding to structure Early Head Start and Head Start as full-day programs. NLC supports the following essential features of Head Start:

- **Comprehensiveness**—Head Start should remain in the U.S. Department of Health and Human Services because of the importance of its comprehensive approach, addressing health care, nutrition needs, emotional and social development, education, and self-esteem of both children and parents. It is also crucial that the program continues to provide families with essential links to other community services.

- **Family Involvement**—Parental involvement with Head Start is essential in situations where personal, social and economic problems would otherwise result in the disintegration of the family unit. The federal government should continue to encourage parental involvement by increasing flexibility and expanding opportunities for training in parenting skills, classroom volunteering, and career development counseling. NLC supports the federal Head Start requirement of a 20 percent in-kind match by the local community (usually satisfied through parental volunteering), but urges the Administration to waive that requirement under certain circumstances.

- **Facility Needs**—The federal government must encourage the availability and accessibility of Head Start centers by providing financial assistance to build, maintain, and/or renovate facilities.

**C. School-Age Children**

a. **Full Education Funding**

In implementing “No Child Left Behind” (NCLB), the federal government must support comprehensive programs to raise student achievement instead of focusing solely on the accountability of school administrators and teachers. In its appropriations, education policies, and regulations, the federal government must recognize that student achievement is directly tied to early childhood programs, social service supports, health and nutrition, language skills, character development, and family involvement from birth until graduation and must link appropriately funded programs to the implementation of NCLB. In addition to fully funding NCLB at the authorized levels, Congress must also appropriate increased funds for programs such as Head Start, Early Head Start, Individuals with Disabilities Education Act (IDEA), and the 21st Century Community Learning Centers. NLC supports comprehensive programs to raise
student achievement. NLC supports Title I of the ESEA, which enables schools serving disadvantaged children to meet their unique educational needs. NLA also supports federal efforts around after-school, summer and year-round youth employment, and vocational programs that are linked to staying in school.

NLC supports federal programs that provide funding directly to local communities for parenting programs. (See also HD Sections 4.02(C)(3)(b), Children and Learning, Recommended Federal Actions, Early Childhood Development, Parenting Programs, and 4.02(C)(6), Family and Community Involvement)

Congress must act in a timely fashion on annual education appropriations and fully fund any federally mandated education programs, especially NCLB and IDEA.

i. Funding for Head Start and Early Head Start

To realize educational achievement of school age children, the federal government must also appropriate enough funds to provide Head Start and Early Head Start to all eligible children. (See also HD Section 4.02(C)(3)(e)(ii), Head Start)

ii. Supplementary funding through Title I

NLC urges Congress to continue and expand the funding of programs, through Title I of the “No Child Left Behind Act” (formerly the Elementary and Secondary Education Act (ESEA) or other appropriations of federal funds, that motivate disadvantaged students to stay in school and to provide support mechanisms for academic achievement of these students in school.

NLC urges Congress to ensure that these federal and state supplements provide sufficient funds to ensure improvement in educational achievement for all students and meet the special needs of certain groups of students, such as the gifted and talented, the socio-economically disadvantaged, individuals with disabilities, and minorities. In some states, current allocations across school districts are extremely inequitable — allowing huge funding disparities between neighboring schools, and providing insufficient resources for inner-city schools. In attempting to resolve this inequity, NLC opposes any federal action that would prohibit the use of local property taxes to finance public education. However, the federal government and states should supplement local expenditures in communities that cannot afford to provide sufficient educational resources. The small percentage of current federal funding that local educational agencies receive through their NCLB allocations is insufficient to ensure that students and teachers have enough resources.

iii. After-School, Out-of-School Youth and Vocational Programs

NLC urges the federal government to increase funds directly allocated to local communities for after-school programs and summer and year-round youth employment and vocational programs that are linked to staying in school. In particular, it should strengthen and fully fund the 21st Century Learning Centers at the levels originally authorized in the “No Child Left Behind Act.” This will provide improved prospects for academic and employment opportunities that will also motivate teenagers to postpone parenthood. (See also HD Section 4.03, Poverty and Income Support, and PSCP Chapter for support of after-school programs, stay-in-school programs, mentoring programs, and school-to-work opportunities)

The federal government should increase funding for programs that support students who have dropped out of school so they can return to school easily or move into the employment sector effectively. In addition, for those students who are not actively pursuing education beyond high school, NLC supports federal investments in research and programs designed to assist these students, including vocational programs that help students transition from school to work.

In addition, for students who are not actively pursuing education beyond high school, NLC supports continued federal investment in research and local programs, including vocational programs that help students to transition from school to work.
b. Basic Support for Federal Education Policy

NLC supports the goals of current federal education law, which strives to close the achievement gap by ensuring that all children are learning basic skills and meeting high academic standards. It is imperative that Congress reform the law for greater effectiveness. The federal government’s core focus must be accurate assessment, identification of needs, and well-funded remediation for districts, schools, teachers, and students to provide the most effective learning environment, teaching tools, and support systems. Also, the federal government must allow for local flexibility in implementing the standards, including locally-driven alternatives regarding assessments, requirements of teachers, and students’ abilities to transfer from “low-performing” schools. Lastly, these federal requirements should not impede, require the diversion of funds, or in any way minimize the importance of other critically enriching programs, such as art, gym, music, social studies, and foreign language.

c. Standards and Testing

NLC supports the federal requirement that each state must establish standards and create assessments that students must pass to demonstrate that they are learning basic skills and meeting high academic standards. The federal government must provide states adequate federal funding to help them develop and implement performance standards and achievement tests so that each state’s current funding is not diverted from existing educational purposes.

With direct involvement of local officials, the federal government should provide general guidance to states to strengthen performance standards and applicable achievement tests to better measure the educational progress of all schools and students. Parents, community leaders, the business community, and students should also be actively involved in the standards setting process.

The federal government should ensure that the state assessments are aligned with the state standards, and that all state assessments are valid and reliable by professional standards. Great care should be taken to ensure that the testing process does not become a demoralizing factor for students, parents, teachers, and administrators. Performance standards should not be limited to standardized testing but should also include broad measures of outcomes such as employment and participation in higher education. NLC urges the federal government to include in any guidance that:

- Tests should not be given so often as to take away significant time from teaching lessons and experiential activities; and
- Programs must be in place to de-aggregate the test results and help individual students to achieve.

The federal government must continually work with states and localities to develop, improve, and adopt the most flexible, efficient, and successful methods of assessment and accountability, including allowing any state to include a workable growth model as part of its state plan. Furthermore, the federal government must allow all states to implement assessment programs that emphasize the academic growth of individual students, so schools can follow students’ academic growth and target help where it is needed. Where feasible, the federal government
should also help states and localities build capacity to develop these longitudinal models that can more precisely target individual student growth. Most importantly, testing is useful only if it serves as an additional tool for administrators, teachers, and parents to improve instruction of students. Without well-funded and effective programs to improve the educational system, standards and achievement tests are meaningless assessments and do not help students. To ensure that federal education law serves that purpose, NLC supports federal initiatives that provide research and funding for mentoring, tutoring, and teaching assistance programs that help to increase achievement test results, satisfy performance standards, and decrease the drop-out rate.

### Evaluating Special Education Students

For students enrolled in special education programs, NCLB should indicate that the standards should be assessed individually based on the students’ progress toward their Individual Education Plans (IEP). To reach the goal of appropriate assessment of special education students, the federal government must help states build capacity to strengthen teachers’ ability to properly identify and evaluate the achievement of special education students. For communities to have all the resources they need, Congress must fund the Individuals with Disabilities Act (IDEA) at its fully authorized levels. For more on special education students, refer to HD Section 4.02(C)(3)(h).

### Evaluating Students with Limited English Proficiency

NLC supports the ultimate goal of teaching all students to speak, read, and write in English. To achieve that goal, the federal government should strengthen its capacity to develop, evaluate, and promote the most effective ways to ensure that all students learn English and also reach proficiency in their academic subjects. NLC also supports immigrant integration through education by teaching all students to speak, read and write in English. Therefore, NLC urges the federal government to:

- Provide sufficient funding to assist local communities in helping LEP and ELL students through bilingual teachers, appropriate lessons, and other needed support services;
- Continue to implement flexible policies based on different communities’ needs; and
- Continue to allow states to give some school districts time-limited waivers regarding assessments of students who are homeless or new immigrants.

Most importantly, NLC urges the federal government to evaluate and support the use of growth models for LEP or ELL students in relation to their educational, individual, or community starting point and growth. This is a valuable tool for schools to be accurately assessed as each student or community’s academic background varies and these differences may result in the
incorrect evaluation of these students. To implement this model effectively, the federal government must help states build capacity so teachers and administrators can use individual assessment tools to measure, monitor, and guide LEP and ELL students in their progress with English and their academic growth, because these students need individualized progress monitoring to recognize appropriate gains in different circumstances.

d. Education Reform

Federal education requirements must focus more on supportive mechanisms to produce meaningful education reform and less on corrective or punitive actions. NLC especially supports the current requirements for a locally-determined School Improvement Plan, which includes public involvement in determining the plan.

First, the federally imposed timeline of corrective action is currently too restrictive. At minimum, Congress should reform NCLB to allow schools that are not making Adequate Yearly Progress (AYP) to provide supplemental services to students before being required to transfer students to other higher performing schools. The transfer provisions should take effect only as a last resort after the supplemental services provisions have been found to be ineffective. Priority for both supplemental services and transfers should be limited to students that are not satisfying AYP.

More broadly, Congress should reform NCLB’s corrective action requirements. Instead of mandating compliance with NCLB’s federally imposed timeline of corrective action, Congress should require that the state collaborate with the local school district to determine an appropriate, locally-based timeline of action that includes technical assistance to establish and implement a plan of reforms, a wider list of allowable reforms, federal financial support for implementing the reforms, and an appropriate listing of required corrective actions for failure to make the planned reforms.

i. Assistance in setting up the locally-determined plan:

The locally directed, comprehensive plan must include tangible, urgently needed assistance from the state and federal government to achieve those reforms:

• Technical assistance, funded with federal funds, to help the local community establish a workable plan that meets the needs of that community yet satisfies the requirement that every student must be obtaining basic skills and meeting high academic standards; and

• An opportunity for local community members to provide input into the plan through public hearings, consensus building exercises, and an understanding of the potential corrective actions if the reform plan fails to ensure that the students are learning the basic skills and satisfying the state academic standards.

ii. Remediation and Supportive Actions

The federal and state government must also provide comprehensive assistance, including financial support and technical assistance, to implement the plan effectively for each school in need of improvement. Instead of only mandating supplemental services, choice, and restructuring, the locally-directed comprehensive reform plan should have the flexibility to include the following components:

• Technical assistance — Flexibility to hire an outside expert to advise the school immediately after identification as a school in need of improvement,
• Community and Parent Involvement—More support for “community schools,” that include family-oriented, neighborhood services with the schools and stronger parental involvement programs that will encourage parents to engage with their school children and community members to get involved with their neighborhood schools (see also Section 4.02(C)(3)(e), Family and Community Involvement);

• Students—The schools should be allowed more flexibility in helping students struggling to acquire the skills needed to achieve, including the ability to increase the number of in-school tutors or teachers’ aides or create smaller class sizes;

• Teachers and Administrators—More support for teachers and administrators, including professional development, opportunities to share best practices, mentor programs for teachers and administrators, and workshop days where teachers get the opportunity to share ideas, work through challenging situations, and/or visit with other schools or classrooms; and

• Academic Changes—Implementation of a new evidence-based or research-based curriculum or flexibility in extending the school day or year.

e. Family and Community Involvement

i. Parental Involvement Requirement

NLC urges the federal government to significantly strengthen and enforce the “parental involvement” requirements of federal education law and promote successful involvement by parents, guardians, and other legal caretakers, in Head Start and other early learning component of their children’s education, the partnership with their school-age children’s teachers, and the reform process of their schools. NLC urges the federal government to ensure that “parental involvement,” or a broader, more inclusive term, is included in all education policies and adequately funded so that the involvement of parents and other legal caretakers becomes a centerpiece of federal education law. It is critical that “parental involvement” promotes parental accountability, parent-teacher relationships, and assistance to parents to achieve better parenting skills, reinforcing homework, discipline, and other learning behaviors.

• D. Strengthening Family and Community Programs

Family and Community Education Programs

Regardless of whether a school has been identified as one in need of improvement, NLC supports federal initiatives that encourage and reinforce family involvement in school programs, such as the Communities in Schools program. Family and community involvement in schools is essential for the academic and social achievement of students. In particular, NLC supports federal funding for local programs that: NLC supports federal initiatives that encourage and reinforce family involvement in school programs, such as the Communities in Schools program, which makes comprehensive human services like healthcare, family literacy, mentoring, and family counseling programs available at neighborhood schools.

• Strengthen families’ and caregivers’ abilities to provide their children the discipline and motivation to attend school and learn;

• Help students with homework and extracurricular activities;
Develop communication skills related to school and career challenges; and

Help families remove barriers to learning.

For students who cannot get sufficient parental involvement, federal resources should be available to help schools promote adult relationships with other family members or community mentors.

The federal government should also support locally-initiated “community schools” by funding demonstration programs to local communities, as well as promoting research and information dissemination. Community education programs coordinate and make comprehensive human services, like healthcare, family literacy programs, mentoring, and family counseling, available at neighborhood schools.

A. Parenting Skills Programs for School Age Children and Their Parents

The federal government should support parenting skills programs for school-age children that:

- Partner with school districts to provide a comprehensive program of pregnancy prevention and/or parenting skills to youth;

- Partner with community organizations to provide classes for parents about non-violent discipline techniques, family literacy, building language skills of young children, and establishing stable family routines;

- Encourage low-income parents to enroll in parenting skills programs and provide information about and access to the programs through TANF, food stamp, and unemployment offices, housing authorities and public housing communities, child care and Head Start centers, and other points of contact for public assistance;

- Work with non-custodial parents, mothers and/or fathers, who need to learn how to develop healthy relationships with their children;

- Provide one-on-one programs with social workers or volunteers who mentor and advise parents;

- Ensure early identification and intervention of disabilities and special needs; and

- Offer in-home sessions of observation and counseling to strengthen family relations.

f. Teacher Quality

NLC supports the congressional requirement that all schools hire and maintain “highly qualified” teachers who are academic experts in the core subjects they teach. High quality and sufficient quantity of public school teachers is crucial to student success and achievement across our country.

However, to fully implement this requirement, the federal government must first address the teacher shortage in particular communities and fields. It should increase the current pool of teachers and reduce class size by funding research and innovative pilot programs that strengthen
the recruitment, preparation and support of new teachers who make a binding commitment to work in low-income communities. The federal government should also provide effective incentives for teachers to work in those high-need districts and schools, such as expanded loan forgiveness programs, grants, or bonuses, because appropriate teacher compensation is one important way to provide the support they need.

In addition, NLC urges the federal government to:

- Expand federal funding for professional development programs, which includes cultural diversity training;
- Continue federal funding for alternative certification programs like “Teach for America;”
- Encourage appropriate teacher autonomy and flexibility, opportunities for mentorship, and master teacher promotions; and
- Promote the use of effective social service providers and law enforcement resources in schools to provide a support network for students, administrators, and teachers.

NLC supports the principles behind the highly qualified teacher requirement; however, the federal government must not implement it with such rigidity to discourage competent, skilled veteran and new-hire non-education background teachers from the field. The federal government must allow alternatives to the teacher requirements if circumstances warrant such local flexibility. The federal government must also continue its policy on flexible and appropriate means of assessing teacher quality and should ensure that all states have the capacity to implement their alternative processes for veteran teachers and new hires from non-education backgrounds.

Additionally, the federal government should also promote better coordination among federal teacher requirements, state certification programs, and institutions of higher education to ensure a growing number of quality teachers in all states. The federal government must ensure that schools of education are teaching the most up-to-date, scientifically-based methods of educating students.

The federal government must ensure that all states have the capacity to provide appropriate alternatives for special education teachers to satisfy the highly qualified teacher requirements if they are instructing students in core subject matters in separate special education classrooms. The federal government should also promote the use of highly qualified teachers for all students considered “English Language Learners” (ELL) or those with Limited English Proficiency (LEP) to ensure their academic success. In both cases, the federal government should initiate pilot programs to encourage partnership between specialized teachers and core academic subject teachers.

**g. High School Reform, Reducing Student Dropout Rates, and Increasing Graduation Rates**

For Americans to be competitive in the global economy, the federal government must ensure that every student has the opportunity to graduate from high school prepared for college or meaningful employment and a living wage. To reach that goal, the federal government must make available to secondary schools the leadership capacity, professional tools, and supports necessary to reach and teach all students, especially those with needs for literacy and math assistance, English as a second language training, academic remediation, and recovery from dropout status.
Most importantly, the federal government must make a significant new financial investment that can be dedicated to support structures for individual at-risk students and dropouts and comprehensive reforms of low-performing secondary schools. It is critical that these additional federal resources be applied to capacity building, implementation of comprehensive reforms, and supports needed at both the middle and high school levels.

One of the most important tools is student data, if used effectively. The federal government should also provide states with the financial and technical tools to build capacity to implement and expand longitudinal data collection systems. Using these systems, school administrators should be able to track individual students’ progress, identify potential drop outs, better address students’ challenges, account for movement between and among districts and schools, and identify dropouts in need of recovery options. These longitudinal systems should also help local educational agencies to keep track of all students, especially those enrolled in school district-run alternative programs.

The federal government must join with state and local governments to address the poor graduation rates throughout the United States, especially in rural and inner city schools.

Specifically, to reduce the number of students dropping out of school, increase the number of students taking and excelling in rigorous academic coursework, and raise the graduation rate significantly, the federal government must provide funding, coordination, and support to states, local communities, and schools for the following crucial activities:

- Early childhood education, early interventions, and learning of fundamental literacy and numeracy skills in grades K-3 are indispensable to academic success throughout elementary and secondary school (see also NLC policy on the topic);

- Supports and interventions through transition years and middle school;

- Literacy and math programs, so students that are falling behind have a chance of catching up, mastering appropriate rigorous coursework, passing more challenging classes, and advancing to the next grade on their way to graduation;

- Building state capacity to develop longitudinal data systems and local capacity to use that data effectively to identify students at risk and in need of sustained interventions and supports;

- Partnering with the states to identify and utilize a consistent set of data and analytical tools nationwide to obtain accurate school dropout statistics;

- Research, development, and implementation projects to build on effective models, and dissemination of information on research-based supports, interventions, and reforms;

- Leveraging of community-based services and opportunities to provide every student with the academic and nonacademic supports necessary for success;

- Sufficient resources for additional counselors, social workers, and truancy officers affiliated with the schools to provide comprehensive wrap-around services for all at-risk students; and
Providing targeted, comprehensive, and systemic supports and interventions to low-performing students and schools, especially where comprehensive reform is needed in the lowest performing schools where the majority of students drop-out and remain in concentrated poverty.

Additionally, NLC supports full funding of federally authorized community programs targeted at providing support in areas that most negatively affect high school dropout rates. The federal government should:

- Fully fund the 21st Century Learning Centers to strengthen the entire community’s ability to educate their children (see also HD Section 4.02(C)(3)(a)(iii), After-School, Out-of-School Youth and Vocational Programs);

- Initiate and fund existing programs that allow localities the flexibility to address teenage pregnancy prevention and teenage parenting assistance most efficiently (see also HD Section 4.03(C)(2), Prevention of Poverty);

- Provide funding and technical cooperation with state and local governments to maximize the impact of dropout-related community programs by unifying education, youth development and community development programs, using comprehensive programs like community schools as useful templates; and

- Support better defined, larger scale, and well-resourced options and alternatives that combine on the local level to provide all students (including those who may have dropped out) with multiple pathways to graduation, college readiness, and effectiveness in future roles as workers and citizens.

For additional discussion of federal education law, see NLC policy sub-sections on School-Age Children.

h. Special Education

NLC supports the Individuals with Disabilities Act (IDEA) and urges the federal government to fully fund the commitment it made originally in 1975 to fund 40 percent of the per-pupil cost of the services required by this Act. State and local governments are incurring the costs required to meet responsibilities under the Act, but the federal government is not fulfilling the financial partnership agreement it committed to when the law was enacted. Failure to fully fund IDEA constitutes an unfunded mandate that is unacceptable to our schools, our students with disabilities, and our communities.

Congress must also work to improve IDEA further. NLC supports the following changes in the Act:

- More focus on prevention and early intervention whenever possible, particularly in learning to read. Preventable and remediable conditions grow into intractable problems when not addressed initially.
Incentives to encourage flexibility and opportunities for schools to work closely with families and students to customize service and placements should reduce adversarial legal and administrative procedures.

Expanded programs that provide opportunities for general education teachers to interact with and learn from special education teachers and occupational therapists, particularly regarding the effective placement of disabled children into their classrooms.

More accountability, including performance standards and achievement tests. By including performance-based standards in IDEA whenever possible, and providing the resources to satisfy those standards, students will be encouraged to achieve more and graduate at a higher rate.

See also HD Sections 4.02(C)(3)(c)(i), Evaluating Special Education Students, and 4.07, Individuals with Disabilities.

E Safe Schools

NLC recognizes also believes that widespread bullying and harassment—including bullying based on sexual orientation or gender identity—result in poor grades, lower academic achievement, high rates of absenteeism, and a lack of safety within schools, that lead to poor individual and school scores, higher dropout rates, and student suicides. Therefore, NLC urges Congress and the Administration to pass and sign into law legislation that would address the problem of bullying and harassment in America’s schools. The legislation should require that local school districts and their schools to:

- Adopt comprehensive and effective student conduct policies that include clear prohibitions regarding all bullying and harassment, including bullying and harassment based on sexual orientation and gender identity;

- Create effective prevention strategies and professional development programs designed to help school personnel meaningfully address issues associated with bullying and harassment; and

- Implement procedures to maintain and report data regarding incidents of bullying and harassment in order to inform the development of effective federal, state, and local policies that address these issues.

1. Teenage Pregnancy

   a. Prevention and Support

Teenagers who become pregnant are more likely to drop out of school, live in poverty, not receive timely and consistent prenatal care, and have children that are more likely to become teen parents themselves. All levels of government and the private sector need to make a concerted effort to prevent teenage pregnancy and ensure that teenagers that do become pregnant receive adequate prenatal care and parenting counseling.
The federal government must address the high poverty rate of teenagers who become pregnant and who are unprepared for pregnancy and child rearing by ensuring that these teenagers acquire, in addition to parenting skills, the education and job skills training they need. Congress should indicate that significant reduction of teen pregnancy is a priority of the TANF Block Grant reauthorization and must provide adequate supplemental funding for states to achieve this goal. Federal funds should not be limited to “abstinence only” programs. Federal law must allow local communities to develop teen pregnancy programs appropriate for their needs, including federally funded programs that provide access to comprehensive sex education, counseling, and contraception. With respect to prevention, there is an imperative need for the inclusion of school-based health clinics, sex education, and life planning in school curricula.

Through policies and funding resources, the federal government must address the high incidence of teen pregnancy, often caused by despair, low self-esteem, and perceived lack of future opportunities by both male and female youth. NLC urges the federal government to increase funds directly allocated to cities for after-school programs and summer and year-round youth employment programs that are linked to staying in school. This will provide improved prospects for academic and employment opportunities that will motivate teenagers to postpone parenthood. See also PSCP Chapter for support of after-school programs, stay-in-school programs, mentoring programs, and school-to-work opportunities. (See also HD Section 4.02, Children and Learning)

The federal government must ensure that prenatal care and parenting skills programs, as well as day care facilities and counseling services, are available in communities for teenagers and young adults who do become pregnant. Counseling should target both of the parents and focus on the prevention of additional pregnancies as well as the completion of the students’ education. (See also HD Section 4.02(C)(2), Families and Children, Early Childhood Development)

The federal government must also study the strong links between sexual abuse of children and young teenagers and teenage pregnancy. The federal government should provide funds for local programs to prevent further abuse and provide services to the young victims. (See also PSCP Chapter)

b. Fatherhood Initiatives

NLC supports federal initiatives to promote fathers’ financial and emotional involvement in their children’s lives. Except under circumstances of domestic violence, it is essential that both parents provide support to raise their children.

c. Child Support

NLC supports federal efforts to improve the collection of child support both through direct federal action and through federal encouragement of state coordination of financial and other incentives. Stronger policies of enforcement of court-ordered child support are necessary to help parents adequately care for children.

2. Higher Education Assistance F. Post-Secondary Education

As part of the overall federal financial commitment to education, the federal government must increase its financial support that makes access to loans, grants, and loan guarantees easier for students in higher and technical education. This federal financial aid is an essential element of an education strategy to extend opportunity and equip students for the economy of the future.
In order to adequately prepare young people to enter the world-of-work, it may be necessary for some to obtain a post-secondary school degree. To ensure a smooth transition from high school to post-secondary school, NLC supports those NLC also supports college preparation programs, authorized by the Higher Education Act, that help to bridge the transition from high school to college. For example, GEAR UP, Upward Bound, Talent Search, Student Support Services, and Educational Opportunity Centers are all good examples of federal programs that are exclusively targeted at providing college awareness for underserved middle- and high school students. These programs provide critical information about college admissions and student financial aid to disadvantaged students, and their funding should be increased.

3. Public Libraries

The federal government should consider legislation to designate public libraries as educational institutions able to qualify for broader sources of funding. Public libraries are integral components of public education and should therefore be made eligible for any funding programs extended to educational agencies. Finally, NLC believes that public libraries are educational institutions that provide critical education services to the community. Therefore, NLC urges the federal government to designate public libraries as educational institutions able to qualify for broader sources of funding.

4.03 Poverty Reduction and Income Support

A. Principles

The federal government must work to eliminate poverty, ensure a basic quality of life for all Americans, and promote self-sufficiency. All levels of government must combine their resources and direct them toward the goal of self-sufficiency for all people. This goal requires programs of employment, social insurance, and income support.

The federal government cannot fulfill its responsibility for addressing poverty by providing money alone. NLC believes that all levels of government should work to eliminate poverty, ensure a basic quality of life for all Americans, and promote self-sufficiency. To achieve this, the federal government should provide comprehensive and coordinated services to families in need that take into account regional and local differences. In addition, all programs should be administered in an effective and cost-efficient manner that incorporates the capacities of all levels of government.

The federal government must ensure:
- Comprehensive and coordinated systems of services for families in need to provide a level of support that takes into account regional differences in the cost of living;
- Programs are administered in an effective and cost-efficient manner; and
- States and local governments work together to design, deliver, and evaluate services.

B. Goals

Real welfare reform on the federal level should:
Focus on creating a coordinated system of services designed to prevent and eliminate poverty;

Create an accessible, comprehensive system that provides support for people in need;

Reflect a genuine concern for and protection of our nation’s children so they may grow into healthy, productive citizens; and

Support working families transitioning to full self-sufficiency.

C.A. **Recommended Federal Actions**

**Poverty Reduction**

1. **Current Federal Welfare Program**

NLC supports the reauthorization and expansion of funding for the Temporary Assistance for Needy Families (TANF) block grant program. NLC supports federal efforts to encourage employment and reduce welfare caseloads. Federal assistance is crucial for many low-income families that are unable to achieve and maintain a standard of self-sufficiency. NLC supports federal efforts to encourage employment that reduces dependence on welfare. However, NLC urges Congress to review and improve the 1996 welfare reform law by:

   However, Congress must also review and improve the 1996 welfare reform law in a number of ways to recognize the factors that serve as obstacles to economic independence.

   - NLC urges Congress to change the central focus of TANF to poverty reduction rather than welfare caseload reduction. The true test of success should be measured by the number of families able to become economically independent and socially productive.

   - Changing the central focus of TANF from welfare caseload reduction to poverty reduction;

   - Reauthorization legislation should not pass along unfunded mandates to state and local governments.

   - Eliminating unfunded mandates;

   - While NLC supports time limits for cash assistance, working families that remain too poor to leave TANF should not be subject to eliminating arbitrary time limits for necessary work supports, such as transportation, child care, and housing supplements;

   - The federal government should define work requirements in an expanded manner to include flexible levels of work hours, including in the definition of work participation in support services, work study, and the pursuit of educational attainment;

   - Federal welfare-related legislation should provide incentives to states to provide strong workable contingency plans for times of recession, providing incentives for strong workable contingency plans that would be implemented during recessions; and

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With reauthorization, the federal government must not exclude legal immigrants from eligibility for TANF funding. (Regarding legal immigrants, see also HD Section 4.10, Immigration and Refugees) Allowing legal immigrants to receive welfare benefits.

**B. Education and Skills Development**

a. **Educational Opportunities**

NLC urges Congress to maintain and expand the use of TANF grants for increasing the educational level of low-income families. Since education and job skills are essential if families are to become truly self-sufficient, states should have the option of not counting the time that welfare recipients pursue education against their federal five-year TANF lifetime limit. The federal government should base the continuation of benefits, while under such a time extension option, on making satisfactory progress within formal education programs. NLC urges Congress to permit individuals to use their welfare grants for education and skills training. Allowable activities should include basic and remedial education, with an emphasis on literacy; vocational, technical, and higher education; English language training; work experience; job search and placement assistance; affordable day care; health insurance; substance abuse treatment; entrepreneurial opportunities; and transportation.

Federal law should provide greater incentives for states to use their TANF grants to provide educational opportunities for low-income residents at four-year colleges, community colleges, and technical schools. The federal government must encourage states to advise or inform current and former welfare recipients, as well as working individuals with low incomes, about the potential educational uses of the TANF block grant, including permissible income supports while attending school as well as tuition scholarships and supplementary programs like transportation and child care.

NLC also urges Congress to facilitate better coordination of services offered under existing federally supported financial aid programs for the disadvantaged with the educational needs of citizens qualifying under TANF.

b. **Employment and Training Programs**

Federal employment and training programs should make every effort to upgrade the job skills of low-income workers, including support for more vocational education and trade skills tied to targeted job openings. The federal government should foster policies to create more full-time jobs in the private sector, including the Targeted Jobs Tax Credit, as a means of expanding job opportunities for low-income workers.

2. **Welfare-to-Work**

To be successful, the federal government must provide adequate funding to help individuals transitioning from welfare to employment by:
- The federal government should provide adequate funding to help individuals make the transition from welfare to work by:
  - Meeting the diverse and often complex needs of families and children;
• Providing families and children with choices of avenues to self-sufficiency; and

• Recognizing that some families have multiple barriers to employment and providing realistic time frames based on assessments.

Therefore NLC urges Congress to:
• Facilitate better coordination of services offered under existing federally supported financial aid programs for the disadvantaged with the educational needs of citizens qualifying for TANF;
• Target low-income workers for job training and transitional jobs, if appropriate; and
• Recognize that some individuals who suffer from physical disabilities, health limitations, or mental health disorders may not be able to work under any circumstance and should receive sufficient financial support to maintain an adequate standard of living.

The federal government must also work toward increasing the number of meaningful job opportunities and wages. (See also HD Section 4.03, Employment)

a. Populations with Significant Barriers to Employment

The key to economic self-sufficiency lies in meaningful employment. Through increased funding for the TANF block grant and/or other federal programs, the federal government must assist the high percentage of welfare recipients that are dependent on public assistance because of significant barriers to stable employment. Such assistance should include: basic and remedial education, with an emphasis on literacy; vocational, technical and higher education; English language training; skills training; work experience; job search and placement assistance; affordable day care services; health insurance; substance abuse treatment, entrepreneurial opportunities, and/or adequate access to transportation.

The federal government must recognize that some individuals, because of factors such as physical and psychological barriers, may never reach self-sufficiency. After necessary assessment and re-classification, families with physical disabilities, health limitations, and/or mental health disorders, of either a parent or a child, should receive Supplemental Social Insurance (SSI) or Social Security Disability Insurance (SSDI). Where treatment and/or counseling could help some individuals with physical ailments, mental disabilities, and/or substance abuse to overcome these barriers to employment, the federal government should encourage states to provide access and referral for treatment and other supportive services. (See also HD Section 4.09, Mental Health)

b. Transitional Jobs Programs

NLC urges Congress and the Administration to provide a clear commitment of federal funds for competitive grants to local governments for publicly-funded “Transitional Jobs” programs. These programs would include time-limited paid employment, guidance, and supervision that will give recipients meaningful job skills that can lead to long-term employment. In addition,
Congress should reauthorize the Department of Labor’s Welfare-to-Work grants to aid TANF recipients and other individuals with significant barriers to employment. Transitional jobs programs avoid many of the shortcomings of traditional “workfare” or “make-work” programs and enable individuals to qualify for the EITC and Child Tax Credit because they provide paid employment.

e.– Tracking and Supporting Former TANF Recipients

As part of its efforts to minimize the federal government’s efforts to reduce poverty and lower welfare caseloads, the federal government should require states to use whatever mechanisms that are legal and necessary, including Social Security numbers and state tax records, to track people leaving welfare to determine how many have jobs paying enough to sustain self-sufficiency.

Instead of cutting off assistance, the federal TANF law should promote additional education and training opportunities for former welfare recipients and other low-income workers, particularly those having difficulty keeping permanent employment. (See also HD Section 4.03(C)(5), Education and Skills Development) The federal government should help states and localities expand their outreach to families eligible for income supports.

3. Supporting Working Families

The federal government must take action to minimize the number of families that are still living in poverty despite having at least one working family member. Poverty in “working families” is a result of low wages and an insufficient number of full-time jobs. The most dramatic example of the link between low wages and poverty is the minimum wage earner, for whom even full-time, year-round employment will not yield an income above the poverty line.

a.– Living Wage

To create a living wage, the federal government must increase the minimum wage and Earned Income Tax Credit (EITC) to levels that, in combination, allow families to support themselves above the poverty level. (See also HD Section 4.04, Employment)

b.– Tax Credit Programs

The federal government must increase the EITC to relieve more low-income workers of tax obligations and/or to provide larger refunds to those that qualify. The federal government should increase the Earned Income Tax Credit (EITC) to relieve more low-income workers of tax obligations and provide larger refunds to those who qualify. In addition, the federal government should support working families by increasing the minimum wage.

To increase use of the current EITC, the Internal Revenue Service (IRS) should work diligently to make the Schedule Earned Income Credit (EIC) less complicated and more user-friendly. Where possible, NLC supports the efforts of the IRS to complete the individual’s tax form and distribute the EITC as appropriate.

The federal government should use the U.S. Census and other data sources to determine if more people are qualified for the EITC than are currently applying for it.
To increase awareness of the EITC among eligible populations, the federal government must:

- Work with states, local governments, county welfare agencies, and non-profit organizations to educate their service providers about EITC, so they are able to educate recipients;
- Allow state use of TANF funds to provide outreach and guidance on the EITC; and
- Ensure that free tax preparation is available.

NLC also supports expansion of the Child Tax Credit to increase tax savings for moderate- and low-income families.

C. Supportive Services

The federal government should provide sufficient funding so that essential supportive services can be continued for a period of time after job placement and until wages increase to a family sustaining level. Most families require help in making this move with continued support for quality child care, training programs focused on meaningful jobs, transportation, housing, health care, and transition counseling for heads of households, both mothers and fathers.

In particular, for welfare recipients and working, low-income families who do not receive TANF funds, the federal government must provide sufficient funding to subsidize child care costs. (See also HD Section 4.06(D)(3)(d), Child Care). If the federal government increases the number of work hours required each week by TANF recipients, it must substantially increase child care funding so that all children are cared for in safe, affordable, high-quality child care settings.

D. Homelessness

NLC believes that the rate of homelessness in America reflects fundamental deficiencies in our ability to meet basic human needs. To respond to this, NLC calls upon the federal government to fund and support a seamless, comprehensive system of services designed to prevent homelessness and to provide housing to those individuals to those individuals and families who are homeless. When necessary, the federal government should fund a comprehensive array of services for homeless individuals and families in need of emergency or transitional services. In particular, the federal government should:

- Expand the emergency and transitional food and shelter programs;
- Expand programs that provide emergency health services;
- Fund social services, especially outreach and counseling services;
- Provide transportation, life skills, education, job training, career counseling, and job placement services;
- Improve access to federal entitlement programs; and
- Develop a unique set of services and programs to aid and assist homeless veterans.

E. Change the Federal Poverty Level

NLC calls upon the federal government to create new federal poverty guidelines that accurately reflect the regional costs of goods and services and the spending needs of individuals and families. The current poverty guidelines were created in the early nineteen-sixties, are outdated,
and too low, and do not accurately account for all Americans living in actual poverty. And do not reflect modern budgetary needs, including the rising costs of medical insurance, energy and transportation costs, the addition of childcare to many working families budgets, and cost variations of housing and goods across regions. The federal government must create new poverty guidelines that more accurately assess the number of individuals living in poverty in the United States and allocate an appropriate level of assistance so all individuals and families may work towards achieving self-sufficiency.

- Preventing and Ending Homelessness

The scale on which homelessness exists today suggests that there are fundamental deficiencies in society’s ability to meet basic human needs. The condition of being homeless or precariously and/or inadequately housed represents an assortment of personal, social, economic and political problems, often present in combinations.

a. Comprehensive Services

The federal government should fund and support the creation of a seamless system of comprehensive services to prevent homelessness and to provide shelter to those who are homeless. Such a system of comprehensive services should recognize and address the unique needs of diverse populations who are precariously housed and homeless, especially the elderly, the mentally ill, physically disabled, families with children, and runaways.

One of the more critical needs is for adequate and affordable housing for families, as well as individuals.

To address the affordable housing crisis comprehensively, the federal government must also ensure the provision of permanent supportive housing, support services, an adequate income support system, sufficient job training and employment assistance, and health and mental health care.

b. Affordable Housing

Regarding affordable housing, the federal government must work in four areas to prevent homelessness and assist the homeless and precariously housed:

- Prevention;

- Emergency shelter;

- Transitional shelter; and

- Permanent housing.

The inadequate supply of affordable housing and the high rates of homelessness reflect a national state of emergency. For a discussion on prevention and long-term affordable housing, see CED Section 3.06, Housing.
e. Emergency Shelter

The federal government should provide a comprehensive array of services to homeless individuals and families in need of emergency services. In particular, the federal government should:

- Continue and expand the emergency food and shelter programs;
- Expand programs which provide funding for housing and emergency health services to homeless individuals with mental or physical disabilities or other special needs; and
- Provide funding and support for social services, especially outreach and counseling services for homeless individuals and families.

d. Transitional Shelter

The federal government must recognize that it is often difficult to move from an emergency shelter back into traditional permanent housing. In particular, the federal government should:

- Provide funding for food, health services and mental health services for individuals and families in transitional shelters;
- Provide funding and support for social services, especially counseling for those in transitional shelters;
- Provide funding and support for transportation, education, job training, career counseling and job placement for those in transitional shelters;
- Provide funding and support for programs which assist and educate those in transitional shelters concerning life skills;
- Improve access to federal entitlement programs for those in emergency or transitional shelters by conducting outreach activities in shelters or by providing drop-in facilities at federal agencies; and
- Modify existing regulations to increase the eligibility and duration of benefits such as SSI and food stamps for those in shelters.

4.04 Employment

A. Principles

The private sector has the predominant role in job creation. The federal government, however, must maintain an economic environment that promotes job creation and job access. When the federal government seeks to alter or reform its policies, the federal government must consider the effects its actions will have on job creation and job access. NLC believes that the federal
government should maintain an economic environment that promotes job creation and job access. To support America’s workers and employers, the federal government should:

- Create meaningful jobs in areas of high unemployment;
- Make work pay by setting the minimum wage and Earned Income Tax Credit (EITC) at levels that in combination allow families to support themselves above the poverty level; and
- Protect the financial integrity of the Unemployment Insurance program and maintain the Employment Service, which is responsible for distributing unemployment checks and providing job placement services.

B. Goals

The federal government must:

- Ensure the success of public education programs across the country to minimize the need for basic skills training and also provide resources for workforce development and training as necessary;
- Address the insufficiency of decent job opportunities by working to create meaningful jobs in areas of high unemployment;
- Make work pay by setting the minimum wage and earned income tax credit at levels so that, in combination, they allow families to support themselves above the poverty level;
- Work with the states to protect the financial integrity of the Unemployment Insurance Program; and
- Coordinate the production of employment and unemployment statistics, so that the federal government can work with states to improve the functioning of employment services.

C. Recommended Federal Actions

1. Education and Training

a. Education

The federal government should ensure that public education programs provide all students with adequate and basic skills so that all may enter the workforce with the necessary requirements for entry-level positions, at a minimum. Workers who are employed currently (“incumbent workers”) should have access to federally sponsored training and employment programs through which they may upgrade their skills and adjust to changing job markets.

C. Workforce Development

Although the private sector plays the predominant role in on-the-job training, when appropriate the federal government should provide resources for a range of services, including basic educational and job skills training for welfare recipients, structurally unemployed individuals, dislocated workers, and at-risk youth, and job placement services to ensure that all trainees have access to higher paying, higher skills jobs. To ensure that these goals and objectives are met,
Congress should fully fund the Workforce Investment Act (WIA) or its successor. The federal government should provide resources for a range of services, including basic educational and job skills training for welfare recipients, structurally unemployed individuals, dislocated workers, and at-risk youth, and job placement services for all Americans to ensure that all Americans have access to higher paying and higher skills jobs. To ensure that these goals and objectives are met, Congress should fully fund workforce development programs like the Workforce Innovation and Opportunities Act (WIOA) and should:

Federal job training programs should:

- Allow cities and towns working individually or together to utilize funds in ways that reflect the local workforce, available jobs, and the needs of the business community;

- Ensure that a portion of the funds are targeted to those most in need: persons living in poverty, those who are structurally unemployed and are not likely to return to their previous jobs, ex-offenders, and disconnected youth who are at-risk of long-term poverty;

- Establish workforce development areas that are based on regional economies rather than arbitrary measures such as population or political boundaries;

- Prohibit states from diverting all federal funds toward those who are already employed or job ready rather than those in greatest need;

- Ensure that local elected officials play a significant role in the planning, development, and implementation of regionally-based workforce development programs;

- Encourage collaboration between governments, education agencies including community colleges, organized labor, and the private sector to provide job skills training that meets the needs of workers and employers alike;

- Establish a permanent summer jobs program for young people ages 14 through 24 that is designed to provide economically disadvantaged and disconnected youth with paid jobs that provide measurable world-of-work training and job skills development; and

- Provide two-year base funding so that programs may provide long-term training and services across program years; and

- Allow local governments and workforce development programs to use a variety of training approaches including, but not limited to: individual training accounts, classroom training, and on-the-job training.

When the federal government closes military bases or major federal facilities, the federal government should provide direct assistance to ensure that individuals receive the retraining and job placement assistance they need.

b. Training
i. Government-Sponsored Training

Local governments and workforce development programs should be free to use a variety of training approaches including, but not limited to: individual training accounts, classroom training, and on-the-job training. Individual training accounts should be one method by which to provide training and assistance to individuals.

ii. Individually-Sponsored Training

Workers should also have the ability to establish tax-sheltered accounts that can be used for retraining and incumbent worker training when desired or needed. Such accounts could be tax-sheltered accounts into which individuals can direct savings or systems such as employer-established accounts into which there is a compulsory employer contribution. Such portable accounts tied to an individual could be drawn upon to fund retraining and education activities on an as-needed basis.

2. Job Creation and Retention

a. B. Job Creation

To achieve real welfare reform and reduce poverty, the federal government must address the lack of jobs that provide a living wage. The U.S. economy does not produce enough full-time jobs for all citizens to achieve self-sufficiency, and many jobs available to the poor do not provide adequate wages or benefits. To reduce poverty, the federal government should provide resources to help local communities address the shortage of living wage jobs.

The federal government should assist in areas of high unemployment to promote the creation of jobs. NLC supports a Targeted Jobs Tax Credit as one incentive to private industry to provide jobs to disadvantaged youth and other hard-to-employ populations. The federal government should provide broad marketing of this program to the private sector and there should be no limitations restricting use of the credit to defined geographic areas. In addition, the federal government should assist in areas of high unemployment to promote job creation, including tax credits and other incentives to business and industry to hire disadvantaged youth and other hard to employ populations.

NLC also supports transitional jobs, or public sector jobs that are designed to provide individuals with temporary employment that will lead to full-time permanent employment after a period of classroom, on-the-job, and other types of training consistent with permanent, full-time employment. The President and Congress should establish a national infrastructure program with the goal of stimulating job growth, retraining the workforce, and boosting local economies. The federal government should allow tax-exempt bond financing outside the volume cap for capital expenses of a business that employs dislocated workers in high-unemployment communities.

a. Laws Regulating Plant and Business Relocations

NLC supports federal laws that would require businesses and manufacturing plants of significant size that choose to relocate to:
- Provide advance notice of relocations and consult with local municipal officials so that the individuals and community affected can plan for needed adjustments; and
- Make supplemental financial contributions, where required, to support the unemployment insurance fund to assist in worker transition.

**C. Job Elimination**

When employers downsize, relocate or close businesses they should be required to give advance notice to employees and the local government in which the business resides so that appropriate preparations may be made to meet the needs of the dislocated workers. Therefore, NLC supports federal laws that require public and private sector employers to:
- Provide advance notice of relocations, reductions in workforce or business closings;
- Consult with local municipal officials so that the individuals and communities affected can plan for needed adjustments; and
- Make supplemental financial contributions to support the unemployment insurance fund to assist in worker transition.

When requested by the municipal government, the federal government should designate a federal liaison for communities affected by such closures or relocations. Such a liaison would help access federal information and assistance.

**D. Wages, Benefits, and Employment Supports**

**Wages and Benefits**

**a. Living Wage**

The federal government must increase the minimum wage and EITC to levels that, in combination, allow families to support themselves above the poverty level. Full-time work should provide earnings sufficient to move all family members out of poverty. NLC urges the federal government to increase the minimum wage and Earned Income Tax Credit to levels that, in combination, allow families to support themselves above the poverty level. NLC opposes a federal sub-minimum wage for youth, and support a minimum wage for all workers regardless of age, sex or job classification.

NLC opposes the enactment of a federal sub-minimum wage for youth. The federal minimum wage is the lowest wage which workers should be paid, regardless of age, sex or classification of employment.

**E. Family and Medical Leave**

NLC strongly supports the Family and Medical Leave Act (FMLA). NLC supports a minimum of 12 weeks leave in the event of a family illness or other life changing event requiring the employee to be away from his or her workplace, or to take care of a family member.

**3. Unemployment Insurance**

The federal government should:
- Continue its partnership with states in providing unemployment insurance to cushion individuals against short-term periods of joblessness;
Structure the unemployment insurance system in such a way that it is financially sound and capable of providing expected benefits;

Create other income support programs so that the unemployment program is not stretched to a point that cannot be sustained; it should not be expected to provide benefits beyond this core purpose; and

Provide needed funding to alleviate the immediate needs of unemployed workers and to extend unemployment benefits during times of regional or national high unemployment.

4. Information Gathering and Delivery

a. Labor Market Information

The federal government must:

- Coordinate production of labor market information, including employment and unemployment statistics, so that they are comparable across different regions of the country;

- Compile timely and relevant data on economic characteristics of new and significant industries;

- Conduct periodic surveys of employers to identify needed employment skills; and

- Adequately fund the production and dissemination of this information and do so in ways that provide the information promptly.

b. Employment Services

The federal government should seek to improve the functioning of the employment service so that the states can adequately project job needs and publicize job opportunities.

Through the Employment Service, the federal government should make vigorous sustained efforts to connect the long-term unemployed with job opportunities, through such techniques as comprehensive databases of job openings and job seekers, matching services and the siting of outreach offices in areas with large numbers of job seekers.

4.05 Equal Opportunity

A. Principles

The federal government must uphold fundamental principles of tolerance, equality and the rule of law. NLC condemns acts of bias, bigotry and racism against anyone. NLC believes that the federal government should uphold fundamental principles of equality and the rule of law, and address, by enforcing the laws, acts of bias, bigotry and racism.
The federal government must take greater action to ensure equal opportunity for all persons. However, in its formulation of policies to assure greater educational, economic, and social opportunities, the federal government must recognize the special needs of certain groups, especially minorities, women, and individuals with disabilities.

**B. Goals**

To ensure equal opportunity for all, the federal government must:

- Enforce civil rights laws and eliminate discrimination with regard to race, color, religion, national origin, age, sex, sexual orientation or any social barriers or physical disadvantage;
- Promote and encourage efforts in employment, delivery of services, and health care to ensure that every person is considered only with regard to individual need or merit; and
- Take current action to remedy past discrimination.

All individuals must have an opportunity for better health, employment, educational and training services so that throughout their lives, they will be able to achieve their fullest potential.

**C. Recommended Federal Actions**

1. **Enforcement of Federal Civil Rights Laws**

To eliminate discrimination, the federal government must support and fully enforce its civil rights statutes, such as the 1964 and 1971 Civil Rights Acts, the Equal Employment Opportunity Act of 1972, Title V of the Rehabilitation Act of 1973, and the Equal Rights Amendment of 1974.

The federal government must:

- Substantially increase resources to the federal agencies enforcing equal opportunity laws;
- Deploy its legal and judicial resources to reduce the backlog and ensure prompt resolution of equal opportunity complaints and conflicts over affirmative action programs; and
- Develop and disseminate legal standards that will provide clear guidance on the use of mechanisms to address present or past racial discrimination;
- Promote diversity;
- Provide all employers with information on how to adopt and carry out effective affirmative action programs; and
- Expand opportunities in federal and local procurement for people of color, women, and individuals with disabilities.
2. **Promote Diversity**

To encourage local governments, private businesses, and educational institutions to foster diversity in a proactive way, the federal government must:

- Make federally-funded technical assistance programs available for that purpose;
- Conduct a continuing public information campaign documenting and publicizing the degree of disparity in income and employment that exists in American society; and
- Fund programs for training and educational investments in individuals to further the goal of diversity.

3. **Support for Affirmative Action**

NLC supports affirmative action. The federal government must:

- Encourage all public employers, private businesses, and labor unions to adopt and carry out effective affirmative action programs in the recruitment, training, and promotional opportunities of minority groups, women, and individuals with disabilities;
- Ensure that federal contractors hire and train individuals reflecting the diversity of the community at all wage and salary levels; and
- Coordinate a public information campaign on the types of affirmative action policies that cities may legally implement and make its statistical resources available at no cost to help support municipalities defending affirmative action programs and policies.

4. **Greater Opportunities for Minorities, Women, and Individuals with Disabilities**

The federal government should seek greater opportunity for entrepreneurs who are minorities, women, or individuals with disabilities. The federal government should encourage the use of such entrepreneurs in federal procurement, especially through creative programs of assistance in the areas of bonding and insurance. The federal government should offer training in entrepreneurial skills to members of socially and economically disadvantaged groups. This should emphasize training for young people in such groups in order to expose them to the potentials, challenges and realities of self employment and business ownership. *(See also CED Section 3.04(C)(9), Helping Small Businesses Grow)*

4.06 **Social Security and Seniors**

A. **Principles**

The federal government must protect the Social Security program. A major segment of the American population relies on the Social Security system as a base of income during retirement years or in the event of disability. The program is particularly important to those who have worked at the lower end of the pay scale. Its benefits should continue to serve three beneficiary
classes: the retired, the disabled and the dependents or the surviving dependents of the previous two classes.

NLC believes that the federal government should ensure that all seniors have:

- A floor of financial support which would provide an adequate standards of living;
- An opportunity for employment free from discriminatory practices because of age;
- Suitable housing;
- An appropriate level of physical and mental health services;
- Ready access to effective social services;
- Appropriate institutional care when required;
- A life and death with dignity;
- Information about available supportive services; and
- Supportive services that enable seniors to age in place.

B. Goals

From a human development perspective, the Social Security system should provide participants with a floor of financial support upon retirement or disability which would be supplemented by the participants’ private savings, pension and other federal and state programs based on eligibility.

A. Recommended Federal Actions

Aging in Place

NLC believes that the federal government should take the lead in planning, research and development of a universal and comprehensive approach to aging in America that includes programs that will enable senior citizens to “age in place” and enjoy their elderly years in the comfort, safety, dignity and familiarity of their own homes. In support of this effort, NLC urges the federal government to enact tax policies that take into account costs associated with aging in place, elder care and senior homesteading and establish programs that reduce homecare costs, increase the quality of care, reduce reliance on nursing homes, address mental capacity and mobility, provide transportation and accessibility services, create a continuum of housing options, and increase access to broadband and internet services to improve healthcare and social networking.

B. Social Security

1. Financial Integrity

NLC supports a number of reforms to strengthen the financial integrity of the Social Security system (see also FAIR Chapter). Despite the recent reliance by many private employers on the tax benefits of Internal Revenue Code Sections 401(k) and 401(a), the federal government must still ensure a floor of retirement income for workers.
NLC supports the current method of structuring benefits. Under the current system, lower income workers receive a relatively higher level of benefit as compared to their contributions than those with higher levels of earnings. This has been done to ensure that there is a minimum floor of benefits for all workers regardless of income.

NLC urges the federal government to maintain the current benefits structure and the current method of establishing cost-of-living adjustments (COLA). Should changes in any aspect of the Social Security system be necessary, those changes should be phased in over time and should be designed so that they do not impact those who currently are receiving benefits or are likely to receive benefits within a five year window.

NLC also supports the current method for establishing cost-of-living adjustments (COLAs) and opposes any effort by the federal government to reduce COLAs. While NLC recognizes that it is important for Social Security to remain solvent, NLC believes that any changes in the structure of the program should be made in the pre-retirement elements of the programs either around minimum retirement age or taxes.

However, if in fact it does become necessary for the federal government to make changes in the benefits structure, such that there is a reduction or potential for reduction in benefits, those changes should be phased in over time and should be designed so that they do not impact those who currently are receiving benefits or are likely to receive benefits within a five year window so that these individuals do not have to make major adjustments to their retirements.

In addition, NLC believes that the federal government as part of the Social Security system should take into account the number and types of non-traditional families that are emerging and ensure that these families receive the same types of retirement benefits as traditional families, particularly in terms of the treatment of dependents and survivors.

NLC also believes that the federal government should take into account the number and types of non-traditional families that are emerging and ensure that these families receive the same types of retirement benefits as traditional families, particularly with regard to dependents and survivors.

3. Awareness, Education, and Understanding

NLC urges the federal government to provide future retirees with appropriate information about the purpose of social security.

NLC also urges the federal government to provide information about the relationships between Social Security and other federally-sponsored income support programs such as Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP) (formerly known as Food Stamps), Medicare and Medicaid.

4. Cash Economy

The federal government should initiate programs of enforcement and education for employees and employers so that domestic workers and others who may have traditionally worked in the cash (underground) economy are not disadvantaged or disqualified from the receipt of benefits. NLC also believes that the federal government should initiate programs of enforcement
and education for employers and employers so that domestic workers and others who may have traditionally worked in the cash economy are not disadvantaged or disqualified from receiving Social Security benefits.

5. Senior Citizens

Despite the goals of Social Security, and despite its overall success in lifting millions of seniors out of poverty, a significant number of elderly lack the resources to adequately feed, cloth and house themselves, or cover their health and medical expenses. For example, it is estimated that more than one-third of all seniors participate in SNAP. Congress must appropriate sufficient funds to meet the needs of the elderly so that local governments do not become the provider of last resort for a range of services including housing, nutrition, health care and the like. The federal government also must provide local governments with the necessary resources and flexibility to carry out their responsibilities so that they are able to assure seniors within their communities of their safety, mobility, health, and welfare.

The federal government should assure, through Social Security, Medicare, and federal funding for a variety of community-based programs that senior citizens have:

- A floor of financial support which would provide an adequate standard of living;
- An opportunity for employment free from discriminatory practices because of age;
- Suitable housing;
- An appropriate level of physical and mental health services;
- Ready access to effective social services;
- Appropriate institutional care when required;
- A life and death with dignity;
- Information about available supportive services; and
- Supportive services that enable the elderly persons to remain in their homes.

See also HD Section 4.08(C)(1)(f) for a discussion on long-term care costs.

6. Aging in Place

NLC believes that the federal government should take the lead in planning, research and development of a universal and comprehensive approach to aging in America that includes programs that will enable senior citizens to “age in place” and enjoy their elderly years in the comfort, safety, dignity and familiarity of their own homes. In support of this effort, NLC urges the federal government to enact tax policies that take into account costs associated with aging in place, elder care and senior homesteading and establish programs that reduce homecare costs, increase the quality of care, reduce reliance on nursing homes, address mental capacity and
mobility, provide transportation and accessibility services, create a continuum of housing options, and increase access to broadband and internet services to improve healthcare and social networking.

4.07 Individuals with Disabilities

A. Principles

The federal government must make special efforts to prohibit employment discrimination and ensure that social and economic opportunities are available, that individuals with disabilities can fully integrate into society to the extent possible. (See HD Section 4.05, Equal Opportunity) However, any local assistance mandated by the federal government must be reasonable in its requirements and expectations. The federal government should address the range of needs of individuals with disabilities so that they may fully integrate into society. However, any local assistance mandated by the federal government should be reasonable in its requirements and expectations, and when possible, fully funded by the federal government.

B. Goals

The federal government must:

- Adopt clear rules for cities to follow regarding accessibility for persons with disabilities;
- Provide financial resources directly to cities to help with the costs of compliance;
- Increase its support to allow persons with disabilities to achieve the maximum degree of self-sufficiency; and
- Fully fund the Individuals with Disabilities Education Act (IDEA).

C. Recommended Federal Actions

1. Compliance with Federal Law

a. Clear and Consistent Rules for Compliance by Local Governments

With input from cities and states, Congress and the Administration must adopt clear and consistent rules for cities to follow regarding accessibility for persons with disabilities. Currently, many federal regulations regarding programs for individuals with disabilities confuse and contradict the federal laws that guarantee rights and privileges for individuals with disabilities. Because of this confusion, the federal government interferes with the ability of cities to clearly understand their responsibilities.

The federal government should base its regulations on performance standards worked out at the local level. These standards should emphasize “program accessibility” rather than “structural accessibility.” In cases involving structural accessibility, the federal government should apply one set of standards.
The federal government should provide waivers for certain historic landmarks, with conditions based on uniform criteria. The federal government should be a leader in assuring that all its programs and services meet the same standards that municipal governments must satisfy.

b. Appropriate Definitions

The term disability or disabled has multiple definitions. These definitions have evolved through legislation, regulations, and court decisions and apply to specific programs. One definition cannot apply to all programs.

The federal government should:
• Provide clear guidance for each program;
• Clearly specify the particular definition that is applicable to a specific program, providing clear guidance to state and local governments; and
• Support public education about disabilities.

e. Federal Assistance to Cities

Congress must acknowledge that assuring persons with disabilities full access to facilities and programs requires a large financial investment. Congress should provide funding adequate to permit cities to achieve compliance and provide flexibility for local options that allow cities to determine and implement the most cost-effective solutions to achieving full accessibility for individuals with disabilities.

The federal government should also provide technical assistance and resources for staffing disability compliance activities. Wherever possible, a lead federal agency should coordinate the technical assistance. There should be a uniform compliance review process with, one lead agency that reviews a city’s overall compliance efforts.

Before withdrawing or holding up the timely distribution of federal funds, the federal government should provide a reasonable model of compliance to measure the good faith efforts of a city to comply with disability requirements. In instances of hardships, the federal government should grant extensions to cities conditioned upon the demonstration of good faith efforts. Such extensions should include a specific schedule for achieving compliance.

d.a Liabilities of Cities A. City Liability

Federal law should require that individuals with grievances must first exhaust the local, as well as state, grievance procedures before they can initiate a hearing process with the federal government. The Architectural Compliance Board and Interagency Coordinating Council should make Congress aware of all the potential and actual costs of compliance. Federal law should require that individuals with grievances should first exhaust the local and state grievance procedures before they can initiate a hearing process with the federal government.
e. Compliance by Private Actors

Congress should provide additional tax incentives to private entities for the adaptation of existing housing and business facilities to make them accessible to individuals with disabilities.

2.1. Self-Sufficiency and Care-Giving

B. Self-Sufficiency

The federal government should increase its efforts to provide funding for employment, social services and housing programs for disabled persons. These efforts should include financial incentives for self-sufficiency.

Federal laws and programs for rehabilitation, income support disability insurance, and institutional and custodial care must provide the incentives or resources for persons with disabilities to become self-sufficient. Currently, millions of qualified persons are denied access to employment opportunities programs and services because they have disabilities.

The federal government must recognize that some individuals with disabilities will not be able to attain self-sufficiency. When structuring its programs, it should give particular attention to two particular needs:
• Develop strategies to provide care to persons with disabilities, including paying family members, to compensate them for providing services to disabled family members who might otherwise qualify for more costly federally financed services; and
• Provide funding for respite care for caregivers to individuals with disabilities.

3.2. Education

C. Education

NLC supports the Individuals with Disabilities Education Act (IDEA) and urges the federal government to fully fund the commitment it made originally in 1975 to fund 40 percent of the per-pupil cost of the services required by this Act. NLC fully supports the Individuals with Disabilities Education Act (IDEA) and its implementation, and urges the federal government to fully fund the commitment it made in 1975 to fund 40 percent of the per-pupil cost of services required by this Act.

State and local governments are incurring the costs required to meet responsibilities under the Act, but the federal government is not fulfilling the financial partnership agreement it committed to when the law was enacted. Failure to fully fund IDEA constitutes an unfunded mandate that is unacceptable to our schools, our students with disabilities, and our communities. (See also HD Section 4.02(C)(3), Children and Learning, School Age Children)

4.08 Health

A. Principles
All residents should receive health care benefits. Access to health care is a serious problem for many residents and imposes a substantial burden on local governments, which often serve as the service provider of last resort for residents in need.

American cities are concerned about the health status of their residents, but also as major employers who, despite rising and significant costs, continue to offer health care coverage to municipal employees and their dependents.

Restructuring the health care system can provide access to all residents, eliminate the current incentives to shift costs, and increase the performance of the U.S. health care system. It can improve standard health indicators such as infant mortality, life expectancy, and immunization rates of the young against preventable diseases. It can also eliminate disparities in treatment. NLC supports universal access to health care. Universal access to health care will improve standard health indicators such as infant mortality, life expectancy, and immunization rates of young people against preventable disease. It will also eliminate disparities in treatment.

--- Goals

NLC believes that the federal government should:

- The federal government must institute major reform initiatives in the health care system to control costs and reduce the rate of growth in health care expenditures and coverage costs;
- Ensure universal health care coverage;
- Until restructuring of the health system occurs, the federal government should reform and improve Medicaid, Medicare, and the State-Children’s Health Insurance Program (S-CHIP) and promote school health clinics to expand access and availability of health care;
- Address disease management;
- Assist localities better align health care needs and resources;
- Reimburse localities fully for the costs of services provided to Medicare, Medicaid, Tri-Care and Veterans Administration patients;
- Congress must establish and fully fund a federal block grant program to enhance our public health planning, capacity building, and disaster response systems; and
- With more coordinated systems in place, the federal government could help public health departments to better address infectious diseases, such as HIV/AIDS, and increase health services personnel.
• Adequately fund community health centers, which play a critical role in providing uninsured and underinsured individuals with health care services; and

• Apply the same laws and rules concerning health care coverage and insurance to cities and town as to any other employer.

B. Recommended Federal Actions

I. Comprehensive Health Care Reform

NLC urges the federal government to undertake major reform initiatives in the health care system to control costs and reduce the rate of growth in health care expenditures and coverage costs. Under the current system, where employers pay for the majority of health care coverage, local governments expend billions of dollars each year for employer-provided health insurance benefits. As health care costs continue to rise dramatically, providing health care coverage to city employees, dependents, and retirees is dramatically influencing municipal budgets.

Comprehensive federal reforms are needed in all areas of the health care system—consumers, medical providers, hospitals, drug manufacturers, and insurers. The federal government should rely on four basic principles when making these comprehensive reforms to reduce costs without adversely affecting quality and value:

• Individual Health Care Choices—The federal government should play a lead role in providing its citizens with education, incentives and health care programs that encourage effective use of the health care system and the pursuit of healthy lifestyles.

• Transparency of the Health Care System—Employers, insurers, and patients need to be more knowledgeable and proactive medical consumers, which would include the ability to evaluate quality, compare costs, and distinguish between medical providers, hospitals, insurance companies, and medicines. Well-informed consumers will demand an effective health care marketplace, which will lead to improvements in quality and reductions in cost.

• Modernization—To implement a more effective, less costly and higher quality system, the health care industry must modernize its administrative capabilities as effectively as it has created and adopted new medical procedures, equipment and medicines. Modernization is necessary to lower direct administrative costs, reduce errors and duplication, provide accessible reporting of quality standards and performance, and allow for comparative information. It is critically important to maintain privacy rights as the health care system is modernized.

• Comprehensive Approach—Comprehensive reform of the health care system must incorporate medical care, dental care, mental health care, vision care, and treatment of substance abuse.
a. Personal Responsibility of Health Care Consumer

The federal government should implement policies that make consumers medically proactive and able to manage costs by better understanding their own basic health needs, making well-informed decisions regarding the health care system, and managing chronic disease.

i. Basic Health

Consumers should become more educated about basic health by understanding what foods, activities, and lifestyle choices are linked to healthier bodies and prevention of disease, especially of chronic conditions, and take actions consistent with this knowledge. To facilitate that process, the federal government should promote an integrated system of general awareness, knowledge about specific needs and concerns, and counseling by appropriate providers of care. It should:

- Make health care a policy priority in the federal government realm with more public focus on basic health, wellness, and prevention;
- Increase federal funding for research on wellness, prevention, and disease management, including a means to translate that research into effective local programs;
- Promote a preventative model over a disease model by covering all appropriate critical screenings in federal programs, such as Medicaid, Medicare, and Veterans Administration, and encouraging all private insurers to cover appropriate screenings;
- Encourage local public health systems to focus more on wellness and prevention techniques;
- Provide incentives for purchasers and beneficiaries of health care plans to integrate prevention and wellness into insurance coverage, including use of dieticians, nutritionists, and exercise facilities; and
- Provide the same tax preferential treatment now enjoyed by individuals for medical expenses for health-related activities that are proven to prevent or reduce the risks and costs of disease and injury.

ii. Understanding the Marketplace

Consumers need to be able to make thorough, educated comparisons of costs and suitability of different medical providers, hospitals, comparative medicines, and insurance plans and premiums. To effectuate a more transparent and accessible health care system, the federal government should promote health information technology (Health IT), quality, and reporting of performance standards.

b. Medical Providers and Hospitals

The federal government must promote the quality and efficiency of hospitals, physicians, and other health care providers. Health information technology, performance standards, and
reduction of duplication and errors should help the medical community to increase quality while decreasing costs.

i. Quality

Fewer errors, less duplication, and higher quality are critical components to more effective and less costly medical care:

• Working with all the relevant stakeholders, the federal government should establish national performance standards for physicians and hospitals. These standards could be created through a national board or an ISO certification program.

• The satisfaction of these performance standards should be reported by all medical providers and hospitals. The federal government should coordinate a national database on performance standards, costs for medical procedures, implementation of safety measures, and non-frivolous malpractice cases. Available information on the costs and quality of services would allow consumers to conduct educated comparisons, which may ultimately reduce the risk of medical errors and inefficiencies.

• In addition to transparency for consumers to become educated, the federal government must provide oversight by implementing a comprehensive system of reporting and voluntary compliance.

In addition, NLC urges the U.S. Department of Health and Human Services (HHS) to expand its work with hospitals by continuing to provide a vehicle for hospitals to report their quality standards and for consumers to compare one hospital’s quality to others.

ii. Health Information Technology

It is also critical that medical providers and hospitals implement and use information technology to improve care coordination, patient compliance, and patient safety. Because medical providers and hospitals would incur significant upfront costs to update their administrative systems, the federal government must provide financial incentives and direct grants to promote the implementation of Health IT infrastructure. This implementation must include the updating of patient records by making them predominantly electronic and setting up privacy protections, as well as updating the administrative systems used by doctors and hospitals.

As a result of Health IT, medical providers and hospitals would make fewer errors and have fewer redundancies in testing and procedures. Health IT will also enable medical providers to share information more easily with other providers to effectively coordinate patient care. They would also be able to satisfy process standards and report outcomes more efficiently.

iii. Disease Management

Because of the high incidence of and costs related to chronic conditions, such as asthma, diabetes, heart disease, stroke, and cancer, the federal government must also address effective
disease management. Through federal research, studies, recommended protocols, and/or pilot programs, the federal government should work diligently to promote the prevention, coordination of care, and management of chronic conditions.

Currently, because of structure of the payment system, the medical community relies on episodic medical procedures and medicines to treat the chronic disease, instead of addressing the root causes and preventing or controlling disease. The Medicare, Medicaid, the Veterans' Administration, and all other federal systems should employ an updated payment system to reimburse health care providers for “care management” or “disease management,” working closely with patients to develop a coordinated treatment plan, monitor their progress, and assess results in a continuously improving process. This will allow the health professionals to detect and prevent deterioration, complications, and unnecessary costs associated with chronic diseases. The federal government should promote the use of this updated payment system throughout the private insurance and self-insurance sectors as well.

iv. **Alignment of Needs and Resources**

The federal government should conduct a national evaluation and help local communities make a cost-effective match between medical needs and medical resources. Appropriate alignment between needs and resources should reduce the overutilization of certain technologies and specialty services in certain communities and the problems of accessing critical screenings, services, and technologies in other communities.

v. **Full Reimbursement to Providers**

The federal government should reimburse medical providers fully for the costs of services provided to the recipients of government-paid health care programs, such as Medicare, Medicaid, and the Veterans Administration, and require states providing Medicaid programs to do the same to obtain the federal match. This will reduce cost shifting to the private health care market.

NLC also supports health care coverage for everyone. See Section 4.08(C)(1)(e) (“Health Care Coverage”). Full coverage will also end cost shifting by medical providers and hospitals from uninsured individuals to others who are covered by insurance.

vi. **Community Health Centers**

The federal government should adequately fund community health centers, which play a critical role in providing services for the uninsured and underinsured.

b. **Insurance Industry**

NLC supports dramatic changes to reduce administrative costs in the current market system of multiple insurance carriers. Standardization of codes, simplification of insurance company forms, transparency of insurance company costs, and enforcement against fraud should help to reduce the costs of insurance.

i. **Reducing Administrative Costs**
Simplification and modernization would assist in helping to reduce administrative costs and provide purchasers of health care the ability to compare premiums and costs to make educated decisions about their health care coverage. To reduce the administrative costs incurred by medical providers and hospitals, the federal government should:

- Simplify its medical codes and standardize its claim forms under Medicaid and Medicare;
- Promote and facilitate the use of one claim form throughout the insurance industry with a reduced and simplified number of codes so that medical providers and hospitals are not required to complete a multitude of different claim forms;
- Promote the modernization of the insurance industry through the implementation of information technology infrastructure, the expansion of electronic patient records, and the reduction of paper bills; and
- Promote the use of a swipe card for health insurance coverage of medical providers’ services, which would verify patients’ insurance benefits, provide transparency to patients by showing co-payment and insurance company payment amounts for review, and allow the health care provider to collect the correct payment instantly.

ii. Transparency

NLC supports a federal requirement that insurance companies publicly disclose their premiums, co-payment rates, administrative costs, provider reimbursement rates, and profit margins and provide them in an easy-to-read format so purchasers of insurance can effectively compare rates. City governments and other purchasers of health care coverage need that transparency to effectively negotiate less costly health care benefit plans. The federal government should also encourage the disclosure of insurance company “community rating models” that are based on provider contracts in a particular geographic area and the experience of that area, without overhauling the insurance industry’s right to its proprietary statistical information. This information must be available in a format that enables consumers to make educated choices.

iii. Tort reform

Because high medical liability affects the cost of medical malpractice premiums and the rate that defensive medicine is practiced, NLC supports appropriate medical malpractice reform on the federal level. To accomplish this goal, the federal government must evaluate all elements of potential tort reform, including “safe apology,” health courts, and frivolous lawsuits, and excessive jury verdicts.

NLC opposes caps to damages as determined on the federal level, because states should continue to have primary jurisdiction over malpractice claims. As most of the lawsuits are brought in the state courts, the federal government should instead provide states with the information and capacity to make their own reforms. See also FAIR Section 1.03(B)(5) (Municipal Liability), which opposes movement of that traditional state tort claims to federal court.

iv. Fraud
NLC urges the federal government to conduct stronger enforcement of federal laws against health care fraud, including false claims and bribes. Congress, working with the U.S. Department of Justice, the U.S. Department of Health and Human Services, and the Federal Bureau of Investigation, should effectively coordinate, properly fund, and successfully implement the congressionally-mandated Health Care Fraud and Abuse Control Program. In addition, the federal government should coordinate with state insurance commissioners to provide strong enforcement of health care fraud violations on the state level.

e. Pharmaceutical Industry

NLC supports the preventive and proactive role that pharmaceuticals play in the health care system. The federal government should continue to encourage research and development by the pharmaceutical industry to create new and better medicines. However, the federal government must also act to reduce the rising costs of prescription drugs and help medical providers and patients become better consumers of medicine.

i. Directly Reducing Costs

NLC urges the federal government to work diligently to reduce the cost of prescription drugs both within federal government programs, like Medicare, Medicaid and Veterans Administration, and to help individuals and employers in the private and public sectors. These efforts may include:

- Giving the Administration authority to negotiate directly with the pharmaceutical companies to reduce costs in any possible forum (without cost-shifting from the federal market to the private market);

- Finding a safe and reliable way for U.S. citizens to obtain prescription drugs from sources outside of the United States, especially Canada and Mexico, and then enacting federal legislation that would remove legal barriers to such importation, as long as the federal government ensured that proper safeguards exist and that citizens are educated about the risks;

- During international trade negotiations, discussing the reduced costs of prescription drugs achieved around the world through foreign governments’ price controls;

- Encouraging the use of generic drugs where applicable; and

- Studying the possibility of reducing the time frame on prescription drug patents.

ii. Promoting Better Consumer Decisionmaking

The federal government must address the increases in prescription drug costs that include unnecessary over-utilization of newer, more expensive, overly advertised medicines.

- Physicians, pharmacists, and purchasers of health care services and medicines should have clear and easily understood information about whether a newly approved drug does, in fact, provide additional value for the higher cost. The Food and Drug Administration (FDA) should update its approval process for prescription drugs that currently allows drug manufacturers to demonstrate only that their new drug works against a placebo. Either the
The federal government should mandate comparative testing of the new drug against a similar drug (as a precedent to approval or as a requirement of continued approval) or it should conduct comparative testing itself and provide consumers and physicians with the comparative information, including the benefits and the side effects.

- The FDA should require that pharmacies include the full price of the prescription drugs on the drug bottle and/or receipts.

- The federal government should promulgate and enforce comprehensive regulations about direct-to-consumer advertising by drug manufacturers, including truth-in-advertising rules and a requirement to list the drug’s benefits and its side effects. NLC opposes direct-to-consumer advertising that has the effect of leading consumers to use newer, more expensive, less-proven drugs over their generic or more established counterparts if there is no medical value added.

For drug manufacturers that receive federal Research and Development (R&D) funds, the federal government should require drug manufacturers to disclose, in an easily understood format, how much they spend on direct-to-consumer advertising and marketing to physicians.

d. Health Care Coverage

NLC supports universal health care coverage. It is good public policy. It will make it more likely that patients will receive health care services in a timely manner, which will prevent and manage chronic disease more effectively. Also, hospitals and other medical providers of last resort will not shift costs to others who are covered by insurance. The federal government should continue to study the potential implementation of a single-payer, publicly administered program of coverage and payment or any other means to achieve universal health care and cost reduction, including expansion of Medicare, Medicaid, or the State Children’s Health Insurance Program; allowing individuals and employers to buy into the federal system (FEHBP); or establishment of another state or federal program.

e. Long-Term Care Costs

Through public service announcements, informational materials, action kits, and funding to local governments for educational activities, it is critical that the federal government educate all Americans of their need to prepare financially for “long-term care,” necessary supportive and health services when they no longer have the capacity for self-care. Long-term care can include placement in an institutional setting such as a nursing home, moving to a more independent living arrangement such as an assisted-living facility, or provision of an in-home caregiver; and its costs are expensive and rising.

The federal government must make it clear that federal Social Security and Medicare funds do not cover long-term care and must instead encourage the purchase of private long-term care insurance. Specifically, the federal government should evaluate and develop additional ways to provide information and encouragement to public and private employers to make long-term care
insurance available to their employees, and for individuals to purchase it. Encouragement should include tax incentives or other means to employees and individuals.

The federal government should also review the current reliance on the Medicaid program to cover long-term care costs when people are unprepared financially. Studies should include alternative models of care, less reliance on expensive institutions, increased use and funding of community services, and other potential cost savings.

f. Federal Government’s Role in an Imperfect Market System

Where the market may fail, the federal government should be the developer of lowest cost, maximally effective preventive measures, treatments and cures and make such benefits available throughout the public domain. The federal government should work through National Institutes of Health (NIH), direct grants, and tax treatment for private sector research and development.

The federal government should provide incentives to the drug manufacturers to align them with the most pressing medical needs that could result in greater and faster production of life-saving drugs, instead of concentrating in the development, production, and use of lifestyle enhancing drugs. The National Institutes of Health (NIH) should prioritize its research toward development of new drugs that address chronic diseases and save lives and away from lifestyle enhancing drugs and other drugs that are very similar to already-established drugs. The FDA should also streamline its approval process of drugs that address chronic diseases and save lives.

2. Medicaid, Medicare and Other Federal Health Policies

As a means toward achieving the ultimate goal of universal health care coverage, NLC supports the following reforms of the Medicaid, Medicare and other Federal health policies:

a. Medicaid

Until restructuring of the health system occurs, NLC urges reform of the Medicaid Program—the nation’s primary source of health insurance for the poor—to broaden the program’s availability to all people in need, to make eligibility standards and benefits more uniform, and to separate out long-term care costs from acute care costs. The federal government must:

- Maintain separate Medicaid eligibility from Temporary Assistance to Needy Families (TANF), making all individuals at or below the poverty line eligible for Medicaid;

- Offer states matching federal funds to cover all working adults with family incomes at or below 150 percent of the federal poverty standard; and

- Remove long-term care costs from Medicaid and establish a block grant to states to cover such costs, with requirements that all persons currently covered under Medicaid continue to be eligible for coverage under state block grant programs.

b. Medicare
The federal government must comprehensively reform and restructure the current Medicare system. Legislative changes to cover some prescription drug costs are insufficient. A prescription drug benefit for Medicare beneficiaries is necessary, but adding such a benefit without providing for comprehensive reform will intensify Medicare’s financial and administrative problems. Comprehensive reform and restructuring of Medicare must continue to be a major priority of both the Administration and the Congress. Otherwise, Medicare’s explosive spending, if left unchecked, will overwhelm funding and assistance for other national priorities, such as education and human services.

As such reforms are made to Medicare, the federal government should move toward universal health care coverage. It should also make any changes to the eligibility age carefully to recognize their impact on the entire health care system, as well as the changing demographics in our aging population.

The federal government must seek innovative and creative ways to control the increasing costs of Medicare, with the goal of securing its long-term solvency. Such efforts could include:

- A study of what has occurred in other industrialized countries that subsidize the cost of drugs to their citizens;
- Reduction of unreasonably restrictive regulations that increase costs without allowing for more flexible and cost-effective alternatives;
- Negotiation with prescription drug companies to reduce the costs of prescription medicine;
- Increasing federal funding for nursing home care and assisted living facilities;
- Dedication of a portion of the General Fund to Medicare;
- Establishing a unified trust fund (combining Medicare Part A and Part B) as an accurate measure of the solvency of Medicare; or
- Creating an off-budget separate account for Medicare surpluses, so that when such surpluses do occur, they cannot be directed to other federal programs, but must automatically go toward strengthening and modernizing Medicare.

In addition, the Administration should modify Medicare regulations so that paramedic services provided can be directly billed to and paid by Medicare, even if they are not provided directly by personnel of the transporting unit.

c. Children’s Subsidized Health Care

NLC supports recent reforms that provide states with the option to increase the number of insured low-income children through the State Children’s Health Insurance Program (S-CHIP) or expanded use of Medicaid. Despite these reforms, however, millions of children still lack health care coverage.
To ensure that all children receive basic health care benefits, NLC urges Congress to adopt legislation that would establish a new "presumptive" health insurance program for children. Regardless of family income, the federal government would automatically enroll all newborns in one national health care plan and guarantee coverage until age eighteen. Parents would have the option to decline the national plan coverage and choose private or public insurance instead. The new program should also cover all basic dental and mental health services.

Until such a universal program for children is implemented, NLC supports improving the S-CHIP and Medicaid programs to increase the number of insured children. The federal government must:

- Increase the long-term authorization and annual appropriations for S-CHIP;
- Ease the enrollment process by simplifying the application form, requiring fewer supporting materials, and requiring re-application less frequently;
- Require states to decrease the number of uninsured children in their states by conducting outreach to eligible families and lowering the eligibility threshold for children in working families;
- Provide funding and technical assistance directly to local governments to conduct outreach to increase the enrollment of eligible low-income families;
- Provide states the flexibility to improve the services offered by Medicaid and S-CHIP to include dental care coverage for children; and
- Study the potential elimination of co-pay requirements and equity limitations, such as a family’s ineligibility because of home ownership.

d. Other Interim Federal Policies

The federal government should:

In addition, NLC urges the federal government to:

- Continue to fund block grant and categorical grant programs for health, such as the Maternal and Child Health Services Program, the Preventive Health and Health Services Block Grant, funding for community health centers and health programs for Native Americans, Migrants and Refugees;
- Require employers to cover the costs of health insurance for laid off workers and their dependents, as well as the creation of subsidized health insurance pools for workers without employment-based coverage;
- Provide funding for programs which offer transitional care and home health care services;
- Expand preventive health care programs for the poor; and
• Pay the Consolidated Omnibus Budget Reconciliation Act (COBRA) premiums for people with catastrophic terminal illnesses who have left their jobs and cannot afford to pay the health insurance premium;

• Review its transportation policies regarding health access to ensure that the poor and remote have access to health services and facilities (see also TIS chapter); and

• Develop tax policy to encourage self-employed individuals to obtain coverage and methods to lower the cost of health insurance for small businesses.

NLC supports federal legislation to finance and provide care to the medically indigent and to reimburse hospitals for providing uncompensated care to this population. NLC supports strengthening of federal prohibitions against the “dumping” of patients by private hospitals into public hospitals through the establishment of appropriate transfer rules and enhanced record-keeping.

4. Tobacco

Any revenues raised by increasing federal tobacco excise taxes must be earmarked for health services and tobacco control activities.

Any federal legislation on tobacco must not preempt stronger state and local tobacco control laws or remedies.

Congress should give the Food and Drug Administration authority by law to regulate tobacco as an addictive drug, provided that such regulation does not restrict state and local government authority to impose more stringent controls.

5. A. Elimination of Disparities in the Delivery of Health Care to Racial and Ethnic Minorities

NLC urges Congress and the Administration to address the disparities in health care access and treatment between racial and ethnic minority population groups and Caucasians by following the recommendations of the National Institutes of Medicine, the National Healthcare Disparities Report and the President’s New Freedom Commission report. In addition, Congress should adopt legislation and the Administration should develop an administrative initiatives and education campaign that addresses and increases the awareness of the general public, health care providers, insurance companies, and policymakers about health physical and mental health disparities based on race and ethnicity, including but not limited to the C.W. Bill Young Cell Transplantation Program so that it remains the single point of access for patients who require matching adult donors and umbilical cord blood.

6. Development and Implementation of a National Prevention Strategy to Address Health and Wellness

NLC urges the federal government to partner with cities and towns to improve the health of all Americans, but not to result in unfunded mandates. This should be done by developing a cross-sector, integrated national strategy that identifies priorities for improving the health of Americans and provides to cities and towns the support that is needed to create healthy and safe
communities, expand clinical and community-based preventive services, empower people to make healthy choices, and eliminate health disparities. Examples of this include Let’s Move and Healthy Eating Active Living (HEAL) Cities which have as their goal reducing obesity and improving the overall health and wellness of city and town residents and employees. Specifically, NLC urges the federal government to address the significant problems faced in maintaining clean air, water, and land, and to focus on designing and promoting affordable, accessible, safe and health housing; strengthening local health departments so that they are able to provide essential services; integrating health criteria into decision making; and using health goals and objectives as benchmarks for existing conditions and as targets for future actions.

3. **School-Based Health Clinics**

C. **School-Based Health Clinics**

NLC urges the federal government to provide more resources for pilot programs and the implementation of innovative school-based clinics. NLC strongly supports the use and growth of school-based clinics, which often help both students and local community members obtain accessible healthcare and mental health services, increase immunizations, and promote prevention of teen pregnancies. By bringing the community into the school, patients can have access to a comprehensive array of individualized services that address their physical, emotional, and social needs. NLC supports the use and growth of school-based clinics, which often help both students and local community members obtain a comprehensive array of individualized services that address physical, emotional, and social needs.

4. **Medical Records Privacy**

Privacy standards for electronically stored and maintained health and medical information are of primary importance and concern to cities and towns across the country.

The federal government must:

- Allow municipal governments flexibility to formulate or develop privacy policies for all medical records and individually-identifiable health information that address the needs and circumstances unique to their respective jurisdictions;

- Allow municipal governments the ability and authority to be more proactive in developing and implementing privacy standards for information records that they store and maintain, both electronically and in paper files;

- Include municipal governments in the development of any final federal regulation on medical records privacy, the implementation of such regulations or related legislation;

- Include municipal officials on any federally-created privacy commission that deals with the issue of medical records; and

- Provide federal funding directly to municipal governments for education and training to comply with any federal medical records privacy requirements.

The federal government must consider the following areas of concern for cities and towns with respect to the development of federal privacy standards for medical and health information,
including: personnel records, accessibility for law enforcement investigations and prosecutions, emergency medical services, third-party (business partner) liability, social services, immigration records, juvenile records, student records, and consumer information.

5. **Public Health Systems – New Block Grant Program and Disaster Planning**

The federal government must:
- Help states and localities create and maintain coordinated public health systems; and
- Provide funding to improve the delivery and coordination of services.

NLC urges Congress to establish and fully fund a federal block grant program to enhance our public health planning, capacity building, and disaster response systems. Currently, the public health system is disjointed and underfunded. The responsibilities of different public agencies are often unclear.

- The block grant should be based on population levels of cities.

- NLC supports a formula with 70 percent of funds going directly to local “entitlement” communities and 30 percent of funding to states to distribute to smaller local communities. There should be a cap on state spending for administrative costs.

- The federal program should promote flexibility and local decision making.

a. **Health-Related Disaster Planning**

Providing direct financial and technical assistance to municipalities, the new federal block grant must help municipalities develop a city-wide hospital, health facilities, and health-care disaster plan in the event of a mass casualty incident, including an attack with a weapon of mass destruction.

With this federal block grant funding, municipalities can:
- Conduct an analysis of local inventory and medical equipment;
- Work with local and regional partners to create a multi-agency plan and conduct simulation exercises of local public health disasters;
- Prepare for surge capacity involving their public health systems, medical laboratories, hospitals, and Emergency Medical Service (EMS) systems; and
- Design a communications system that can handle public health alerts and transfer information between government agencies and health providers.

b. **Public Health Infrastructure Needs and Resources**
A new federal block grant must provide direct funding to local governments to build a public health infrastructure that is prepared to respond to mass casualty incidents, including a bioterrorist attack. With this federal block grant funding, municipalities can:

- Ensure that health facilities nationwide obtain the appropriate equipment and training.
  Regions must have the technological means to adequately handle bioterrorism-type agents, including materials and equipment suitable for bioterrorism response, such as sophisticated respiratory protection and/or chemical protective suits, laboratory and decontamination equipment, state-of-the-art x-ray machines, ventilators, intensive care beds, and sufficient isolation facilities;

- Use classroom training, distance learning, and hands-on training activities to prepare the health and medical community for bioterrorism and disease awareness; and

- Have enough capacity to accommodate a massive number of victims, such as sufficient space in hospitals and isolation areas.

ea. Involvement of Local Officials

D. Local Officials’ Involvement

NLC urges the federal government to recognize that local officials must be involved in the assessment and design of an economic and comprehensive public and personal health services delivery system. Any federal effort to aid states in implementing disaster planning should include a requirement that the states include local officials in the planning process.

The federal government should encourage city officials to actively participate in projecting and certifying the need for facilities and in evaluating the performance of existing facilities in meeting city health needs. After a public health threat, terrorist attack, or natural disaster, the federal government must communicate quickly and effectively with local governments about public health activities and requirements.

d.b. Metropolitan Medical Response System (MMRS)

E. Metropolitan Medical Response System

NLC supports the Metropolitan Medical Response System (MMRS) program and urges Congress to reauthorize, increase funding, and expand MMRS to work with additional cities and cover broader geographic areas. This would ensure that all cities have a coordinated response system in place with the necessary equipment and training to respond to bioterrorist events and other disasters.

c. Vaccination Stockpiles

The federal government must accelerate development and procurement of all vaccines and those pharmaceuticals needed to control and treat biological threats, such as smallpox and anthrax. Local health officials must have the ability to quickly access appropriate medical supplies and vaccines through the National Pharmaceutical Stockpile Program of the Centers for Disease Control and Prevention (CDC).
G. Infectious Diseases: Combating a Global Flu Outbreak, Pandemics, and the Transmission of Diseases from Animals to Humans

A pandemic of any type would cause serious problems worldwide and overwhelm the public safety, health, and medical infrastructure, education facilities, public institutions, and private businesses of American cities and towns. The federal government, in coordination with the international community, should further develop and coordinate a comprehensive research and containment strategy that involves commitments of federal funding, supplies, equipment, training, expertise, personnel, countermeasures, and public health measures.

The federal government must provide clear guidance, criteria, and decision-making tools to inform state, local, and the private sector of protective measures, planning, and response actions. These disaster preparedness plans must have strong communication and coordination throughout all relevant federal agencies and create clear and appropriate divisions of responsibilities between local, state, and federal governments, with protocols for communications between them. In addition, the federal government must provide detailed information and funding supports to local public health systems to ensure that preparedness information and aid is readily available to the community. In the event of a pandemic flu, the federal government must be prepared to supplement and support state and local efforts.

Specific attention should also be placed on the transmission of zoonotic diseases, those that are transmitted from animals to humans, which researchers now believe contributes to no fewer than 2.2 million deaths each year and is becoming an increasingly serious problem resulting from environmental change and increased travel among and between nations.

NLC urges the federal government to put in place effective methods for controlling the spread of zoonotic diseases and to invest in education and training so that city public health officials are prepared to address such outbreaks. In addition, NLC urges the federal government to embark on a program to educate the public about zoonotic diseases and the way in which these diseases are transmitted as part of a larger effort to prevent zoonotic disease transmission.

Finally, NLC urges the federal government to develop very effective measures to address zoonotic disease transmission once it has occurred, including the immediate and direct involvement of city public health agencies.

e. Post-Disaster

The federal government should continue to assist localities after a disaster or attack. The federal government should make funding available directly to local governments to provide mental health counseling and critical incidence stress management (CISM). The Administration should also develop an inclusive guide of best practices so cities may effectively address the aftereffects of a disaster or attack.

H. Substance Abuse

The federal government must maintain the definition of addiction and alcoholism as illnesses and must ensure that there are enough facilities for those who need alcohol and/or drug treatment including infants born addicted and children. Currently, private
facilities are expensive, and public ones lack the funding, space, and personnel to treat the growing number of individuals seeking treatment.

a. General Policies

The federal government must immediately begin a complete reevaluation of alcohol and drug abuse policies. It must bring together the resources of the public, non-profit, and private sectors to address this problem. The issue of illegal and legal drugs should be a top, national priority. The end product of this federal reevaluation should be the development of a comprehensive strategy that includes education, treatment, prevention, research and enforcement.

The federal government must provide adequate federal funding for local anti-drug efforts. It must recognize that municipal governments are in the best position to implement anti-substance abuse policies and give them adequate resources and flexibility to address local concerns. NLC supports a block grant approach with funds going directly to cities of all sizes without requiring matching funds. This approach should include flexibility for municipal governments to devise programs that will meet the needs of each individual locality.

The success of federal policies requires the recognition that education, treatment, enforcement, research, intervention, and prevention efforts are interrelated. As a result, NLC supports adequate funding for an office that is responsible for coordinating all federal anti-substance abuse efforts and developing more effective and cost-efficient policies and programs, including a review of laws and regulations governing confidentiality issues. (See also PSCP Chapter)

b. Substance Abuse Prevention and Youth

While the illegal use of drugs and alcohol is a problem throughout our society, it is a problem that poses special dangers for youth. NLC calls for the creation of a National Drug Education Corps for youth to instruct them on the perils of substance abuse. This could incorporate strategies such as curricular instruction, after school programs, programs for parents, alternative education settings for apprehended users, and summer school programs linked to remediation.

Prevention of substance abuse should also include early intervention programs, which are part of the total human resources network of services.

The federal government must play a major role in financing local substance abuse education and prevention programs and on research into model programs for replicability.

The federal government must provide funding to help schools, beginning with elementary grades, provide drug and alcohol education/prevention strategies. Schools, however, cannot shoulder the full responsibility for preventing substance abuse. The federal government should also help foster community involvement, including local government agencies and officials, religious and social organizations, and the private sector to complement the efforts of school officials.

e. Treatment

The federal government must work to develop more effective drug treatment methods. In an effort to provide treatment to those requesting it, NLC urges the federal government to:
• provide sufficient and on-going funds to support treatment facilities—enough that individuals seeking treatment may receive it on demand;

• establish adequate drug treatment programs for youth offenders at the federal, state and local levels;

• provide adequate funding for research into appropriate methods of treating those addicted to or abusing drugs;

• provide funds for special counseling, rehabilitation and detoxification programs designed especially for young people; and

• reevaluate the cost of treatment within the health care system to make it more affordable.

d. Children Born Addicted

It is imperative that the federal government develop a national policy on children and youth (see also HD Section 4.02, Children and Learning). In particular, a generation of children is being born addicted because their mothers are abusing drugs while pregnant. Specifically, the federal government must:

• Develop special programs to rehabilitate incarcerated, pregnant drug addicts;

• Develop an aggressive outreach effort to ensure pregnant addicts receive adequate prenatal and post-natal care, especially while incarcerated and after release. This effort must stress clearly that no punitive measures will be taken for past conduct against women who seek this care;

• Maintain adequate funding to health providers to help offset the cost of care for addicted children; and

• Commit federal resources for the development of methods of treatment for the addiction problems of newborn infants and their biological parents, including improved and expanded foster and family care facilities.

e. Research

NLC strongly supports increased federal funding for substance abuse research, prioritizing the identification of the following:

• Causes of addiction and the best method to treat addiction, and

• Successful programs in the areas of education, treatment, prevention and enforcement.

7. Infectious Diseases
The federal government must make special efforts to address the preventable spread of infectious disease in the United States, including, but not limited to, such diseases as hepatitis, Acquired Immune Deficiency Syndrome (HIV/AIDS), Small Pox, West Nile Virus, and Severe Acute Respiratory Syndrome (SARS).

The federal government must play a key public policy role in preventing the spread of HIV/AIDS, finding effective treatments, and discovering a cure. In addition to its toll in human lives, AIDS exacts tremendous costs in health care, insurance premiums and loss of human productivity.

The federal government must:

- Lead the way to finding effective, affordable treatment, preventive vaccines, and a cure for AIDS through funding and direct involvement in clinical and other types of research;

- Educate about the magnitude of the AIDS epidemic and ways to prevent, or minimize, the risk for contracting the disease, including providing technical assistance to state and local governments, community organizations and groups serving high-risk populations;

- Encourage and provide adequate funding to assure widespread availability and access to voluntary, confidential HIV antibody testing, but make testing mandatory for pregnant women;

- Increase direct funding to cities through the Ryan White CARE Act to provide primary health care and support services for people with HIV/AIDS;

- Appropriate additional funds through the Office of Minority Health for local jurisdictions where funds are most needed;

- Implement a new funding strategy to relieve the disproportionate financial impact on the public health, health care, housing and social service facilities in local communities;

- Increase the federal financial commitment for the health care provided to medically indigent persons with HIV/AIDS by paying the COBRA premiums for people who have left jobs and cannot afford to pay the health insurance premium, waiving the 24 month Medicare waiting period, providing life prolonging drugs that are not covered under Medicaid or third party payers, and subsidizing hospitals that provide charity care;

- Ensure the protection of the civil rights of all individuals afflicted with HIV/AIDS, exposed to the AIDS virus, or perceived to be at risk of contracting the disease;

- Promote the safe and non-discriminatory provision of dental care to those with HIV/AIDS by working with state dental licensing authorities; and
• Support foster care, where required, as well as the maintenance of appropriate care facilities for children and infants with AIDS, particularly those without parents capable of providing care.

8. Federal Policies to Promote an Increase and Distribution of Health Services Personnel

The federal government must develop and expand its programs to actively promote the education and distribution of medical, nursing and allied health professionals to meet critical health manpower shortages and address the uneven geographic distribution of such personnel. The federal government must take the following actions:

• Encourage more physicians and other health personnel to offer primary care; and

• Require those who benefit from federally-subsidized medical training to devote a specified amount of service to understaffed communities.

Regarding the emerging national nursing shortage, the federal government must take specific actions to:

• Promote the nursing profession through a public awareness campaign;

• Encourage individuals to enter the nursing profession by expanding federal programs that provide scholarships to nursing students;

• Award grants to designated eligible entities to increase the number of practicing nurses;

• Increase Medicare/Medicaid reimbursements for nursing care in hospitals;

• Provide financial incentives to community colleges, universities, hospitals and other appropriate entities to open, re-open, or expand nursing education programs and promote multiple training levels; and

• Eliminate federal disincentives, including low reimbursements, to practice in underserved areas.

9. Protecting the Nation’s Blood Supply

NLC remains deeply concerned about the potential for local, regional and national blood shortages that can occur when certain types of men are prohibited from donating blood. Therefore, NLC joins with the American Red Cross, the American Association of Blood Banks and America’s blood centers in asking that the Food and Drug Administration address the potential for blood shortages by issuing guidelines that ensure that anyone who is healthy enough to give blood is able to do so regardless of their sexual orientation or gender identity.

J. Mental Health Parity

NLC supports mental health parity and the provision of appropriate services that address the mental health needs for persons with mental illness. Whether at the federal, state or local levels,
there should be effective plans for preventing, diagnosing, and treating mental illness that reflect the parity between mental and physical health.

K. Mental Illness
The federal government should ensure that the civil and constitutional rights of mentally ill people are protected. In addition, the federal government should provide funding and support to local communities to improve mental health in schools generally and to prevent youth suicide particularly, without regard to race, gender, sexual orientation, or gender identity.

L. Tobacco
Any revenues raised by increasing federal excise taxes should be earmarked for health services and tobacco control activities. Any federal legislation on tobacco should not preempt stronger state and local tobacco control laws or remedies.

4.09 Mental Health Care

A. Principles
Through increased funding and oversight, the federal government must address the serious problems in our nation’s mental health care system. The mentally ill should have available to them a full network of accessible and appropriate mental health services and, as needed, other supportive services and benefits (such as housing and residential services, job training and access to jobs). Each person should receive the treatment, training and support necessary to enable him/her to function at his/her highest level.

B. Goals

- Working closely with state and local officials, the federal government should establish a comprehensive, coordinated, flexible and continuous system of care with full access for those who are mentally ill.

- The federal government must develop effective state-based plans for preventing, diagnosing, and treating mental illness.

- Congress should adopt legislation that would create comprehensive parity between coverage of mental and physical health benefits in all health plans and health insurance coverage.

- The federal government should provide funding and support to local communities to improve mental health in schools generally and to prevent youth suicide particularly.

C. Recommended Federal Actions

1. Comprehensive Federal System
Working closely with state and local officials, the federal government should ensure that there is a comprehensive, coordinated, flexible and continuous system of care with full access for those who are mentally ill.

a. Flexible, federal funding to states and cities

Congress should dramatically increase funding for the Community Mental Health Block Grant program to provide grants to state and local governments to fully develop plans to prevent, diagnose, and treat mental illness.

Federal law must allow flexibility in using federal resources to maximize the local community’s ability to affect treatment according to age and diagnosis. In particular, federal law should allow more flexibility in the expenditure of the Community Mental Health Block Grant, allowing states to provide a range of community services in lieu of nursing homes.

b. Continuum of Care

• The federal government should provide added resources to the states for sufficient support services for the mentally ill, including day care, outpatient treatment and recreation, including evenings and weekends. Families caring for the mentally ill at home should have respite care and supportive services available.

• There should be federal funding for a continuum of housing that is affordable for low-income people with mental illness. That should include small group homes, transitional housing, independent living, supportive housing during crises/emergencies, and hospital care for those at risk from violence to themselves and/or others. There should be adequate income for those covered by SSI disability.

• The care should be treatment for the purpose of restoration and maintenance of health, rather than custodial care.

c. Research

The federal government must advance the science and knowledge about mental illnesses and their treatment at the fastest possible rate. Congress should appropriate more money for research into the biological, psychological, and social factors that cause or exacerbate mental illness. The federal government should develop a data bank, with uniform data on the incidence of mental illness and services available, accessible to federal, state and local governments and to researchers to facilitate planning.

d. Multi-disciplinary Teams

Congress should appropriate additional funds for training multi-disciplinary teams that treat mental illness to give comprehensive coverage. There should be an adequate team of professional staff trained to deal with the bio-, psycho-, social-treatment needs of the mentally ill.
e. Rights of Mentally Ill

The federal government should ensure that the rights of mentally ill people are protected.

f. Deinstitutionalization

Through its oversight functions, the federal government should ensure that states appropriately address deinstitutionalization—the movement to diminish the role of state hospitals and transfer mentally ill patients to community settings. For local governments, one of the most serious problems to result from deinstitutionalization has been the dramatic increase in the homelessness of the mentally ill population. Deinstitutionalized mentally ill people often need comprehensive services including special housing, income support, rehabilitative services, social services, education, job training and employment. In many communities, these services are either not available, coordinated, or easily accessible by those in need.

It is estimated that major portions of the homeless population suffer from some form of mental illness. Federal regulations should be based on realistic needs and abilities of the patients, to make sure that the patients are appropriately cared for and housed. (See also HD Section 4.03(C)(6), Preventing Homelessness)

2. Federal Oversight of the States

The Administration should continue to oversee state governments’ actions regarding mental health care.

Through this oversight function, the federal government must ensure that states:
- Develop effective state-based plans for preventing, diagnosing, and treating mental illness;
- Adequately fund and implement a system of comprehensive, coordinated public and private programs and facilities to better meet the care and treatment needs of individuals with mental illness;
- Provide a continuum of care and case management for those with mental illness, ranging from community-based counseling and out-patient treatment, long-term in-patient care for those who need such long-term treatment, and care and treatment for individuals after release from mental health or correctional facilities;
- Provide mandatory and proper licensing and oversight of group homes to ensure accountability concerning the care and treatment of group home residents; and
- Provide training on how to respond to the mentally ill for law enforcement, emergency services personnel, and health care professionals.

3. Mental Health Parity
NLC urges Congress to adopt legislation that would create comprehensive parity between coverage of mental and physical health benefits in group health plans and other private health insurance plans, federal programs like Medicaid and Medicare, and the State Children’s Health Insurance Program (S-CHIP).

The federal legislation should prohibit discriminatory limits on the frequency of mental health treatment, number of outpatient visits, days of inpatient coverage and also rule out higher co-payments, deductibles, and limits on total amount payable for mental health care. Furthermore, any federal health insurance bill should include mental health services.

Parity should not be limited to only “biologically-based” or “serious” mental illnesses. Federal legislation should provide full parity for all categories of mental health conditions listed in the American Psychiatric Association’s Diagnostic and Statistical Manual of Mental Disorders (DSM-IV), including substance abuse/addiction disorders. Parity should also include:
- Mentally ill patients with co-occurring substance abuse disorders, so they may receive comprehensive and integrated services; and

- Psycho-social rehabilitation services for the chronically mentally ill, including ambulatory mental health services for all ages.

4. Relationship Between Mental Health and Youth Suicide

Because suicide is the third leading cause of death for America’s youth, the federal government must play a more active role in the prevention of youth suicide. Reports indicate that almost all children and adolescents who commit suicide have a diagnosable mental illness. Currently, more than two-thirds of all children and adolescents in need of mental health treatment do not receive services.

a. Federal Funding to Prevent Youth Suicide

Because of the powerful relationship between mental illness and suicide, the federal government must ensure that appropriate mental health services are available and accessible to all of our nation’s youth.

Congress must provide federal resources to:
- Identify and study the variety of factors that may cause a youth to seriously contemplate or attempt suicide;

- Local governments and community organizations to develop and implement youth suicide prevention programs, systematic suicide screening mechanisms, effective referral structures, and intensive crisis services; and

- Fully fund the suicide prevention program and hotline and other programs that address mental illness and youth suicide.
b. Mental Health Care Awareness

The federal government must provide more effective awareness of mental health issues, reduce the stigma associated with mental health illness, and facilitate the willingness of individuals and families to seek appropriate help when necessary. The federal government must consider mental health as one aspect of the total health care system, not separate and isolated.

5. Mental Health in Schools

a. Comprehensive Planning and Mental Health Services

NLC supports the expansion of federally-funded pilot programs that help schools develop comprehensive plans to improve the school climate, allow teachers to acquire skills that promote personal growth among students, and provide comprehensive screening, referral, and treatment. Schools are currently the primary provider of mental health services to children and the sole provider of services to over half of children with serious emotional disturbances.

To adequately address temporary emotional crises or long-term mental illnesses, these programs can help schools assess their needs and acquire more full-time professional mental health counselors whose time is not otherwise directed toward scheduling, special education testing, assessments, and paperwork.

b. School-Based Clinics

NLC urges the federal government to provide more resources for pilot programs to establish innovative school-based clinics. NLC strongly supports the use and growth of school-based clinics, which often aid both students and local community members in obtaining accessible healthcare and mental health services, whether or not patients are insured. There are numerous benefits of school-based clinics:

- Because of the potential for immediate and informal mental health counseling, school-based health clinics can serve as appropriate facilities for treating students or assessing them when they need to be referred elsewhere;

- Patients can have access to a comprehensive array of individualized services that address their physical, emotional, and social needs; and

- Services can be integrated with linkages between the youth and family service agencies and other appropriate community-based programs.

4.03 4.09 Immigration and Refugees

A. Principles

When admitted through a well-regulated system, immigrants strengthen the United States by creating economic opportunities, increasing America’s scientific and cultural resources.
strengthening our ties with other nations, fulfilling humanitarian commitments, and supporting family ties and family values that are necessary to build strong communities.

The federal government must take immediate responsibility for decisions made regarding the influx and settlement of immigrants into the United States. Immigration and refugee policy are set at the national level, and our entire nation feels the effects of federal immigration policy.

B. Goals

The federal government must:
- Adopt and implement a strong and effective enforcement policy—both at our borders and in the U.S. interior;
- Provide an adequate and workable immigration system to include temporary foreign workers, legal permanent residents, and naturalized citizens, as appropriate;
- Provide financial resources and technical assistance directly to local communities for the transition costs associated with new immigrants and refugees; and
- Communicate, consult, and coordinate with local governments regarding general immigration policies and specific resettlement efforts.

When admitted through a well-regulated system, immigrants strengthen the United States by creating economic growth, increasing America’s scientific and cultural resources, strengthening our ties with other nations, fulfilling humanitarian commitments, and supporting family ties and that are necessary to build strong communities.

The federal government should take immediate responsibility for decisions made regarding the influx and settlement of immigrants into the United States. Immigration and refugee policy are set at the national level, and our entire nation feels the effects of federal immigration policy.

The federal government should:
- Enact comprehensive reform of the current immigration laws with support of the Administration to implement the immigration laws effectively;
- Enforce current immigration laws consistently and vigorously to eliminate illegal entry at the borders, visa overstays, working without proper documentation, and employing undocumented workers;
- Increase enforcement of visa overstays through the full implementation and staffing of the US-VISIT and SEVIS programs;
Avoid conscription of local personnel, such as police officers, fire inspectors, educators, health personnel and social service personnel into federal service because the federal government has not adequately funded and staffed its immigration enforcement agencies;

Avoid transferring responsibility for enforcing U.S. immigration laws to local personnel by making undocumented status a criminal offense;

Strengthen worksite enforcement capacity and increase enforcement efforts at places of employment, as well as providing employers with a universal, reliable, effective, secure, verification systems that do not discriminate and are not subject to counterfeiting, and use the most up-to-date technology to minimize fraud;

Increase federal capacity and infrastructure to enforce the laws and provide efficient means for foreign nationals to obtain legal authorization for temporary visas or legal permanent residency;

Provide an appropriate, legal means of immigration, as is determined to be necessary and effective for the United States, for foreign nationals who want to work here temporarily, become legal permanent residents, or gain citizenship;

Establish a process whereby undocumented immigrants currently living in the United States may earn legalized status through payment of appropriate fees and back taxes, background checks, absence of criminal or gang activity, consistent work history, and meeting English and civics requirements;

Establish a process whereby those immigrants who have earned such legal status should also be able to apply for expedited citizenship through additional processes, as appropriate and practical, as long as they do not move ahead of applicants with proper documentation waiting to adjust their status or those waiting on lists in their home countries;

Create effective coordination between the federal government and cities around immigration and refugee resettlement; and

Provide local governments with financial and technical assistance to alleviate the local impact of new immigrants, including the costs of providing social services, health care, education, language services, refugee resettlement and civic integration;

Adopt legislation like the “Dream Act” that can facilitate state efforts to offer in-state tuition to undocumented students and provide certain students with a path to U.S. citizenship;
• Provide an accessible, effective system to ensure that businesses are able to hire foreign workers legally without excessive bureaucratic red tape and that all foreign workers are authorized and documented; and

• Provide same-sex couples with equal rights of immigration sponsorship as opposite-sex couples and amend current law to allow lawful permanent residents to sponsor the permanent partner for legal residence in the United States provided they are over 18 years of age, financially interdependent with the sponsoring individual, not married or in a permanent partnership with anyone other than the sponsoring individual and is not a first, second, or third degree blood relation.

C. Recommended Federal Actions

1. Ending Unlawful Immigration

NLC urges the federal government to adopt and implement a strong, uniform, and effective enforcement policy. The federal government must be steadfast and persistent in its strong enforcement of its immigration laws against persons entering illegally at the borders, overstaying visas, working without proper documentation, or employing undocumented workers.

Congress must provide the Administration with sufficient resources and direction to enforce current immigration laws. These enforcement mechanisms should strongly discourage immigrants from entering or remaining in an unauthorized status.

Unlawful immigration raises social service costs to local governments substantially. Local taxpayers fund services, including education and health, yet the federal government collects most tax and other payments, such as Social Security made by undocumented workers. Undocumented workers are here because of federal actions and failure to act effectively. They are a federal responsibility, and the federal government must act accordingly.

a. Border Enforcement

The federal government must improve its enforcement at all of our borders. NLC supports legislation to: increase staff and resources at the borders; penalize smugglers of undocumented aliens; expedite deportation procedures; and prevent mass entry by groups of undocumented immigrants. (See also PSCP section 6.03(G), Border Security)

The United States has lost control of all its borders and entry points. Several million undocumented immigrants now live and work unlawfully in the United States, and thousands more arrive each month. Continued, uncontrolled entry of these immigrants will further depress wages and working conditions in these sectors and regions, and it will put even more pressure on already overburdened local services, including housing, education and health.
b. Visa Review and Tracking

In addition to border enforcement, the federal government must also address unlawful immigration by increasing interior enforcement over those individuals who enter the United States legally with student, tourist, or business visas and remain in this country after their visas expire. (For more details on visa enforcement, see PSCP section 6.03(H)(4)(I), Visa Requirements)

c. Interior Workplace Enforcement and Verification

The federal government must dramatically improve the enforcement of immigration laws in the U.S. interior. NLC supports effective enforcement of federal law that makes it illegal to employ undocumented immigrants and to penalize employers significantly who continue to do so. The federal government should fully staff the U.S. Immigration and Customs Enforcement Office (ICE), dramatically increase enforcement efforts at worksites, and vigorously enforce administrative and criminal sanctions. Congress must increase sanction levels and close loopholes to create real disincentives. This course of action, coupled with more rigorous enforcement of existing fair labor standard laws (like the minimum wage law), should dramatically reduce existing incentives to employ or exploit undocumented immigrants.

As a critical tool for workplace enforcement of immigration laws, the federal government must develop and implement a universal, reliable, effective, secure, non-discriminatory identification verification system, using the most up-to-date technology.

NLC also supports the implementation of a simpler fraud-resistant system for verifying work authorization as one way to address a critical means of addressing workplace enforcement of unlawful immigration. An option for a secure, non-discriminatory “identification verification system” is a computerized registry.

2. Providing Legal Avenues of Immigration

The federal government must provide an appropriate, legal means of immigration, as is determined to be necessary and effective for the United States, for foreign nationals that want to work here temporarily, as well as those who desire to become legal permanent residents or gain citizenship.

a. Temporary Foreign Workers

NLC supports efforts to improve employment opportunities for U.S. citizens and legal residents. In particular, the federal government must increase funding of education and training in needed areas to enhance employment opportunities for U.S. citizens and legal residents, especially in scientific and technological fields. (See also HD Section 4.04(C)(1), Education and Training) The federal government should also encourage U.S. businesses to work with local organizations to find and hire low-skilled citizens and legal residents that are currently unemployed.

However, NLC also recognizes that the federal government must find a consistent and enforceable balance regarding the use of foreign labor to fill domestic needs. While some U.S. regions and sectors face chronic severe unemployment, others face serious labor shortages.
Currently, inadequate laws and enforcement policies have allowed many of these shortfalls to be filled by foreign labor, much of it undocumented.

Where there is great need for foreign workers, the federal government should provide an accessible, effective system to ensure that businesses are able to hire foreign workers legally without excessive bureaucratic red tape and that all foreign workers are authorized and documented. To determine the annual need for and type of foreign workers granted temporary work visas, the federal government should conduct a deliberative evaluation of the real economic needs of American businesses. This evaluation should include an assessment of potential displacement of unemployed residents or potential wage suppression, potential exploitation of temporary workers, and the effects of a large influx of new immigrants on local communities or regions.

b. Permanent Legal Residents and Naturalized Citizens

In addition to providing a legal means for U.S. businesses to hire a sufficient number of foreign workers on a temporary basis, the federal government should also ensure an appropriate legal avenue for immigrants who wish to remain in the United States permanently and/or gain citizenship.

NLC supports naturalization as a national priority; it is the most visible means of civic incorporation of immigrants into American society. The federal government should allocate sufficient resources to expedite the citizenship application process.

NLC also supports efforts to provide same-sex couples with equal rights of immigration sponsorship as opposite-sex couples and urges the federal government to amend current law to allow lawful permanent residents to sponsor the permanent partner for legal residence in the United States provided they are over 18 years of age, financially interdependent with the sponsoring individual, not married or in a permanent partnership with anyone other than the sponsoring individual, unable to contact with the sponsoring individual in a marriage recognizable under the Immigration and Naturalization Act, and is not a first, second, or third degree blood relation.

3. Path to Legalized Status and Citizenship

The federal government must address the millions of foreign nationals currently living in the United States without proper authorization or documentation. To address this broad challenge, NLC supports strong enforcement, effective and efficient avenues for legal immigration, and a path to legalized status and citizenship. NLC supports a process whereby undocumented immigrants living in the United States may earn legalized status through payment of appropriate fees and back taxes, background checks, absence of criminal or gang activity, consistent work history, and the ability to meet English and civics requirements. NLC also supports programs that provide undocumented students with a path to U.S. citizenship through educational attainment. Immigrants who earn such legal status should also be able to apply for citizenship through additional processes, as appropriate and practical, as long as they do not move ahead of applicants with proper documentation waiting to adjust their status or those waiting on lists in their home countries.
4. **Federal Resources Needed**

The federal government must accept its responsibility for the transition costs associated with new immigrants and refugees, including public safety, language services, housing, health, education, and social services. The federal government must redress the disparity between revenue sources and uses, rather than shift the costs onto localities.

The federal government must provide both resources and leadership to help local government cope with the results of these federal decisions. While city officials welcome immigrants and refugees to their communities and assist them in adapting to and enjoying the benefits of life in our nation’s cities, local governments can no longer afford to bear the financial responsibility for caring for these individuals. Urban resources are becoming increasingly scarce, particularly in housing, education, employment opportunities and social services, and are inadequate to serve the needs of citizens, immigrants and refugees alike.

The federal government must provide the following to local governments:

- Additional federal resources to minimize the competition between disadvantaged Americans and new immigrants and refugees for scarce publicly assisted housing resources and employment opportunities;

- Increased aid to local education programs experiencing large immigrant and refugee enrollments and increased demands for English language proficiency courses for adults, including increased funding to implement the No Child Left Behind Act to provide additional resources to prepare school-age children with limited English proficiency (LEP) for academic achievement and increased funding through the Refugee School Impact Grant program;

- Full reimbursement of case management support for new arrivals in addition to cash and medical assistance. Such programs should include employment training, language acquisition, child care and civic integration and acculturation; and

- Full reimbursement to hospitals and health care clinics that are providing care to uninsured immigrants, including costs for translators managed to provide such care.

a. **Legal Immigrants and Welfare Benefits**

NLC opposes eliminating welfare benefits for legal immigrants or “deeming” their sponsors’ income as their own for unreasonably long periods. Local budgets and taxpayers will bear the burden under either of these situations. Instead, NLC favors making sponsorship agreements legally binding and supports extending sponsor deeming for a reasonable period of time. A reasonable consideration of the age and health of the immigrant and any changes to the financial situation of the sponsor is essential. (See also HD Section 4.03, Poverty and Income Support)

b. **Refugee Settlement Costs**
As part of a cohesive policy to alleviate the impact of refugee resettlement problems in communities, the federal government must make an ongoing fiscal commitment to adequately fund refugee assistance programs and must consider its commitment for funding at the same time a decision is made for relocation and resettlement.

The federal government should immediately adjust the population counts of local governments that receive significant inflows of refugees. The federal government must also provide other forms of impact aid to affected localities. The federal government should provide technical assistance and 100 percent reimbursement for the costs they incur for the influx of refugees and for participating in refugee transitioning efforts.

5. Coordination between the Federal Government and Local Governments

The federal government must communicate, consult, and coordinate directly with local governments; the involvement of local officials is critical to effective national immigration and refugee policy.

NLC supports federal efforts to develop and promote improved ongoing outreach plans with local government to help locate new immigrants and refugees in specific communities. This is essential to communities in border states and those non-border cities and towns that are affected as our country’s immigrant population grows.

In particular, effective refugee resettlement requires the direct involvement of local elected officials. So cities may effectively plan resettlement efforts, the Coordinator for Refugee Affairs should:

- Develop better coordination and cooperation between states, local governments, voluntary resettlement agencies and refugee groups at the local level;

- Develop criteria for an impact profile and solicit information regarding the makeup of a state’s refugee population, the service needs of various refugee groups, and the local impact in terms of housing, education, employment, and service delivery;

- Give cities timely notification and relevant information concerning the planned initial placement of refugees and the likely secondary migration patterns; and

- Immediately notify cities about any federal refugee decisions.

4.114.10 Cultural Resources

A. Principles

If we are to achieve an improved quality of life for the nation’s cities, all levels of government should recognize the arts and humanities as an important part of life. Citizens should have access to cultural development, expression and involvement.

B. Goals
C. Recommended Federal Actions

1. Increased Federal Funding

To enable the arts to be effective in contributing to the survival of the cities, Congress must appropriate increased federal funds for the arts to levels consistent with the goal of making the arts accessible to all citizens. This includes increased funding of the National Endowment for the Arts and the National Endowment of the Humanities, as well as the creation of incentive programs within other federal agencies whose concerns impact on the arts. Such action requires coordination of national cultural policy at a high level within the federal government.

In addition, federal funds should be available to cities to:
- Develop public lands and facilities use of the arts;
- Provide employment in cultural services; and
- Promote the use of the arts as a stimulus to economic development.

2. Tax Laws

The federal government must evaluate its tax laws to assess their effect on the full development of cultural opportunities. The non-profit arts organizations should receive treatment equal to that accorded other non-profit organizations.

4.12 Veterans

A. Principles

NLC believes that all levels of government have an obligation to support the men and women of the armed services who have made sacrifices to preserve the freedom of the American people. Many veterans and their families face physical and psychological challenges when they return to communities across the country. The federal government must provide increased funding and support for veterans so they may make successful and healthy transitions after military service.

B. Goals

In order to meet the diverse needs of veterans and their families, NLC believes the federal government should:
- Provide an effective veterans health care delivery system;
- Support programs that provide homeless veterans with safe, affordable, and permanent housing and fund programs to eliminate root causes of veterans’ homelessness, including research, treatment, and support programs;

- Ensure that comprehensive mental health services are available to veterans and their families;

- Provide veterans with the employment and education resources needed to succeed in the 21st century workforce; and

- Ensure that National Guard and Reservists have access to support services when they return from active duty; and

- Focus on the unique needs of women veterans, especially the unique health care needs of women and those women veterans who reside in rural areas.
RESOLUTIONS

NLC Resolutions are annual statements of position that sunset at the end of the policy year unless action is taken. The Committee reviewed each of the 2014 resolutions that originated in the Committee to determine recommendations for 2015. The Committee has the following options:

1. Renew the resolution for the coming year (with or without edits);
2. Incorporate the resolution into permanent policy; or
3. Let the resolution expire

The table below summarizes the actions on Resolutions recommended by the HD Policy Steering Committee

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Please note:
- Proposed new language is underlined;
- Proposed language for deletion is struck out; and
- Existing, unchanged language is shown as plain text.
WHEREAS, historically, the cities and towns of the United States are a melting pot of multiple cultures and nationalities based on our nation’s history of welcoming immigrants; and

WHEREAS, when admitted through a well-regulated system, immigrants strengthen the United States by creating economic opportunities, increasing America’s scientific and cultural resources, strengthening our ties with other nations, fulfilling humanitarian commitments, and supporting family ties and family values that are necessary to build strong communities; and

WHEREAS, failure on the part of the federal government to secure the borders, track visa recipients in the interior, or enforce worksite laws allows illegal immigration to thrive, with an estimated 11.2 million residents living and working in the United States without legal authorization or proper documentation1; and

WHEREAS, despite increases in border security and upgrades in tracking technology, approximately 500,000 people continue to enter the United States illegally each year2; and

WHEREAS, 30-40 percent of undocumented workers in the U.S. entered legally and overstayed their student, tourist, or employment visas3; and

WHEREAS, the worksite enforcement program does not adequately deter employers who willingly hire unauthorized workers because they face little likelihood that the federal government will investigate, fine, or criminally prosecute them; and it does not help employers who genuinely want to follow the law because their employee verification efforts are hindered by the extensive use of fraudulent documents; and

WHEREAS, the lack of infrastructure and capacity at the federal level makes the federal government unable to adequately track the entry and exit of visitors and temporary workers, and it creates unacceptable application backlogs and long delays, which provide strong disincentives for foreign nationals to abide by the legal means to enter or remain in the country; and

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WHEREAS, approximately 268,000 workers in 2011, equal to about half of the undocumented seasonal workers in the United States, used the current temporary, unskilled worker programs (the H2-A and H2-B visas); and

WHEREAS, the current immigration system inadequately addresses the growing numbers of individuals wishing entrance to the United States through a temporary work visa program or as legal permanent residents; and

WHEREAS, roughly two-thirds of undocumented adult immigrants have lived in the United States for ten years or more, 1 million unauthorized immigrants are children, and another 4.5 million U.S.-citizen children have at least one undocumented parent; and these families are forced to live “underground,” unable to get drivers’ licenses or car insurance in most states, unlikely to obtain health insurance, and afraid to report crimes to local law enforcement; and

WHEREAS, since immigrants are barred from most federal public assistance, the burden of providing social services, education, and health care falls to the state and local governments, who are increasingly feeling the financial impact of both legal and illegal immigrants living in their communities.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) urges Congress to move quickly to enact comprehensive reform of the current immigration laws with support of the Administration to implement the immigration laws effectively; and

BE IT FURTHER RESOLVED that the federal government enforce its current immigration laws consistently and vigorously to eliminate illegal entry at the borders, visa overstays, working without proper documentation, and employing undocumented workers; and

BE IT FURTHER RESOLVED that the federal government must increase enforcement of visa overstays through the full implementation and staffing of the US-VISIT and SEVIS programs; and

BE IT FURTHER RESOLVED that local personnel, such as police officers, fire inspectors, educators, health personnel and social service personnel, should not be conscripted into federal service because the federal government has not adequately funded and staffed its immigration enforcement agencies; and the federal government must not transfer the responsibility of enforcing U.S. immigration laws to local personnel by making undocumented status in the U.S. a criminal offense; and

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BE IT FURTHER RESOLVED that the federal government must strengthen its worksite enforcement capacity and dramatically increase enforcement efforts at places of employment, as well as providing employers with a universal, reliable, effective, secure, non-discriminatory, and non-counterfeitable employee verification system, using the most up-to-date technology that will minimize fraud; and

BE IT FURTHER RESOLVED that the federal government must increase its capacity and infrastructure to enforce the laws and provide efficient means for foreign nationals to obtain legal authorization for temporary visas or legal permanent residency; and

BE IT FURTHER RESOLVED that the federal government must provide an appropriate, legal means of immigration, as is determined to be necessary and effective for the United States, for foreign nationals that want to work here temporarily, become legal permanent residents, or gain citizenship; and

BE IT FURTHER RESOLVED that NLC supports establishment of a process whereby undocumented immigrants currently living in the United States may earn legalized status through payment of appropriate fees and back taxes, background checks, absence of criminal or gang activity, consistent work history, and meeting English and civics requirements; and that the immigrants who have earned such legal status should also be able to apply for citizenship through additional processes, as appropriate and practical, as long as they do not move ahead of applicants with proper documentation waiting to adjust their status or those waiting on lists in their home countries; and

BE IT FURTHER RESOLVED that the federal government should provide local governments with financial and technical assistance to alleviate the local impact of new immigrants, including the costs of providing social services, health care, education, language services, and civic integration; and

BE IT FURTHER RESOLVED that NLC also supports federal legislation like the “Dream Act” that can facilitate state efforts to offer in-state tuition to undocumented students and provide certain students with a path to U.S. citizenship.
WHEREAS, people experiencing chronic homelessness are our most disabled and vulnerable citizens and most likely to die on the streets of our communities; and

WHEREAS, elected officials in partnership with the United States Interagency Council on Homelessness are committed to ending chronic homelessness in our nation’s communities; and

WHEREAS, local communities are on the front lines of the response to chronic homelessness; and

WHEREAS, the National League of Cities (NLC) and the United States Interagency Council on Homelessness have partnered to prevent and end homelessness in our nation’s communities in a partnership of accountability and results; and

WHEREAS, as a result of the partnership with jurisdictional leaders, the private sector, and all other stakeholders, more than 500 local governments have partnered to create 350 jurisdictionally led, community based, business oriented 10 Year Plans to End Homelessness; and

WHEREAS, 10 Year Plans have identified innovations, such as cost benefit analysis, Housing First/Rapid Re-housing, private sector Community Champions, Project Homeless Connect, and Assertive Community Treatment Teams that have been adopted by communities across the country; and

WHEREAS, private sector leaders bring a business mindset to the role of Community Champion in the development and implementation of 10 Year Plans to End Homelessness, a mindset that recognizes the importance of investing in solutions that are research and data driven, performance based, and results oriented; and

WHEREAS, jurisdictional leaders have adopted the Community Champion model, disseminated as a national innovation by the United States Interagency Council on Homelessness, in the appointment by jurisdictional elected officials of highly visible and credible private sector leaders not primarily associated with homelessness to lead 10 Year Plans; and

WHEREAS, Community Champions have leveraged significant new resources, including attracting new private sector partners in support of 10 Year Plan implementation, showing direct impact on the results that communities are achieving; and

WHEREAS, research has shown that people experiencing chronic homelessness are very expensive in mainstream health, treatment, and law enforcement systems and may cost the community between $35,000 and $150,000 per person per year in their random ricocheting
through such systems, versus the cost of providing permanent supportive housing in Housing
First/Rapid Re-Housing models which ranges from $13,500 to $25,000 per person per year,
offers the central antidote to homelessness in the form of housing, and results in the potential for
significant cost savings to community infrastructure; and

WHEREAS, research studies across the country indicate that 85 percent of people experiencing
chronic homelessness who move into Housing First/Rapid Re-housing options stabilize and
maintain that housing; and

WHEREAS, in order for persons experiencing chronic homelessness to succeed in their
housing, supportive services are necessary to mitigate health, substance abuse, and mental health
problems; and

WHEREAS, a number of communities implementing 10 Year Plans and adopting these
innovations are reporting reductions in the number of people experiencing chronic homelessness
living on their streets and languishing in shelters, the first such reductions communities have
seen in over 20 years; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) in the Third
Annual Homeless Assessment Report (AHAR) released in July 2008 reported a 30 percent
reduction in chronic homelessness, from 175,914 in 2005 to 123,833 in 2007; and

WHEREAS, these reductions in chronic and street homelessness are improving the quality of
life for everyone in the community, housed and homeless alike.

NOW, THEREFORE, BE IT RESOLVED that NLC endorses and encourages local
communities to develop and implement plans to end homelessness that include the field-tested,
evidence-based national innovations of Housing First/Rapid Re-housing, Community
Champions, and other best practices; and

BE IT FURTHER RESOLVED that NLC endorses the targeting of federal resources to
Housing First/Rapid Re-housing strategies and other innovations that have demonstrated results
in reducing and ending the homelessness of our poorest neighbors; and

BE IT FURTHER RESOLVED that NLC, to achieve the goal of ending chronic homelessness,
urges Congress to appropriate $2 billion in HUD's Homeless Assistance Grants program, which
would support communities in developing 15,000 units of permanent supportive housing; and

BE IT FURTHER RESOLVED that NLC urges Congress to create new permanent funding
sources for supportive services for people experiencing homelessness within the U.S.
Department of Health and Human Services budget; and
BE IT FURTHER RESOLVED that NLC calls on Congress and the Administration to provide additional proposed Section 8 Vouchers for the HUD-Veterans Affairs Supported Housing (HUD-VASH) program; and

BE IT FURTHER RESOLVED that NLC endorses and urges Congress to enact legislation that would provide Federal housing assistance and services to youth over the age of 18 aging out of foster care and in need of assistance; and

BE IT FURTHER RESOLVED, that NLC affirms the value of the United States Interagency Council on Homelessness and commends its initiatives to support jurisdictional leaders as they implement plans to end homelessness.
CALLING FOR FEDERAL ACTION TO ADDRESS THE NATION'S JOBS CRISIS

[Steering Committee Recommendation: Renew with edits]

WHEREAS, 14.39.6 million Americans remain out of work, and 3.0 million Americans have been unemployed for six months or longer, and the unemployment rate has hovered at 7.5 percent for the past year, documenting the difficulty the United States continues to face as it seeks to recover from the 2008 recession; and

WHEREAS, from 2008 to 2009, the median household income in the United States dropped by more than 2.3 percent; and

WHEREAS, in 2010 the median annual household income fell below $50,000 for the first time since 1996 and currently is at $52,100; and

WHEREAS, despite the recovery, the median household income is 6.1 percent — or $3,400 — below its level in December 2007, when the economic slump began; and

WHEREAS, by the end of 2013, the number of persons living in poverty had exceeded 46.5 million, or more than 15 percent of the population, an increase of more than one percent over 2009 and the highest post-recession poverty rate since 1980; and

WHEREAS, the U.S. Census Bureau, based on poverty and employment data, has determined that this is the worst post-recession economy ever recorded; and

WHEREAS, GDP growth has been over economists believe that a sustained growth rate of over three percent for the last several quarters, the rate of growth to is necessary to meaningfully reduce unemployment; and, and the U.S. Commerce Department reported in July that the nations GDP grew at the annual rates of only 1.1 percent and 2.5 percent for the first and second quarters of this year, respectively; and

WHEREAS, despite the poor rates of growth in the GDP, private sector job growth has begun to increase over the past three months reflecting growth in American businesses; and

WHEREAS, state aid cuts and declining revenues have resulted in cuts to essential services like education and public safety and has forced municipalities to lay off and furlough employees.

WHEREAS, a climate ripe for economic recovery must include investments in the public infrastructure that support private sector investments and growth; and

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3 DeNavas-Walt, pp.5 and 13.
WHEREAS, a climate ripe for economic recovery must include investments in the public infrastructure that support private sector investments and growth; and

WHEREAS, investing in infrastructure development, repair and improvements – including public transit, roads, bridges, water systems and schools -- is a proven strategy for creating significant numbers of private and public sector jobs; and

WHEREAS, there is a clear and apparent need for a national economic recovery strategy to address the current jobs crisis; and

WHEREAS, there is a clear and apparent need for the federal government to play a lead role in addressing the current jobs crisis.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) calls on Congress and the President to enact legislation now that will address the current jobs crisis; and

BE IT FURTHER RESOLVED that NLC supports the following federal action to accelerate jobs and economic growth in our country by:

(1) Extending unemployment insurance benefits to help individuals and families facing long-term unemployment due to a lack for job growth;
(2) Investing in occupational training, transitional jobs, and youth employment programs to help ensure that unemployed and underemployed individuals and our youth are prepared for new economy jobs;
(3) Funding federal programs that will help protect the delivery of essential government functions in our communities, such as education and emergency management, that are necessary to economic recovery and private sector job creation;
(4) Increasing investments in programs to modernize the nation’s aging infrastructure – roads and bridges, water and water systems, transit and transit oriented development, schools, and the nation’s housing stock – that will lay the foundation for long-term prosperity in our communities; and
(5) Providing incentives for business and industry to grow and hire new workers.

BE IT FURTHER RESOLVED that NLC calls on Congress and the Administration to overcome partisanship with leadership focused on helping create jobs and ensuring the health of our cities and our country.

NLC RESOLUTION 2014 - 23

RESOLUTION ON DISPARITIES WITHIN THE BONE MARROW REGISTRY

[Steering Committee Recommendations: Expire, Incorporate into Policy]

WHEREAS, the National Marrow Donors Program (NMDP) has been funded by the C.W. Bill Young Cell Transplantation Program (Program) to provide a single point of access for patients to access matching adult donors and umbilical cord blood; and

WHEREAS, the program is funded at levels substantially below those recommended for the program; and

WHEREAS, there is a need to increase recruitment of African-Americans and other minorities in the NMDP registry; and

WHEREAS, African-Americans, in particular, and people of color, in general, have a substantially smaller chance of finding unrelated donors as whites because the NMDP, which lists more than 6.2 million donors, is not sufficiently diverse to ensure that the pool of African-American donors and donors representing other people of color are included in the NMDP; and

WHEREAS, there is general consensus that the costs of tissue testing and current privacy issues must be addressed in order to increase the number of minority donors in the NMDP; and

WHEREAS, African-Americans and other minorities should be educated on the importance of joining the registry.

NOW, THEREFORE, BE IT RESOLVED that Congress and the Administration maintain the Cell Transplantation Program so that it remains the single point of access for patients to access matching adult donors and umbilical cord blood; and

BE IT FURTHER RESOLVED that the Cell Transplantation Program establish an expanded national inventory of donors; and

BE IT FURTHER RESOLVED that Congress and the Administration adopt legislation and policies that fund, at sufficient levels to ensure that anyone who wishes to participate may do so, the C.W. Bill Young Cell Transplantation Program.
IN SUPPORT OF EFFORTS TO IMPROVE
EDUCATIONAL OUTCOMES FOR DISADVANTAGED STUDENTS

[Steering Committee Recommendation: Renew]

WHEREAS, disadvantaged youth, in general, and male students and students of color, including
African-Americans, Latinos and Pacific Islanders, face unacceptably high dropout rates, low
graduation rates and widening achievement gaps between themselves and those who graduate;

WHEREAS, parents, educators, business and community leaders, local elected officials, and
federal policymakers must put the education needs of all school-age children first, but especially
those of potential and actual dropouts, so that all children have the education and skills they need
to adequately contribute to American society; and

WHEREAS, putting the interests of children first means using every educational tool at our
disposal to improve the quality of education, and making every educational option available so
that otherwise disadvantaged students are successful in school and society at-large;

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) calls
upon the federal government to make the necessary investments in education, especially those
targeted at reducing dropout rates, increasing graduation rates and addressing the achievement
gap, to ensure that all children obtain the best education possible; and

BE IT FURTHER RESOLVED that NLC supports increased educational opportunities for all
children, especially those who are disadvantaged, scholarship tax credit and opportunity
scholarship programs to help all disadvantaged students who are in need succeed in school.
NLC RESOLUTION 2014 - 25

IN SUPPORT OF HEALTHY EATING ACTIVE LIVING (HEAL) CITIES CAMPAIGN

[Steering Committee Recommendations: Expire, Incorporate into Policy]

WHEREAS, the prevalence of obesity in the US is 32.2 percent among adult men and 35.5 percent among adult women; and more than half of United States’ adults are overweight or obese and therefore at risk for many chronic conditions including diabetes, heart disease, cancer, arthritis, stroke, and, hypertension; and

WHEREAS, obesity is a costly condition that can reduce an individual’s quality of life and increase their risk for many serious chronic diseases and premature death; and

WHEREAS, obesity and associated chronic diseases disproportionately affect low income communities and communities of color, particularly those without healthy food retail and safe places to engage in physical activity; and

WHEREAS, one in four youth between the ages of 9 and 16 in the United States is overweight; more children are being diagnosed with diseases linked to overweight and obesity previously seen only in adults, such as Type 2 diabetes and heart disease; and

WHEREAS, the League of California Cities’ efforts encouraging cities to embrace policies that promote healthier lifestyles and communities has led to the inception of the Healthy Eating Active Living (HEAL) Cities Campaign in 2008; and

WHEREAS, the League of California’s efforts to encourage cities to embrace healthier lifestyles through the HEAL Cities Campaign is about to become a national program; and

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities endorses programs like the Healthy Eating Active Living (HEAL) Cities Campaign which have as their goal the reduction of obesity and the improvement of the overall health and wellness of city and town residents.

1 Prevalence and Trends in Obesity Among US Adults, 1999-2008
NLC RESOLUTION 2014 - 26

IN SUPPORT OF ACTION BY THE CENTERS FOR DISEASE CONTROL (CDC) TO ADDRESS VIOLENCE AMONG YOUNG AFRICAN-AMERICAN MALES

[Steering Committee Recommendation: Renew]

WHEREAS, young men, generally, and African-American males, specifically, are dying at an alarming rate due to homicides, which is the number two cause of death for all males\(^1\), and the number one cause of death for 15-24 year old African American males\(^2\), and

WHEREAS, research documents that daily exposure to violence among men, generally, and African-American males, specifically, impacts traumatically and forever changes the lives of these youths\(^3\); and

WHEREAS, the August 2007 Special Report by the Bureau of Justice Statistics and the October 2009 National Survey of Children’s Exposure to Violence by the U.S. Department of Justice document that violence among young men, generally, and African-American males, specifically, constitutes a public health epidemic; and

WHEREAS, the loss of African American males in the community as a result of homicide and high rates of incarceration further impacts the community by reducing the number of males who may serve as role models for young African-American males\(^4\); and

WHEREAS, only increased federal, state and local attention to this matter can help reduce the violence that plagues many young males, generally, and African-American males, specifically.

NOW, THEREFORE, BE IT RESOLVED, that the National League of Cities calls upon the United States Congress to direct the Centers for Disease Control, whose primary responsibilities are to monitor public health; detect and investigate health problems, foster safe and healthy environments, and implement prevention strategies, to monitor, detect, and prevent violence among young males, generally, and young African-American males, specifically; and

BE IT FURTHER RESOLVED, that the Centers for Disease Control, develop a holistic intervention designed to address the health related aspects and implications of violence among young males, generally, and young African-American males, specifically; and

BE IT FURTHER RESOLVED, that the Centers for Disease Control develop short- and long-term health care strategies to bring back health to the African-American community in a way that promotes the longevity of African-American males.

\(^1\)“Morbidity and Mortality among Adolescents and Young Adults in the United States,” Robert Wm. Blum MD, MPH, PhD and William H. Gates, Sr. Professor and Chair Farah Qureshi, MHS Research Program Coordinator Department of Population, Family and Reproductive Health, Johns Hopkins Bloomberg School of Public Health, 2011.


NLC RESOLUTION 2014 - 27

IN SUPPORT OF CRITICAL U.S. CENSUS BUREAU SURVEYS

[Steering Committee Recommendation: Renew]

WHEREAS, the U.S. Census Bureau serves as the leading source of quality data about the nation’s people and economy; and

WHEREAS, the U.S. Census Bureau is authorized by the U.S. Constitution and Federal law to collect and disseminate data guided by scientific objectivity to provide information about the nation; and

WHEREAS, Title 13 of the United States Code requires the Census Bureau to keep information strictly confidential; and

WHEREAS, the U.S. Census Bureau conducts a host of surveys to collect and distribute data to policy makers at all levels of government, including but not limited to the American Community Survey, Economic Census, and Census of Governments; and

WHEREAS, the U.S. Census Bureau implemented the American Community Survey (ACS) to collect data on demographic, housing, social, economic, and financial characteristics of all cities; and

WHEREAS, the data collected by the ACS ensures that mayors and other policymakers have the most current information for policy development allocation of funds, and program evaluation; and

WHEREAS, ACS estimates provide America’s cities data that the business community uses for investment and hiring decisions, resulting in job opportunities; and

WHEREAS, local firefighters, police officers and other emergency personnel use ACS estimates for natural disaster planning and response; and

WHEREAS, the Economic Census is collected every five years – in years ending in “2” and “7” – to provide reliable business statistics that are essential to understanding the American economy; and

WHEREAS, only the Economic census provides information on industry revenues and other measures of American business performance that are consistent, comparable, and comprehensive across industries and geographic areas; and

WHEREAS, government agencies, trade association, and chambers of commerce and businesses in America’s cities rely on data from the Economic Census for economic development, business decisions, planning and key economic reports; and
WHEREAS, the Economic Census provides America’s cities information on comparative and trend data used to identify business expansion opportunities in local communities; and

WHEREAS, the U.S. Census Bureau conducts the Census of Governments every five years – in years ending in “2” and “7” – of all state and local governments, which includes organizational data, employment data, and finance data; and

WHEREAS, the Census of Governments is the only source of comprehensive, uniform statistics on state and local governments; and

WHEREAS, the Census of Governments data are used to calculate the Gross Domestic Product (GDP) and to better understand the current fiscal conditions of America’s cities.

NOW, THEREFORE BE IT RESOLVED, that the National League of Cities supports the U.S. Census Bureau’s mission to produce complete and accurate data that meets the needs of America’s cities; and

BE IT FURTHER RESOLVED, that the National League of Cities supports the U.S. Census Bureau’s use of sound scientific and objective methods to apply statistical samplings, conduct surveys, and collect preliminary and supplemental statistics; and

BE IT FURTHER RESOLVED, that the National League of Cities supports the U.S. Census Bureau’s authority to collect data that provides timely estimates that inform America’s local governments in their decision-making; and

BE IT FURTHER RESOLVED, that the National League of Cities recognizes the importance of the American Community Survey, Economic Census, Census of Governments, and a number of other surveys and statistics to local governments across the nation; and

BE IT FURTHER RESOLVED, that the National League of Cities supports funding for and robust implementation of the American Community Survey, Economic Census, Census of Governments, and other relevant surveys and statistics to local governments across the nation; and

BE IT FURTHER RESOLVED, that the nation’s cities urges Congress to oppose legislation that would make the American Community Survey a voluntary survey, as well as any other bills that would eliminate the American Community Survey, Economic Census, Census of Governments, and other surveys and statistics relevant to local governments across the nation.
WHEREAS, there are over 1.8 million women veterans that have honorably served in the armed services, a number that has doubled since 1990; and

WHEREAS, as the number of women veterans increases, especially those who serve in direct combat roles, there will be an increasing need for the federal government to assist state and local governments address the unique needs of women veterans including those resulting from sexual trauma, post-traumatic stress disorder, depression, unemployment and alcoholism; and

WHEREAS, current law directs the U.S. Department of Veterans Affairs to research the effects of active combat on women’s physical, mental, and reproductive health, and assesses the unique barriers to care that women face at Veterans hospitals; and

WHEREAS, there remains a need for Congress to adopt legislation that assists women veterans address their reproductive needs and their adoption and child care assistance needs, provides services to address women’s unique health care needs, and ensures that homeless women veteran’s needs are addressed in an appropriate manner; and

WHEREAS, America’s cities and towns are often the provider of last resort of assistance to women veterans who have no other resources available to them to reintegrate into their families and communities.

NOW, THEREFORE BE IT RESOLVED, the National League of Cities calls upon Congress to address the unique health care needs of women veterans by passing legislation that ensures that women veterans’ needs are met; and

BE IT FURTHER RESOLVED that this legislation requires the federal government to recognize the unique needs of women veterans in rural areas, and ensure accessibility to the aforementioned services; and

BE IT FURTHER RESOLVED, that Congress adopts legislation that provides support to cities and towns so that every city and town is able to ensure that women veterans returning to their hometowns are able to reintegrate into their families and communities.
POLICY AMENDMENTS AND RESOLUTIONS
FROM THE

TRANSPORTATION AND INFRASTRUCTURE SERVICES
STEERING COMMITTEE

TIS
AMENDMENTS


Please note:

- Proposed new language is *underlined*;
- Proposed language for deletion is *striked out*; and
- Existing, unchanged language is shown as plain text.
5.00 Transportation Principles

The United States’ transportation systems contribute is essential to the economic growth, and vitality and resilience of our nation’s cities and towns and the country as a whole. These systems can preserve and strengthen local and regional economies, stimulate economic growth and strengthen our competitive position in world trade. The safe and efficient movement of people and goods must be the prime objective of transportation policy at all levels of government, and federal, state and local governments should be guided by the following principles in the development and implementation of transportation policies and programs.

A. Local Control

Fundamental responsibility for overall transportation decision-making is a shared federal, state and local responsibility but emphasis should be at the local level. NLC supports the ability of states and municipalities to set their own priorities in transportation investment, and to have a greater voice in influencing transportation plans that satisfy local needs and objectives.

Where there are overriding national or statewide transportation concerns, federal and state governments have a legitimate role in planning and decision-making, but local governments should never be excluded from those processes. Congress should strengthen provisions for local decision-making as a central component of any federal transportation program, and any funds intended for local use must not be diverted to state governments.

B. Flexibility

NLC supports local flexibility to build, operate and maintain local and regional transportation projects. It is important that state and local government officials have the ability to “flex funds,” or use federal transportation funding as they properly determine.

C. Equity

Federal policy should treat all transportation modes with equity and should urge federal, state, and local officials to work together on the safe, efficient, and environmentally-friendly designs for solving transportation problems. No single transportation mode to move people and goods should have a competitive advantage over another as a result of federal public policy choices. Public subsidies for particular modes of transportation, if used, must be explicit in the outcomes required and must support and enhance the efficient operation of our market-based economic system. Rural and urban transportation needs should be addressed equitably, but with an emphasis on benefit per dollar expended.

D. Intermodalism/Multimodalism

It is essential that the nation’s transportation system be seamless. Federal policy should encourage “closing the gap” of independent modal elements of the transportation system, with
the goal of ensuring that efficient connections between modes are available for the movement of people and goods.

NLC supports federal priority funding for improving the efficiency of the connecting modes of intermodal/multimodal facilities.

E. Integrated Management and Operations

Federal policy must encourage integrated management and operation of all transportation systems at regional and local levels, maximizing the use of information technology for traffic management, monitoring structural integrity, and enforcement for public safety.

F. Priorities/Prioritization

The federal government should give highest priority to the efficient utilization, management, and maintenance of the nation’s existing transportation infrastructure. Second priority should be given to adding capacity to existing systems. Third priority should be given to the development of new transportation systems. None of the above priorities are meant to preclude the utilization of new, cost effective technology that provides the same level of service.

G. Disadvantaged Business Enterprise (DBE) Requirements

The federal government should seek greater economic opportunity for disadvantaged businesses in federal procurement and financial assistance programs. DBE goals should be high enough to be effective, and enforcement should be reasonably consistent. Furthermore, a flexible, efficient waiver procedure should be instituted to take into account the percentages of DBEs in an area and the availability of DBEs.
5.01 transportation Policies

A. Transportation Planning

1. Metropolitan Planning Organizations

The federal government must continue to require that Metropolitan Planning Organizations (MPOs) be responsible for a continuing, comprehensive, and coordinated transportation planning process that develops multimodal transportation programs in cooperation with state transportation departments, public transportation agencies, and local implementing agencies. The MPO endorsement of these plans and programs must be a prerequisite for approval of federally assisted transportation projects in urbanized areas. The federal government should continue to provide adequate financial assistance to MPOs for planning efforts.

The federal government should allow the MPO and/or the local government to plan projects that use alternate design standards when the use of rigid federal design standards is inconsistent with local needs.

Federal regulations should continue to require that the elected officials of general purpose local governments be adequately represented on the MPO and that such officials participate in the designation and re-designation of the planning organization and its membership.

MPOs representing metropolitan areas with populations of more than 50,000 must be the direct recipients of federal transportation funding for all transportation planning and program efforts in those areas. Small cities with populations less than 50,000 should have the option to receive federal transportation funding directly or retain the current practice of state sub-allocation.

The federal government shall require states to work cooperatively with MPOs to develop joint forecasts of anticipated federal transportation funding to create more accountability in federal highway projects.

2. Rural Consultation

The federal government must require states to implement a process for consulting with local jurisdictions in rural, non-MPO areas, regarding transportation project planning and decision making.

3. Project Identification

States should be prohibited from implementing projects unless they are first included in the transportation improvement plans, except for Management and Operations (M/O) projects.

NLC urges the federal government to require states to consult with affected local communities on transportation projects regarding the inclusion of environmental retrofits, such as storm water
runoff and noise abatement, as part of projects that are exempt from federal environmental requirements, including categorical exclusions.

4. Project Delivery

The federal government must streamline the federal transportation project delivery process to facilitate construction of federally funded projects and reduce project delays. Delays in the implementation of federally funded transportation projects must be eliminated in order to increase local control and make more effective use of limited financial resources. The federal government should require states to implement transportation projects identified on the local level and of local importance with the same timeliness and priority as other regional transportation projects.

The project delivery process must:

- Mandate concurrent reviews among all federal and state agencies involved in the environmental review of all federally funded transportation projects;
- Standardize environmental policy and the review/approval process within DOT modes;
- Develop clearly defined procedures for resolving disputes among those agencies;
- Require all agencies to determine appropriate time frames to complete their reviews;
- Eliminate duplicative environmental review by crediting equal or more stringent state environmental review actions during the federal environmental review process;
- Continue to allow federal transportation dollars to be used by local and state government to provide the resources necessary to meet the time limits established for the federal environmental process; and
- Include locally elected officials in any pilot program created to examine environmental streamlining efforts.

5. Municipal Impact Analysis

The social, environmental, economic, and energy impacts of proposed federal transportation legislation and regulations should be identified by the MPO or local jurisdictional body prior to implementation, and steps should be taken to mitigate any adverse impacts. Existing and proposed federal transportation programs and regulations must be carefully designed to ensure that actions taken support municipal elected officials and their constituents’ efforts to improve the social, economic and environmental sustainability of their communities and flexibility in the use of federal dollars to achieve local goals.
6. Research and Development

The federal government should continue to research and develop new technologies through federally-financed programs, and include local governments as key partners as appropriate or at the request of local officials.

B. Transportation Finance and Administration

1. The Federal Role

The current federal surface transportation programs are not meeting the financial needs of the transportation system. NLC supports broadening the definition of innovative financing techniques beyond debt financing to include:

a. Innovative Management of Funds

NLC encourages the federal government to permit municipalities to use innovative financial management techniques such as advanced construction financing, toll credits and flexible federal–local match options with federal transportation funds to maximize limited public funds and leverage private capital in connection with federal transportation funds. Innovative management must follow generally-applicable accounting principles. NLC believes that advanced construction financing, toll credits and the use of flexible and tapered federal–local match options are examples of innovative financial management techniques that would help maximize limited public funds and leverage private capital to deliver needed surface transportation projects.

b. Credit Assistance

Credit assistance, tax incentives and other transportation finance tools have been effective tools in expanding the available revenue for transportation investments. NLC supports federal direct (low interest) loans, loan guarantees and credit line assistance with favorable terms through programs like Infrastructure Banks and the Transportation Infrastructure Finance and Innovation Act (TIFIA). NLC supports the application of objective approval criteria for credit assistance. Approval factors should include, but not be limited to, threshold cost requirements, consistency with long-range regional and state transportation plans, generation of economic benefits, goods movement and congestion relief improvements, leveraged private capital, and the promotion of innovative technologies.

While TIFIA has provided flexible funding for major transportation projects and helped local governments leverage private and other non-federal investments, limited budget authority and delays in the approval process can result in cost increases. NLC supports an increase in the available funding for the TIFIA program and greater flexibility for DOT in approving projects that can take advantage of favorable financing.
c. Revenue Generation

The federal government should encourage a new generation of creative and innovative revenue generation options at the state and local levels such as public-private partnerships to help finance critical transportation infrastructure needs. (See also FAIR Section 1.02C.5, Increasing the Supply of Municipal Capital.)

d. Debt Financing

Debt financing for highway and transit projects is an important financial tool, but one that must be exercised prudently. Low cost loans from the federal government can be extremely useful in getting highway projects moving and resolving significant transportation funding issues.

Where federal funds are involved, NLC recommends ensuring sufficient protections to balance immediate transportation needs against the financial burden on future generations. Such protections include, but are not limited to, debt ceiling caps and required public referenda.

e. Federal Aid Turnback

NLC strongly opposes proposals to dismantle federal transportation finance by turning back all or a portion of the federal aid to the states.

f. Federal Earmarks

NLC is opposed to federal earmarks in the congressional transportation funding process that are inconsistent with regional and local priorities. NLC believes that such earmarks are inefficient, and often reduce the funding available to a state or locality for higher priority projects.

2. Surface Transportation Revenue Sources

a. Guiding Principles

NLC endorses the preservation of federal fuel taxes to fund the Highway Trust Fund (HTF), which funds national surface transportation needs. All federal fuel taxes need to be increased in steps to reflect inflation since the last increase and then indexed for inflation in future years. In addition, the decrease in HTF revenue collections Dynamic economic, technological, and social conditions affect HTF revenue collections, and trends indicate the need for the careful and collaborative development by the public and private sectors of a complementary or, if necessary, alternative transportation funding system to meet the nation’s long-term needs. Vehicle miles traveled (VMT) and other experimental ideas hold promise and should be encouraged.

The following principles should guide federal efforts to achieve this objective:
i. Fairness: Any new transportation revenue system must ensure that no single segment of the population bears an inequitable financial burden.

ii. Privacy: The design of any new transportation revenue and related tax collection system must integrate privacy protections.

iii. Administrative Ease: The design of any new transportation revenue system should improve administrative effectiveness and efficiency. At minimum, there must be no administrative deterioration from the current system.

iv. Seamless Transition: The implementation of any new transportation revenue system must provide for a seamless, graduated transition to ensure stable revenue collections, tax fairness, administrative ease, and policy stability.

v. Revenue Generation: Any new transportation revenue system must be able to generate more revenue than collected currently, and it must maintain the precedent under the current system’s design that protects against cheating to avoid paying one’s fair share of fuel taxes.

vi. Reliability: Revenue streams must be reliable and sufficient to meet the diverse and growing transportation infrastructure needs of the nation.

vii. Technology Improvements: The increasing shortfall of revenues from fuel taxes caused by the reduction in gasoline usage from increasingly fuel efficient vehicles and alternative fuel cars and trucks (i.e., hybrid, all-electric, alternative fuel, and hydrogen-electric vehicles), and higher use of alternative transportation systems that utilize no gasoline must be offset with alternative revenue sources to fairly reflect their share of road usage.

b. Fuel Taxes as HTF Revenue Source

Until a new, national transportation financing system is in place, Congress must maintain a dedicated federal fuel tax on diesel, gasoline, and gasohol that generates sufficient annual revenues dedicated to the HTF for transportation purposes only. These funds must not be diverted for other purposes and need to be (a) increased to reflect loss of purchasing power and (b) indexed to account for future inflation.

- Congress should require heavier trucks to increase their contribution to the HTF so that they pay in proportion to the costs they impose on the highway system. The heavy-use truck fee should continue to be required until such time as the Department of Transportation can recommend to Congress an alternative tax which is more equitable than the heavy-use tax, easy to administer, and will generate at least as much revenue as the use tax. This could be in the form of a VMT to reflect annual mileage traveled and indexed to reflect gross vehicle weight. This would operate as a national program but would not exclude similar state programs.
Devices such as studded tires that are permanent or seasonally permanent that increase wear and tear abnormally on highways should bear a portion of highway maintenance expense through the imposition of mount/dismount or other installation fees at the state level.

- Congress should allow the use of toll financing on federally aided highway, tunnel and bridge projects
- Congress should develop incentives for local governments to increase their contribution to the federal highway program, for instance, by allowing localities to increase the local matching share of highway funds at their discretion. However, those increased contributions should not be considered a substitute for the federal highway funds to which a state or locality is entitled.

c. Funding Public Transportation

NLC supports an increase in funds designated for public transportation, and urges Congress and the federal government administration to both preserve current guaranteed funding mechanisms and to increase the percentages allocated to the federal transit program.

To provide a viable alternative to the automobile, public transportation services need to be of quality and frequency if they are to attract a significant number of passengers. This shift in passenger traffic, and this can only be accomplished with an increased commitment of public funds for essential equipment, staff, and maintenance. Because it is unlikely that public transportation will ever be self-supporting, transit should not be measured exclusively in terms of revenue generated and should continue to be subsidized by a partnership of federal, state and local governments. Federal mandates related to the Clean Air Act, the Americans with Disabilities Act, and others, require additional federal funding.

NLC opposes state-by-state minimum allocations for federal transit funding. NLC opposes the imposition of “caps” on the amount of federal transit funding a state may receive. Caps do not address differences in transit needs in the country, and force a “one-size-fits-all” approach to federal spending on transit programs.

A federal commitment should be made to new funding and not by shifting funding from existing transportation programs. States or localities that provide a greater financial commitment shall receive higher priority for federal funding for public transportation systems.

Maintenance and productivity indices should be incorporated into federal allocation formulae and there should be incentives in the matching-ratio to encourage productivity improvements and maintenance of existing transit facilities. However, productivity improvements alone will not mitigate the problems of rising transit costs and inadequate transit revenues.
Federal policy should also continue to emphasize the proper management of existing transit systems and the implementation of low cost transit improvements.

3. Transportation Tax Policy to Encourage Commute Alternatives

NLC supports changes to the tax code and federal tax incentives to encourage vanpooling, ridesharing, transit usage, telecommuting and other commute alternatives. Current law prohibits employers from providing tax-free commuter benefits. NLC seeks reinstatement of those tax-free benefits that were deleted by Congress as part of the 1986 Tax Reform Act. NLC urges the federal government to ensure that pretax benefits offered for commute alternatives, including transit, are equal to or greater than those offered for parking.

NLC strongly urges the federal government to promote transportation demand management programs for both passenger and freight movement and other commute alternatives. NLC supports federal tax incentives for small employers to coordinate and promote ridesharing programs. Cities should be encouraged to develop programs to spread the movement of highway passenger and freight traffic from peak to non-peak times

C. Air Quality

Specific air quality policies are contained in Section 2.02 of the EENR chapter.

Transportation sources are significant contributors to the levels of pollutants, and as congestion increases in cities and the nation, levels of these pollutants increase as well, despite efforts to reduce emissions from mobile sources. Addressing transportation issues such as congestion relief is an effective way of reducing emissions in cities. Therefore, NLC urges the federal government to offer a funding program for non- attainment areas and those cities struggling to maintain attainment to address emissions from mobile sources. The United States Department of Transportation (DOT), and not the states, should administer this program.

D. Congestion Mitigation

To maintain economic and environmental viability, congestion mitigation programs must be available to all cities. A comprehensive, federal funding program to address congestion would foster project innovation, enhance intermodal planning, promote savings in infrastructure investment, and increase the livability and economic viability of communities across the country. The federal government must develop a congestion mitigation program that provides direct funding to all cities to address congestion problems in their communities. Eligible projects could include Intelligent Transportation Systems, projects to increase vehicle occupancy, demand management strategies, traffic flow improvement projects, congestion pricing, innovative transportation technologies such as Personal Rapid Transit, and other projects that would address the efficiency of cities’ transportation networks. NLC recognizes the need for regional strategies to create a seamless, national transportation system.
E. Transportation of Hazardous Materials

The condition of the nation’s roads and railroad infrastructure impacts the frequency and severity of accidents. Consequently, increased investment in this infrastructure will also help reduce the number and severity of accidents involving hazardous materials by improving the safety of roads, bridges, and rail. Therefore, NLC continues to advocate for increased federal investment in this critical infrastructure.

NLC supports existing federal performance standards to guide the selection of highway and rail routes along which hazardous materials can be shipped including shipments made by or under the direction of the United States Department of Energy or Defense.

States and localities must be allowed to adopt and enforce highway and rail route requirements (including time-of-day restrictions, escorting, and local bans) that are consistent with the federal performance standards. NLC supports federal exemptions when a state or locality can demonstrate that it has unique local safety requirements.

F. Surface Transportation Security

NLC does not support diverting any portion of the federal fuel tax to fund security measures for surface transportation systems. Securing these systems is a matter of national security and must be funded as part of our national defense.

Any federal attempts to secure the surface transportation system shall include affected locally elected officials in the planning process. NLC urges the federal government, in cooperation with local governments and transportation system operators, to assess the vulnerabilities of the entire surface transportation system. Federal agencies must assist local governments by sharing information, intelligence, technology, and best practices, and by providing adequate funding for vulnerability assessments.

NLC urges all sectors of the transportation industry, including public transportation systems, water transportation, public and private transit and rail companies, and highway systems, to participate in cooperative vulnerability assessments, emergency response plans, and drills. Federal financial assistance must be made available to implement these plans and assessments.

NLC expects the federal government to:

- Provide technical assistance to local governments to develop possible countermeasures to deter, detect and delay the consequences of terrorist threats against vulnerable assets;

- Continue to research technologies to detect chemical, biological, and nuclear contaminants in transit systems and provide technical and financial assistance to local governments to implement these technologies;
• Develop methods to harden assets deemed most vulnerable;
• Provide current security guidelines for all transportation systems; and
• Encourage the use of information technology in traffic management, including the enforcement of traffic laws, monitoring infrastructure integrity, and public safety.

5.02 Streets and Highways

A. Highway Trust Fund Finance

NLC supports increased federal fuel taxes to support the ever growing infrastructure needs of the transportation system and also to balance the effects of inflation on the Highway Trust Fund by indexing the gas tax to the consumer price index (CPI), never to decrease and not to exceed five percent annually. NLC strongly opposes diverting any of these funds to any non-transportation purposes, including reducing or masking the federal deficit.

NLC also supports adoption of a VMT based funding mechanism that increasingly captures the use of highways and roads by alternatively powered vehicles such as hybrids and electric vehicles as well as the value of the transportation product generated by all vehicles as a function of gross vehicle weight.

Unobligated revenues should not be allowed to accumulate in the HTF, and must continue to have the protection of budget “firewalls.”

Every state should also be guaranteed a minimum percentage of funds to cushion any negative annual shifts in a state’s historical share of federal transportation funds. Any funds that may be distributed by the federal government to the states should be distributed in each state on an equitable basis.

B. Bridges

NLC urges the federal government to maintain the current Bridge Replacement and Rehabilitation program with sufficient funding to repair bridges that are structurally or operationally deficient. Off-system bridges should continue to be eligible for federal bridge funds, and the discretionary bridge program should be preserved.

NLC urges the use of information technology in monitoring the structural integrity of bridges.

NLC also strongly urges efforts at all levels of government to review road and bridge needs and work to provide adequate revenue to ensure the safety of our transportation infrastructure.

C. Highway Beautification
NLC recommends that the responsibility for controlling outdoor advertising and junkyards should be returned to municipalities, and to states in areas outside municipalities. These governments should have the authority to order the removal of those signs and the relocation of those junkyards that are incompatible with state and local land use plans and zoning laws, and allow sign and junkyard owners to amortize their losses through advertising revenues.

Federal controls over outdoor advertising should be retained only on interstate highways outside the jurisdictions of municipalities and on federally aided primary highways selected as scenic highways by states.

D. Enhancements Programs

NLC encourages the federal government to support a program for enhancement projects that strengthens our nation’s multimodal transportation system. Projects eligible for this funding should include bicycle and pedestrian facilities, rails-to-trails projects, landscaping and scenic beautification, and environmental retrofit programs. Funding from this program should be distributed to cities in its entirety.

NLC supports a dedicated funding source for enhancements such as bike and pedestrian facilities and rails-to-trails projects that have a direct impact on congestion mitigation and contribute to a cleaner environment.

NLC opposes the abuse of the rescission process to subvert the minimum transportation enhancement funding allotments mandated by transportation legislation.

E. Intelligent Transportation Systems

NLC supports intelligent transportation systems (ITS) technology development and deployment and an increase in federal funding for these purposes. By applying ITS technologies and services, we can improve the safety and efficiency of goods movement, and thus the competitiveness of America’s intermodal and international freight transportation systems.

The federal government should give funding priority to ITS projects that improve traffic flow on existing streets and highways as alternatives to major new construction, especially in high-density areas. Priority should also be given to street and highway improvements which benefit public transit, such as preferential lanes for high occupancy vehicles, bus lanes, ramp metering, computerized traffic control, one-way streets, reversible traffic lanes, traffic signal priority for buses, parking management strategies.

The federal government should facilitate the use of uniform technology in the collection of tolls on roads across jurisdictions and transportation systems such as vehicle mounted toll tags or passes and transit stickers or passes.
F. Highway Safety

Greater consideration should be given to safety in planning, design and construction. Additional resources need to be focused at all levels of government on research, education and enforcement to increase highway safety, including work zones. NLC supports the use of incentive grants to encourage states to adopt more stringent impaired driving and seat belt use laws. NLC also supports the use of information technology in traffic enforcement, such as red light cameras.

NLC supports the funding of elimination of grade level crossings for high traffic rail lines in urban areas where the railway bisects cities and towns impeding the flow of traffic and creating public safety issues.

G. Motor Carriers

1. Truck Weight and Size Limits

NLC opposes increases in truck weight limits unless and until such increases are accompanied by simultaneous and sufficient increases in the heavy truck-user tax.

NLC opposes allowing the longer combination trucks (i.e., “triple-trailers” or “truck trains”) both on and off the designated national network of truck highways until the impact of increased truck length and width standards on highway costs and safety is assessed and reflected in highway user fees and appropriate safety regulations. NLC supports demonstration projects to determine safety.

2. Truck Routing

NLC supports a federal government study of the impact of federal performance standards for the designation of routes along which longer, wider trucks may travel. This study should be used in the development of any performance standards for such operations. State and local governments should also retain authority to designate truck routes, truck access pickup and delivery points on roads which are not a part of the designated truck network.

3. Regulation of the Motor Carrier Industry

The federal government should encourage increased competition within the trucking industry and remove barriers to free entry by increasing the flexibility of carriers to set rates and establish routes. No federal action should be taken to weaken truck safety requirements in any way. NLC also urges that federal motor carrier safety requirements be applied uniformly for both domestically-registered and foreign-registered vehicles. NLC opposes any reduced level of truck service to small and rural communities.

4. National Commercial Truck Driver Standards
NLC continues to support federal national uniform standards for the training and licensing of interstate and intrastate drivers of commercial motor carriers. States should administer those standards.

Similar standards should be developed and implemented for drivers of pilot vehicles.

5. Enforcement of Motor Carrier Safety Regulations

The federal government should continue adequate Highway Trust Fund funding for the Motor Carrier Safety Assistance Program (MCSAP). This program provides grants to states for development and implementation of programs (including roadside vehicle inspection programs), which enforce federal and compatible state motor carrier safety regulations.

The federal and state governments should identify and develop new technologies and innovative strategies, which will enhance and improve commercial motor carrier safety, protect the driving public from commercial motor carriers that do not pass safety inspections, and promote and enforce much stricter safety standards for commercial motor carriers, such as adequately securing truck loads and imposing penalties for missing treads.

6. Motor Carrier Substance Abuse Assistance Program

NLC supports a federal incentive grant program for states that wish to conduct random roadside inspections for driver alcohol and drug abuse.

7. Motor Carrier Data Collection

NLC urges the federal government to develop a centralized system for collecting and disseminating information on motor carrier drivers and vehicles. The federal government should:

- Expedite the development of the National Driver Register (NDR);
- Ensure that commercial truck driver records are included in the Register;
- Adequately fund the program; and
- Assist states with collecting, exchanging, and maintaining comprehensive truck accident and violation data and truck driver and inspection records and history of substance abuse.

5.03 Public Transportation

A. Support for Public Transportation
Public transportation can contribute to the viability of the nation’s cities by helping to reduce congestion, protect the environment, stimulate economic development and create employment opportunities; therefore, its provision is in the national interest.

Public transportation is an essential public service that provides mobility for all people, including the disabled, elderly, and economically disadvantaged, in all places and is not simply for those who can afford to pay for the service.

B. Role of the Private Sector

Decisions about the terms and conditions of private sector participation in transit, including the decisions to subcontract with private providers if warranted, should be made at the local level, not the federal level.

NLC opposes federally imposed, competitive privatization of transit service because such privatization undermines the public-serving nature of transit and may have deleterious effects on the ridership and revenue base supporting transit. Further, since privately provided transit services will never serve all transit needs, the burden of meeting transit needs should continue to rest on the shoulders of the public transit authority or other public transportation providers.

C. Local Control

NLC encourages the federal government to require a public transit operator that accepts federal funding to cooperate with cities whose residents contribute to the funding of the operator concerning the location, operation, and maintenance of transit stops, routes and facilities within those cities.

D. Federal Role in Public Transportation

NLC urges a continued federal role in public transportation policy, and strongly opposes federal actions which would reduce or eliminate the federal commitment by turning back the transit program to states, eliminating funding eligibility for new fixed rail starts, or phasing out operating assistance.

The federal government should facilitate the use of uniform technology in the collection of tolls on roads across jurisdictions and transportation systems such as vehicle mounted toll tags or passes and transit tickets or passes.

E. Labor

Section 13(c) of the Urban Mass Transit Act (UMTA), as amended (49 USCS Appx 5333(b)), should be repealed. (What does this do???)
With regard to the *Fair Labor Standards Act*, the federal government should not make
determinations on “traditional and integral” functions of state and local government without
consulting local governments and documenting the fiscal impact on state and local governments.

F. Handicapped Accessibility Requirements

NLC supports federal performance standards that indicate the level of handicapped-accessible
service that is to be provided without specifying the means for achieving the service levels.
Decisions regarding the specific nature and level of service for citizens with special mobility
needs should be made at the local level, based upon locally identified needs, goals, and
resources.

Existing accessible services, where it is demonstrated that such services adequately serve the
needs of those with mobility impairments, should constitute local compliance with federal
accessibility requirements. Under no circumstances should the federal government impose
additional accessibility requirements (beyond the performance requirements) on existing fixed
guideway systems, or require existing bus fleets or rail systems to be retrofitted with accessibility
equipment.

G. Procurement Requirements

NLC supports federal procurement policies that expedite the production and procurement of
transit vehicles. Alternative bidding procedures which are better suited to present transit
production conditions should be given due consideration. Additionally, NLC supports federal
performance and equipment standards that replace the present transit design specifications, and
that give manufacturers latitude in choosing an appropriate technology to meet a specific
technical objective.

H. Innovative Transportation Technologies and Demonstration Projects for a Seamless
Transportation Network

Recognizing the nation’s dependency on a single type of transportation fuel, which has serious
negative impacts on both the environment and economy, and the need to explore other fuel
sources and transportation alternatives, NLC endorses the use of innovative transportation
technologies and demonstration projects, such as Personal Rapid Transit or congestion pricing,
that are specific to the needs and requirements of each city to further enhance mass transit and
transportation efficiency. These transportation technologies should complement and work with
existing regional technologies to create a seamless, national transportation network.

5.04 Air Transportation

NLC advocates federal policy that provides adequate, predictable, and long-term funding for
airport development projects which enhance system capacity and ensure aviation safety.
However, NLC opposes attempts by the federal government to mandate expansion of federally-aided airport facilities, or to otherwise limit the ability of local governments to continue to determine the scope and type of airport facilities needed, or the type of airport use restrictions, including airport noise or airport access restrictions, imposed in their particular location. Local airport operators and local governments must have the authority to regulate airport use and development in order to protect the public health and safety of surrounding communities, to enforce airport uses that are appropriate to the airport’s capacity and to ensure that local transportation, environmental (including noise control) and economic needs are met.

A. Funding

1. Airport Trust Fund

The user-generated Airport and Airway Trust Fund should continue to be used to finance airport development and improvements. Funds from aviation user fees and tax receipts should be appropriated and should not accumulate unspent in the Trust Fund. Aviation users should benefit from the aviation-related taxes they pay.

2. Federal Airport Improvement Program

The federal Airport Improvement Program (AIP) should continue to be disbursed to air carrier airport sponsors through existing funding mechanisms. Eligible airports should be allowed to compete for discretionary funds.

NLC supports increased AIP flexibility, including extending AIP eligibility to groundside improvement projects. However, NLC opposes diversion of AIP funds for federally mandated security projects.

3. Block Grants to States

NLC strongly opposes proposals to restructure the airport grant program for small- and medium-sized airports into a state block grant program. Local governments and airports sponsors must continue to be directly responsible for airport planning and development.

4. Off-Airport User Fees

NLC opposes federal preemption of a local government’s ability to charge off-airport user fees.

5. Passenger Facilities Charges

NLC supports local jurisdictions setting passenger facilities charges (PFCs), which give local airport authorities the flexibility to address capacity and to implement major capital equipment upgrades, new technologies, and operational costs.
B. Small Communities

Insufficient service and unreasonably high fares have left some small communities without commercial air transportation service. To address these problems, NLC recommends the following policies:

1. Essential Air Service Programs

The federal government should maintain current funding for the Essential Air Service (EAS) program and NLC urges Congress to fully fund the EAS program.

To promote competition and ensure efficient use of federal dollars, the USDOT should hold designated EAS air carriers to existing performance standards.

2. Small Community Air Service Development Program

Projects funded through this program have the potential to identify a broad variety of options to expand and improve service in small communities. NLC urges continued Congressional support of this program.

C. Airport Noise and Pollution

The federal government must intensify its efforts to provide prompt relief to residents of cities located close to airports from unacceptable levels of aircraft noise and aircraft pollution. (See clarifications at EENR Section 2.09, Noise Control, and CED Section 3.06, Land Use)

Increased funding should be made available to airports for noise abatement projects and compatibility planning. This should be tied to encouraging changes in local zoning regulations to restrict noise sensitive property development.

The Federal Aviation Administration should require adherence to fly-quiet programs, preferred runway usage, preferred flight paths, and local curfews as established by local governments and authorities.

NLC encourages the appropriation of funds to cities and towns that adjoin an airport but do not operate the facility for compatible land use and noise mitigation planning purposes.

D. Federal Role in Air Traffic Control

The federal government should provide funding for and ensure all airports are participants in a national air navigation system which provides for safe aircraft operation such as the conversion of radar based guidance systems to GPS.

E. Competition and the Air Transportation System
The federal government must guarantee that all airlines have a fair opportunity to compete in the air transportation system. NLC urges the federal government to issue guidelines that would clarify the definition of unfair exclusionary practices and anticompetitive behavior to facilitate enforcement of current laws that prohibit unfair exclusionary conduct.

NLC urges Congress to direct and provide funding for the U.S. Department of Transportation (DOT) and the U.S. Department of Justice (DOJ) to pursue allegations of unfair competitive practices in the air transportation system, and rigorously prosecute cases against airlines that engage in such practices.

DOJ and DOT must carefully examine all mergers and acquisitions to ensure that they offer benefits to all consumers. DOJ must exercise its authority, through current antitrust laws, to prevent any mergers or acquisitions that do not provide these benefits.

F. Aviation Security

A thorough assessment of the current and potential threat to the air transportation industry is required. The Transportation Security Administration (TSA), the FAA and other aviation experts, in partnership with locally elected officials and law enforcement, must work cooperatively and take immediate action to ensure that the aviation security system is capable of responding to specified threat levels. The public interest demands an aviation system capable of deploying a mix of technology and procedures as a unified system capable of countering all vulnerabilities, while considering effects on passenger convenience.

NLC strongly urges the federal government to ensure air travel safety through implementing the screening of commercial cargo on passenger planes, improving passenger and airport employee screening procedures and improving terminal safety requirements. NLC also encourages Congress, or the U.S. Department of Homeland Security through the regulatory process, to further strengthen the “known-shipper” program by improving procedures for monitoring and auditing “known-shippers” of cargo.

To develop an effective aviation security policy, Congress must clearly define responsibilities within the structure of the federal transportation program. The TSA, FAA, state and local governments, and the US DOT must develop a coordinated plan to determine the level of authority each agency and government entity controls in any situation.

Since aviation security is a matter of national defense, any funds necessary to assure security must come from defense funding, not from additional fees levied on passengers. Shippers could be subject to additional fees for cargo screening. NLC opposes continued diversion of AIP and PFC funds for aviation security measures. The federal government must reimburse local governments for the expenses incurred from the mandated local law enforcement presence at airports. Congress should also reimburse costs to airports accrued from compliance with
mandated security upgrades, including installation and deployment of Explosive Detection Systems.

5.05 Rail

A. Rail Principles

1. Local Role in Federal Rail Program

The federal government should require states to involve local governments in state rail planning efforts required under federal law to ensure that local needs and objectives are satisfied.

2. Financing

NLC supports investment in the nation’s rail infrastructure and encourages the federal government to enact policies and programs that would expand public and private investment in both passenger and freight rail mobility.

3. Rail Safety

NLC urges the federal government to promote safe and efficient passenger and freight rail transportation and to seek creative solutions.

Federal and state governments should fund local rail safety programs to reduce safety hazards at railroad crossings through the use of grade separation, sealed quiet zones, or other means. To increase traffic safety at crossings, stricter penalties for rail crossing violations should be imposed. Rail yard lighting standards need to be established that minimize lighting impact on neighboring communities.

Based on all digital technology, positive train control (PTC) is the first major advancement in controlling trains in decades. It will severely limit incidents caused by human error, a safety advantage not now found in most U.S. railroad signal systems.

Congress passed the Rail Safety Improvement Act of 2008, which requires railroads to implement positive train control systems on specific rail lines by the end of 2015. While the Rail Safety Improvement Act authorizes $50 million annually to support PTC deployment, the funding is yet to be authorized and is grossly inadequate to fund PTC on rail lines by the end of 2015.

NLC supports authorizing the $50 million annually to support PTC technology development but believes that the continued maintenance and implementation is the individual responsibility of the rail corporations, and also the development of a funding mechanism under the Railroad Rehabilitation & Improvement Financing (RRIF) Program that allows direct loans and loan guarantees up to $35 billion.
4. Operations and Maintenance

NLC urges the federal government to readdress rail track standards for dual freight and national intercity passenger rail uses.

NLC further urges the federal government to redefine the responsibility and funding mechanisms for maintaining tracks that carry both freight and national intercity passenger rail traffic.

5. Environmental Impacts

Federal law regulating railroad activity should not preempt local, state, or federal environmental review and requirements for permitting and mitigation of railroad activities. The environmental impacts of railway activities and facilities, including pollution, poor air quality, land use, vibration, light pollution, and noise, should not be exempt from local environmental, public health, safety, or welfare-based regulations.

Railroads should be subject to light pollution and noise constraints. There is a need and calls for uniformity among the different federal agencies in their policies governing acceptable noise levels. (See also EENR Section 2.08, Railroad Noise Policies)

B. Passenger Rail

NLC urges Congress and the Administration to develop a long-range vision and fund for passenger rail in the United States. Amtrak, in cooperation with state and local transportation officials, citizen groups, and other stakeholders, must develop such a plan as expeditiously as possible. National passenger rail plans should include acquiring and improving rail lines that would otherwise be abandoned. NLC urges the Administration to prioritize the safety review and approval of the use of information technology and crashworthy vehicles, such as passenger rail cars on low speed urban dual use passenger and freight lines.

NLC recommends the following:

1. Amtrak’s Self Sufficiency Requirement

NLC urges repeal of Amtrak’s statutory self-sufficiency requirement, since no known passenger rail system operates without government subsidies.

2. Development of and Access to a High Speed Rail Network

NLC supports the investment in high-speed rail development as an important part of our national transportation network. Cities up to 500 miles apart in densely populated corridors hold the most promise for competitive service but such networks should be developed only after detailed analysis of their operational and financial feasibility and with local consent. NLC urges Congress to support creation of new high-speed rail along such corridors.
3. Funding Options for Amtrak and High Speed Rail

Amtrak and High Speed Rail provide an important addition to the nation’s transportation network and are key elements in a holistic approach to our connected transportation system.

NLC supports the development of a long-term funding mechanism for infrastructure acquisitions, improvements, and rights-of-way and operating costs. In addition to appropriations, options include:

- Consideration of additional transportation taxes
- Increasing the federal fuel tax specifically for passenger rail
- Directing the diesel fuel tax currently levied for rail operations and deposited into the general fund be moved into a newly created Trust Fund for rail improvements;
- Allowing state, regional and local government entities the option to spend a portion of their federal transportation allocation on intercity rail; and
- Allowing federal and state governments to issue tax-exempt or tax-credit bonds for financing rail improvements.

C. Freight Railroads

1. Freight Rail Service

Congress and the public and private sectors must cooperate to ensure and provide for the efficient movement of freight, especially with regards to the relocation of rail lines and increased rail traffic within metropolitan areas, which could constitute a safety hazard and disrupt municipal functions.

2. Funding Options for Freight Rail

Federal monies should be available to state and/or local governments for light density branch lines, the abandonment of which would have serious adverse economic and social impacts.

3. Freight Rail Safety

NLC urges Congress to review the following freight rail safety issues:

- The hazard of reduced crews or lack of current safety technology use undermines the safe and efficient movement of trains and takes away the trained first responder at rail incidents and accidents. This action leaves no other person to monitor quickly changing circumstances or affirm, discuss or point out critical operations and safety issues;
• The lack of railroad maintenance has jeopardized safety. The closure of poorly maintained crossings cause congestion on remaining crossings and cause short trips to be substantially extended due to poor road access, putting operators and passengers of motor vehicles at a greater risk; and

• The switching and storage of railroad cars containing volatile and hazardous materials in urban and residential neighborhoods.

4. Rail Line Abandonment

Congress must protect national, state and local government interest in alternative public transportation regarding the use of abandoned rail corridors.

Congress should:

• Specify how the federal government should balance the impact on shippers and the community of losing rail service against the burden upon the railroad of continued service and the potential use of the corridor for public transportation, including biking and hiking. Alternative means of freight and passenger conveyance should be considered.

• Require railroads to provide specific information concerning traffic trends, profitability, and rail line conditions to rail users and state and local governments six months prior to the filing of the abandonment application.

• Require a railroad to transfer an abandoned rail corridor to a state or local agency for no more than the constitutional minimum valuation, for alternative public uses including walking and biking, and public-private transportation initiatives. Public interest in alternative use of rights-of-way should be fully considered during rail merger proceedings.

• Provide federal financial assistance for the purpose of converting existing rail terminals into intermodal/ multimodal facilities.

5. Rail Mergers

Freight rail operations in the United States are expanding through rail mergers, often resulting in the implementation of new routes, or intensified use of existing ones, as well as new and expanded rail yards. Because of the potential impact mergers can have on local municipalities, federal law should ensure that local governments have police, zoning, and land use authority for the protection of the environment and public safety.
The Surface Transportation Board should be required to consider all aspects of a railroad’s safety record as one of the criteria for approving railroad mergers or expansions.

5.06 Waterways, Ports and Landside Connections

Waterways and ports are an integral part of a comprehensive, intermodal transportation system vital to our nation’s economic security and the financial health of cities.

The effects of ports go beyond their immediate boundaries. NLC recommends that the federal government consider the following funding and public safety issues related to ports:

A. Funding for Harbor Maintenance and Dredging to Increase Capacity

Recognizing the importance of ports and their impact on the national economy and job creation, NLC supports funding for harbor maintenance and funding for dredging to maintain or increase capacity. NLC urges Congress to recommend a defined revenue source for this purpose and provide support for development of environmentally friendly ship channel shoreline systems. NLC further calls on Congress to provide financial and technical assistance to communities and their watershed partners to promote innovative approaches for the construction and maintenance of shorelines in the vicinity of federally maintained navigable waters.

B. Local Infrastructure, which Connects Land Transportation to Ports

NLC expects the federal government to assist local and state government agencies in providing the needed financial resources to support the landside infrastructure in and around ports required to operate an efficient intermodal system and to support efficient port operations including commuter transportation at port facilities such as ferries.

C. Operations Funding to Implement the Transfer of Cargo to Portside Distribution

NLC supports the design and implementation of equitable waterway commercial user fees and customs duties necessary to generate sufficient revenues to finance waterway and port operations and improvements.

D. Security

Because cargo containers are distributed throughout the country, any dangerous cargo in a particular container could pose a threat to any city in the nation. Greater security can be achieved by establishing partnerships with industry and foreign ports to encourage increased security in their supply chains and the federal government should continue to establish such partnerships as quickly as possible. To reduce cities’ vulnerability from cargo containers, NLC recommends that the federal government:

- Increase funding for waterways and port security;
• Allow locally elected officials to coordinate waterway and port security at the local level, in conjunction with the U.S. Coast Guard and other affected federal agencies;

• Continue to provide technical guidance and oversight for port vulnerability assessments, entrusting one federal agency with this responsibility;

• Require screening and background checks of port personnel;

• Establish a grant program for ports to acquire new security technology;

• Increase inspections on cargo containers, through the U.S. Customs Service, and provide additional funding and equipment to Customs to monitor cargo without slowing the movement of commerce;

• Establish criteria for identifying high risk containers;

• Pre-screen containers, according to international agreements, before shipment; and

• Develop and require the use of containers that are resistant to tampering.

• Port security measures should be funded through national defense programs and general fund revenues, not through increased user fees.

E. Funding for Maintenance of Inland Waterways

Recognizing the importance of inland waterways and their impact on the national economy and local economies, NLC supports sufficient funding for inland waterways infrastructure, fully funding the Inland Waterways Trust Fund.

F. Federal Responsibility for Planning and Funding Freight Mobility

The U.S. goods movement system needs greater federal leadership. Freight bottlenecks can be found all over the country, but the task of prioritizing and fixing them is often beyond the means of the states, counties, and cities in which projects are located. A national freight strategy and dedicated, competitive and formula funding is critical in order to maintain the efficiency of the transportation system and the U.S. economic competitiveness. NLC urges the federal government to adopt the following specific measures:

1. National Freight Strategy: The Secretary of Transportation should be directed to develop a national freight strategy that addresses multi-modal freight needs in the United States. In addition to covering domestic freight, the strategy should address the movement of U.S. imports and exports through U.S. ports.
2. Senior, Focused Freight Leadership: A multi-modal freight office led by an official at least at the assistant secretary level should be established with the Office of the Secretary of Transportation. This official would develop the national freight strategy and associated policies, advocate for freight across the modal administrations, and award funding for goods movement programs and projects.

3. Dedicated Freight Program and Funding: A dedicated, formula-based goods movement program with dedicated funding should be created within the Department of Transportation. Ports should be eligible to seek funding from this program for freight projects both inside and outside their terminals.

4. Projects of Regional/National Significance: A discretionary, merit-based grant program for projects of national significance should be established. Freight measures should be heavily weighted among the criteria used to select projects for funding.

5. Freight Eligibility for Existing Programs: Eligibility requirements for existing surface transportation programs should be expanded to better address freight requirements.

   a. Congestion Mitigation and Air Quality (CMAQ): Although freight projects are currently eligible for CMAQ funding, they are not major recipients of funds. CMAQ criteria should be refined to more appropriately recognize freight’s potential to contribute to air quality improvements.

   b. Road-rail grade separations: The criteria for funding grade separation projects should be expanded to acknowledge congestion relief and freight benefits, as well as safety benefits.

   c. TIFIA: The TIFIA program should be clarified to include projects located within a port terminal that improve the intermodal interchange, transfer, and surface access of goods into and out of ports and that reduce environmental impacts of freight movement.

6. Tax Credit for Rail Infrastructure Investment: To encourage the expansion of freight rail capacity, a tax credit should be created for certain rail infrastructure investments that generate public benefits.

7. States’ Freight Planning: Each state should be required to develop a freight plan and establish a freight advisory committee.

5.07 Pipelines

The system of gaseous and liquid pipelines is an important component of an efficient transportation network for moving hazardous material. Our nation’s pipelines keep portions of these hazardous materials off of our roads, waterways, and rail lines, making those modes of transportation safer for all users.
Unremitting attention to the safety of this system is vital to cities, due to the hazardous nature of these materials, the proximity of many pipelines to homes and businesses, and the potential environmental impacts of any failure in the system.

To improve the safety of the system, the federal government, through the Office of Pipeline Safety (OPS), must:

- Continue to allow states the flexibility to impose safety requirements beyond federal requirements, and extend the right to enforce those safety requirements to states that have imposed such requirements;
- Develop standards for periodic testing of pipelines and periodic hydrostatic tests;
- Define “environmentally sensitive areas” and “high density population areas” which would be severely impacted if a failure in a pipeline were to occur; and
- Strengthen rules regarding pipeline operation, maintenance, and public reporting.

To reach the goals stated above, NLC recommends that the federal government:

- Require formal testing and certification of pipeline operators;
- Mandate and enforce a pipeline integrity management plan to reduce failures associated with corrosion;
- Require study and implementation of new technologies to detect leaks;
- Impose equivalent safety standards for both liquid fuel and natural gas pipelines;
- Require pipeline operators to report all spills to the Office of Pipeline Safety and affected jurisdictions, except those spills truly de minimis in nature;
- Require pipeline operators to disclose to local and state authorities the results of all pipeline inspections;
- Require the Office of Pipeline Safety to work with local emergency response providers to develop preparedness and response plans, and to provide appropriate funding, including grants, to local jurisdictions to implement such plans;
- Recognize the right of local governments through franchise provisions to require pipeline operators to 1) provide to local governments the data and results from internal and external pipeline testing along with a description of the testing methods to allow for their analysis of the potential risks to public safety; 2) require pipeline operators to cooperate with local governments in emergency preparedness and response and 3) require pipeline
operators to have state of the art safety, warning, detection and emergency response capabilities to protect cities and their citizens and to mitigate potential damages from an accident;

- Require pipeline operators to provide data to the National Pipeline Mapping system administered by OPS and make this data available to local jurisdictions;

- Require periodic management audits of pipeline companies to assure compliance with the foregoing;

- Provide enhanced funding to federal agencies and states charged with the implementation and oversight of pipeline safety laws and regulations; and

- Require pipeline operators to provide for anti-tampering devices and surveillance systems to protect pipelines from criminal activity, including terrorist attacks to deny service, and drug cartel use of the pipelines for drug deliveries.
NLC Resolutions are annual statements of position that sunset at the end of the policy year unless action is taken. The Committee reviewed each of the 2014 resolutions that originated in the Committee to determine recommendations for 2015. The Committee has the following options:

1. Renew the resolution for the coming year (with or without edits);
2. Incorporate the resolution into permanent policy; or
3. Let the resolution expire

The table below summarizes the actions on Resolutions recommended by the TIS Policy Steering Committee:

<table>
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<th>Resolution</th>
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<tr>
<td>#2014-29: A Comprehensive National Surface Transportation Plan To Support Local Economies</td>
<td>Renew with edits</td>
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<tr>
<td>PROPOSED TIS RESOLUTION #1: Protecting Cities and Towns From Rail Disasters Involving Flammable and Hazardous Materials and Liquids</td>
<td>Adopt</td>
</tr>
<tr>
<td>PROPOSED TIS RESOLUTION #2: Modify Federal railroad Administration’s Train Horn Noise Rule For Safe Implementation of Railroad Quiet Zones</td>
<td>Adopt</td>
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Please note:
- Proposed new language is underlined;
- Proposed language for deletion is struck out; and
- Existing, unchanged language is shown as plain text.
WHEREAS, the lack of a long-term sustainable national transportation plan is hurting cities and limiting job creation and has resulted in the deterioration of the nation’s infrastructure network; and

WHEREAS, Congress only enacted a short term extension of federal two-year surface transportation programs known as the Highway and Transportation Funding Act of 2014 and funds for federal transportation programs critical to cities and towns authorization bill in 2012 that will expire in May 2015; and

WHEREAS, federal transportation revenues are not meeting national infrastructure investment goals. WHEREAS, the lack of sufficient federal transportation revenues and continued uncertainty in funding prevent local governments from making the necessary investments and maintenance necessary to sustain a world-class infrastructure system; and,

and

WHEREAS, a seamless and nationally connected multimodal transportation network is essential for the efficient movement of goods and people; and

WHEREAS, America’s national transportation network faces challenges of congestion, energy supply and costs, environmental impacts, and sprawl that threaten the economic, social and environmental future of the nation and our local economies; and

WHEREAS, economic competitiveness and our lack of investment in maintaining, repairing and rebuilding our aging national transportation infrastructure system will continue to impact our economy and national security; and

WHEREAS, cities and towns are the economic engines of our national economy; and

WHEREAS, local governments own and operate 78 percent of the nation’s road miles, 50 percent of the nation’s bridges and operate the majority of the nation’s transit systems; and,

WHEREAS, transportation plays a key role in local economic development, any surface transportation legislation must enhance the local role in programmatic funding for transit, road and bridge projects and modernize the funding distribution and decision-making process to acknowledge the role of metropolitan areas in growing our economy and creating new jobs; and,

WHEREAS, human-powered transportation such as biking and walking, help to promote good human health, better land use planning, reduced demand for roads and parking, and more unified communities; and

WHEREAS, the Steering Committee recommends that the National League of Cities develop a comprehensive national surface transportation plan to support local economies.
WHEREAS, the largest share in the growth of transportation investment has come from state and local sources according to the Congressional Budget Office and citizens are choosing to tax and toll themselves to support new transit and road initiatives as evidenced by the passage of 73 percent of transportation ballot initiatives adopted in 2012-2013 in difficult financial times (according to the Center for Transportation Excellence as of September, 2014); and

WHEREAS, the federal, state and local transportation partnership and investment spurs billions in private investment in communities throughout the nation; and,

WHEREAS, innovative funding and finance options credit assistance programs such as the Transportation Infrastructure Finance and Innovation Act (TIFIA) and other federal tax incentives are effective transportation finance tools to help local governments leverage revenues and attract private capital; and

WHEREAS, the lack of uniformity among agencies in the environmental and other regulatory review and approval process continues to add needless delays and expense to transportation projects; and,

WHEREAS, transportation is a major consumer of energy, mostly in the form of fossil fuels and its share of energy consumption continues to increase with motor vehicles accounting for one-third of world oil consumption and two-thirds of the country’s oil consumption, and we must accomplish the difficult task of expanding the transportation network’s capacity to serve a growing population and an expanding economy while simultaneously reducing the carbon footprint of the system; and

WHEREAS, many communities are seeking more sustainable policies that help communities integrate social, economic and environmental systems and, incorporate best practices in transportation planning, land use, energy conservation and impacts of alternative fuels; and,

WHEREAS, expanded transportation choices such as biking and walking reduce demand on infrastructure, increase healthy options for citizens and improve air quality and economic opportunity; and,

WHEREAS, current surface transportation legislation consolidated many programs into “core” programs which has reduced the overall share of federal dollars available for locally determined transportation priorities; and,

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) continues to support a comprehensive multimodal national transportation program which recognizes the central role that transportation plays in local economies and provides full funding for infrastructure initiatives that promote long term outcomes, protect the environment, create jobs and help the economy grow; and

BE IT FURTHER RESOLVED that Congress and the Administration should take immediate action to ensure the sustainability of both the highway and mass transit accounts within the federal Highway Trust Fund; and
BE IT FURTHER RESOLVED that NLC pledges to promote partnership between the federal, state and local governments to provide improved multimodal transportation in the 21st Century; and

BE IT FURTHER RESOLVED that NLC continues to support a comprehensive national transportation plan that would:

- Increase the overall funding directly available to local governments such as an increase in the share of direct Surface Transportation Program (STP) and Transportation Alternatives Program (TAP) funding currently available for local decision-making and developing sharing opportunities with local decision makers within other federal programs; and,

- Increase the role of local governments in statewide planning;

- Include local governments in decision making on all transportation programs that impact their communities;

- Allow local governments a decision making role in choosing the right mix of transportation options that suit their community economic development and other goals;

- Include principles of sustainability, innovative technology, regional decision making, and performance measures;

- Invest in outcome oriented solutions rather than specific mode designated grants;

- Integrate the highway, rail, air, and port freight systems of the North American trade bloc to enable the U.S. to remain a competitive economy and to connect between urban and rural communities to each other and to the global economy;

- Recognize the vital role of a funded rail infrastructure system that promotes enhanced freight mobility and provides additional options for intercity travel;

- Recognize the connection between transportation and land use planning, housing, energy, the economy, public health and the environment;

- Improve options for safe biking and walking within our communities;

- Improve the quality of life for all citizens through a dramatic increase in safety, managed and/or reduced travel time, energy independence, and affordable transportation;

- Support affordable public transportation systems of all sizes and modes;

- Support innovative funding and financing;

- Invest in maintenance and expansion of a quality national passenger rail system;

- Collaboratively establish national performance goals, intergovernmental roles and responsibilities, and accountability mechanisms to achieve the goals;

- Streamline regulatory review processes including incentives for innovative project implementation; and

- Create and expand permanent inflation sensitive revenue-generating mechanisms that are developed collaboratively by federal, state, and local governments, reflect the true cost to the infrastructure of every mode of transportation, and recognize the need for new methods of revenue generation.
PROPOSED TIS RESOLUTION # 1

PROTECTING CITIES AND TOWNS FROM RAIL DISASTERS INVOLVING HAZARDOUS MATERIALS¹

[Steering Committee Recommendation: Adopt]

WHEREAS, new technologies have resulted in the development of unprecedented amounts of both domestic and foreign oil, natural gas, tar sands, bitumen, and other petroleum products and derivatives, which, in turn is expected to significantly increase the volume of petroleum products transported across the nation by land and waterbodies; and

WHEREAS, the U.S. Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration has determined that crude oil originating in the Bakken formation is more flammable than traditional crude oil; and

WHEREAS, in many instances, the rail lines that carry hazardous material, such as crude oil and ethanol, as well as other hazardous explosives, compressed gases, flammable liquids and solids, oxidizers and organic peroxides, toxic materials, radioactive material, and corrosive material², run through and by city neighborhoods, schools, parks, business and industrial areas, and along waterfronts, creeks, wetlands and other sensitive natural areas; and

WHEREAS, state and local emergency managers may not have the necessary, accurate or timely information on the materials transported through their communities or the resources to adequately respond to an emergency; and

WHEREAS, local governments are concerned about the potential impacts on public safety, infrastructure, drinking water supplies, and resulting economic disruptions from possible derailments and spills of hazardous materials as trains run through their communities and surrounding areas, as well as the direct and indirect costs associated with response and recovery from a derailment and spill; and

WHEREAS, there have been a number of significant rail accidents involving hazardous materials causing tragic impacts on the affected communities, including instances such as a train carrying ethanol that derailed outside Rockford, Illinois on June 20, 2009 killing one person; a train carrying crude oil that derailed in Lac Megantic, Quebec on July 6, 2013 killing 47 people; a train carrying crude oil that derailed on December 30, 2013, in Casselton, North Dakota causing violent explosions and a hazardous plume of smoke; and a train carrying crude oil that derailed in Lynchburg, Virginia on April 30, 2014; and

WHEREAS, it is the responsibility of federal regulators to assure that the transport of hazardous materials does not pose a significant threat to the public safety and welfare; and

WHEREAS, DOT analysis concluded that many freight railroad insurance policies are not likely sufficient to cover damages resulting from a moderate to severe train accident involving hazardous materials³; and

¹ Joint resolution by the Energy, Environment and Natural Resources Committee, Public Safety and Crime Prevention Committee, and Transportation Infrastructure and Services Committee.
² Classes of hazardous material, U.S. Department of Transportation.
WHEREAS, the National Transportation Safety Board has advised industry and regulators since 1991 that the DOT-111 tank car that is used as the primary packaging for the shipment of hazardous materials is unusually prone to puncture in rail accidents and derailments; and

WHEREAS, DOT has initiated a rulemaking process to improve the safe transportation of large quantities of flammable and hazardous materials, including enhanced tank car standards, reduced operating speeds, and emergency response notification.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) urges Congress and the Administration to create clear, forward-looking, and comprehensive regulations to improve the safety of rail transport of hazardous materials so as to assure the public that its safety is not being unduly threatened by this transport; and

BE IT FURTHER RESOLVED that NLC urges Congress and the Administration to create regulations for tracking chemical composition of transported flammable and hazardous materials and liquids so that local governments and emergency managers can better understand and plan for the risks associated with the specific types of hazardous materials traveling on rail lines through their communities; and

BE IT FURTHER RESOLVED that NLC urges Congress and the Administration to develop an appropriate mechanism for rail transporters and product shippers/importers to provide, in the event of an incident, state and local emergency managers with accurate and immediate information, using available technology, such as radio frequency tags, regarding the identity and location of all hazardous materials on a train; and

BE IT FURTHER RESOLVED that NLC urges Congress and the Administration to require rail transporters and product shippers/importers to prepare and fund an emergency response assistance plan for their products and routes, in consultation with states and local governments, to ensure sufficient emergency response supplies, equipment, personnel and resources are available for rapid response assistance on rail lines that serve as routes for hazardous materials; and

BE IT FURTHER RESOLVED that NLC urges Congress and the Administration to require all rail transporters and product shippers/importers of hazardous materials to maintain sufficient liability coverage for moderate to severe accidents and to provide the community with financial assistance on the response through final clean up in a timely manner; and

BE IT FURTHER RESOLVED that NLC urges the federal government to develop and implement new regulations improving federal tank car design, operation requirements and rail infrastructure, including the phase-out of older-model tank cars used to transport hazardous materials on an aggressive timetable and a prohibition on introducing Canadian-banned railcars in the U.S.; and

BE IT FURTHER RESOLVED that NLC urges the federal government to require railroad companies to use alternative routes, if available, when transporting hazardous materials through or near major population centers.
PROPOSED TIS RESOLUTION # 2

MODIFY FEDERAL RAILROAD ADMINISTRATION’S TRAIN HORN NOISE RULE
FOR SAFE IMPLEMENTATION OF RAILROAD QUIET ZONES

[Steering Committee Recommendation: Adopt]

WHEREAS, the Federal Railroad Administration’s (FRA) Train Horn Rule requires that locomotive horns be sounded at public highway-rail grade crossings and preempts state and local train whistle bans, and,

WHEREAS, FRA rules for establishing a quiet zone seek a balance between safety for motorists, rail employees and passengers at public highway-rail grade crossings; and,

WHEREAS, the process for establishing a quiet zone involves an agreement between state and local authorities, the railroad and the federal government; and,

WHEREAS, establishment of a quiet zone is costly for a community; and,

WHEREAS, communities have different circumstances for establishing a quiet zone.

NOW, THEREFORE, BE IT RESOLVED, that the National League of Cities calls on FRA and the US Congress to reexamine the Train Horn Rule for safe and more effective implementation of quiet zones; and,

BE IT FURTHER RESOLVED, that FRA determine how local communities can implement quiet zones that are less burdensome and allow for differences in community circumstances while continuing to protect public safety; and,

BE IT FURTHER RESOLVED, that Congress provide federal funds for the express purpose of establishing quiet zones; and,

BE IT FURTHER RESOLVED, that FRA considers new and emerging technologies which may enhance the safety of quiet zones.
POLICY AMENDMENTS AND RESOLUTIONS
FROM THE

PUBLIC SAFETY AND
CRIME PREVENTION
STEERING COMMITTEE

PSCP
NLC Resolutions are annual statements of position that sunset at the end of the policy year unless action is taken. The Committee reviewed each of the 2014 resolutions that originated in the Committee to determine recommendations for 2015. The Committee has the following options:

1. Renew the resolution for the coming year (with or without edits);
2. Incorporate the resolution into permanent policy; or
3. Let the resolution expire

The table below summarizes the actions recommended by the Public Safety and Crime Prevention Steering Committee.

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WHEREAS, 60 percent of the guns used in crimes are traced back to just one percent of gun dealers¹; and

WHEREAS, 85 percent of gun dealers have never had a gun used in a crime traced back to them; and

WHEREAS, local governments and law enforcement have the responsibility to curb illegal guns both through criminal and civil actions; and

WHEREAS, the ability of local governments and law enforcement to use trace data held by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is crucial to shutting off the supply of guns to criminals; and

WHEREAS, Congress has enacted restrictions that prevent local governments, law enforcement, and research institutions from using the trace data to its greatest effect; and

WHEREAS, there are bills before Congress that would further weaken the ability of Federal, State and local governments and law enforcement to keep guns out of the hands of criminals; and

WHEREAS, on April 25, 2006 a bipartisan group of fifteen Mayors met in New York City at the Mayor’s Summit on Illegal Guns, co-chaired by Mayor Michael R. Bloomberg and Mayor Thomas M. Menino, to begin a nationwide effort to fight illegal guns; and

WHEREAS, as local officials we are bound to do everything in our power to protect our residents, especially our children, from harm; and

WHEREAS, the illegal use of guns is a significant threat to public safety.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities calls on Congress to reject legislative proposals that limit our cities’ ability to solve and prevent crime in our communities; and

BE IT FURTHER RESOLVED that local governments and law enforcement agencies be allowed to fully and publicly utilize ATF gun trace data because it is critical to successful criminal investigations and crafting strategies to reduce violent crime in our cities and towns; and

BE IT FURTHER RESOLVED that Congress should remove restrictions it has placed on the availability and use of trace data that prevents the data from being used for academic and not-for-profit research; and

¹ Bureau of Alcohol Tobacco and Firearm, “Commerce in firearm in the United States,” 2000
BE IT FURTHER RESOLVED that as local officials we will adopt and work together to find innovative new ways to advance the following principles:

- Punish—to the maximum extent of the law—criminals who possess, use and traffic in illegal guns;
- Target and hold accountable irresponsible gun dealers who break the law by knowingly selling guns to straw purchasers;
- Oppose all federal efforts to restrict cities’ right to access, use, and share trace data that is so essential to effective enforcement, or to interfere with the ability of the ATF to combat illegal gun trafficking;
- Work to develop and use technologies that aid in the detection and tracing of illegal guns;
- Support all local, state and federal legislation that targets illegal guns; coordinate legislative, enforcement, and litigation strategies; and share information and best practices; and
- Expand the number of local officials engaged in this effort to combat illegal guns.
ENCOURAGING FEDERAL EFFORTS AND COLLABORATION TO PROTECT AGAINST AND RESPOND TO CYBER THREATS

[Steering Committee Recommendation: Renew]

WHEREAS, the growing number of attacks on our cyber networks has become "one of the most serious economic and national security threats our nation faces;"¹ and,

WHEREAS, cyberspace has been recognized by the federal government as a key strategic asset for the United States with its security being vital; and,

WHEREAS, in 2011 the General Accountability Office added “the Nation’s Cyber Critical Infrastructures” to its list of operations it identifies as “high risk… problems impeding effective government and costing billions of dollars each year²;” and,

WHEREAS, the federal government has warned that cyber-based infiltrations of the nation’s electric grid, water, sewer, and other critical infrastructure have already occurred, and have left behind software programs that could be used to disrupt the system; and,

WHEREAS, the August 14, 2003 Northeast power blackout, although in no way connected to a cyber-attack, showed how failure in even a small part of the grid can have cascading effects; and,

WHEREAS, municipalities manage critical infrastructure such as utilities and transit systems, as well as maintain sensitive databases on individuals, public works, and industries; and,

WHEREAS, information sharing across all levels of government and the private sector is lacking, often leaving municipalities unaware of the latest threats to data systems; and,

WHEREAS, municipalities are often not aware of steps that can be taken to mitigate threats to networks; and,

WHEREAS, changes in how we utilize electronic communications has resulted in important questions about civil rights and privacy protections; and,

WHEREAS, Congress has recognized the need for a greater federal role, introducing approximately 50 cybersecurity related bills in the 112th Congress; and,

WHEREAS, as a result of its 60-day Cyberspace Policy Review, the White House has proposed comprehensive cybersecurity legislation to Congress and intends to continue to mature the federal role in cyberspace.

NOW THEREFORE, BE IT RESOLVED that NLC believes there is a crucial federal role in cybersecurity related to national security, protection of sensitive information and intellectual property, and the availability and continuity of infrastructure; and,

BE IT FURTHER RESOLVED that NLC applauds the Administration and Congress for recognizing the increasing importance of securing cyberspace, taking initial steps to review federal policy on cyberspace, and reaching out to state and local governments, and the private sector, on this issue; and,

BE IT FURTHER RESOLVED that federal engagement with state and local governments, as well as the private sector, must increase to ensure the safety of e-commerce and to secure critical infrastructure from online threats; and,

BE IT FURTHER RESOLVED that the frameworks for facilitating the sharing of information on cyber threats among all levels of government, such as the Multi-State Information Sharing and Analysis Center (MS-ISAC) and other members of the National Council of ISACs, as well as with the private sector, must be encouraged; and,

BE IT FURTHER RESOLVED that the federal government should disseminate cyber-intrusion detection and prevention tools to intergovernmental partners, and be permitted, when requested, to provide assistance to localities and other entities in addressing and repairing damages from a major cyber-attack and for advice on building better defenses; and

BE IT FURTHER RESOLVED NLC urges Congress and the administration to safeguard civil liberties and privacy of its citizens while maintaining the safety and stability of the internet.
ON THE CREATION OF A NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK

[Steering Committee Recommendation: Renew with edits]

WHEREAS, interference-free broadcast spectrum and reliable, nationally accessible wireless communications are essential to the public safety role of municipalities’ first responders; and

WHEREAS, with the passage of the Middle Class Tax Relief and Job Creation Act of 2012, Congress provided spectrum and $7 billion in funding to create a nationwide public safety data communications network on a single frequency band in the hopes of meeting the needs and requirements of our nation’s first responders; and

WHEREAS, the legislation also requires public safety cease use of the T-Band of spectrum (470–512 MHz) that is currently utilized for voice communications in many major metropolitan areas and hundreds of smaller municipalities within 11 years; and

WHEREAS, the First Responder Network Authority (FirstNet) Board of Directors is now tasked with the planning, construction, maintenance, and operation of a nationwide public safety wireless broadband network that will allow first responders to achieve better communication in their day-to-day work as well as during disaster response; and

WHEREAS, FirstNet has a duty under the Middle Class Tax Relief and Job Creation Act of 2012, to consult with regional State, tribal, and local jurisdictions regarding the distribution and expenditures of any amounts required to carry out its responsibilities; and

WHEREAS, the Administration should be commended for appointing FirstNet board members that have the necessary understanding of public safety, wireless networks, and the intergovernmental partnership to ensure a nationwide public safety broadband network becomes a reality; and

WHEREAS, according to experts, $7 billion is not enough to build out a network core and all 44,000 towers that will be required to achieve nationwide coverage; and,

WHEREAS, FirstNet has the ability to raise revenue for construction, operations, and maintenance of the network through entering into partnerships with public and private entities, broadened use of the network on a secondary basis, and enacting fees on users of the network; and

WHEREAS, each state has the option to opt-out of FirstNet’s proposed plan for construction of a radio access network in their State by submitting an acceptable alternative plan to construct their own radio access network; and,

WHEREAS, every municipality and other local entity in the nation will decide separately if,
when, and how to adopt the public safety broadband network based on cost, coverage, and its
perceived benefit to their first responders.

NOW, THEREFORE, BE IT RESOLVED, FirstNet and the Administration must work with
state and local governments, as well as the first responder community, to identify their needs
when it comes to the cost, coverage, and uses of the public safety broadband network; and

BE IT FURTHER RESOLVED, the federal government must provide municipalities that are
required to vacate the T-Band of spectrum the funding, technical assistance, and resources
necessary to identify suitable alternative spectrum and transfer public safety communication
operations to that spectrum; and

BE IT FURTHER RESOLVED, the National League of Cities believes FirstNet should look at
a wide variety of models, including co-locating equipment on existing towers, and sharing the
spectrum on a secondary basis with private entities, public utilities, other city services, and
citizens, to ensure nationwide construction of the network while maintaining ruthless preemption
of other services for public safety and keeping costs low for first responders; and,

BE IT FURTHER RESOLVED, FirstNet and the Administration must work with mobile
device manufacturers to ensure the availability of affordable public safety communications
devices for network users.
WHEREAS, Congress created the National Flood Insurance Program (NFIP) in 1968 to make affordable flood insurance available to homeowners, renters, and business owners in exchange for using Federal Emergency Management Agency (FEMA) generated and specified Flood Insurance Rate Maps (FIRMS) for floodplain management by a participating community; and

WHEREAS, today, businesses and homeowners in 22,000 communities in all states and territories have made plans and investments based on the existence of affordable flood insurance with 5.6 million NFIP policies providing over $1.2 trillion in coverage; and

WHEREAS, in July 2012, the Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12) was enacted (PL 112-141) in order to assure the solvency of the highly indebted NFIP; and

WHEREAS, BW-12 requires FEMA to adjust flood insurance premiums to reflect true flood risk and phase out subsidies for properties built before the community adopted its first FIRM; and

WHEREAS, BW-12 requires FEMA to complete an affordability study and to establish an affordability framework for the NFIP, which is not yet complete; and

WHEREAS, through the passage of BW-12, the NFIP was revised such that the public’s reliance on the program to provide affordable flood insurance protection for prior investments in their homes and businesses was essentially dissolved since these structures will be subject to a 25 percent increase in the flood insurance premium for the next four years (in some cases a 20 percent increase over five years) and since this law substantially and immediately devalued the investments made in properties receiving subsidized insurance premium rates because of increases in the cost of flood insurance; and

WHEREAS, previously these structures were rated on pre-FIRMs or the FIRMs in effect when the structure was constructed, and now, even though the structures were not substantially damaged, their owners will struggle to pay premiums to keep flood insurance on these structures; and

WHEREAS, the Flood Disaster Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of federal or federal-related financial assistance for acquisition or construction purposes with respect to the insurance buildings; and

WHEREAS, the rate increases will affect municipalities nationwide in multiple areas such as real estate markets, banks and mortgage companies, elderly citizens living on fixed income, and policyholders, who built their communities with the best available information; and
WHEREAS, on October 29, 2013, a bipartisan coalition of lawmakers introduced the Homeowner Flood Insurance Affordability Act of 2013 (S. 1610/H.R. 3370) that would delay implementation of BW-12 rate increases on certain properties until after FEMA completes the affordability study and proposes a draft affordability framework for Congress to consider; and

WHEREAS, it is incumbent upon all of us to have a long term, sustainable and viable NFIP with rates that are affordable.

NOW, THEREFORE, BE IT RESOLVED NLC urges Congress to pass the Homeowner Flood Insurance Affordability Act of 2013 that will delay the implementation of rate increases until FEMA completes the affordability study and to undertake any other such amendments to BW-12 that will keep flood insurance rates affordable for primary, non-primary and business properties while balancing the fiscal solvency of the program.
PROPOSED PSCP RESOLUTION # 1

IN SUPPORT OF THE JUSTICE AND MENTAL HEALTH COLLABORATION ACT

[Steering Committee Recommendation: Adopt]

WHEREAS, More than half of all prison and jail inmates, including 56 percent of state prisoners, 45 percent of federal prisoners and 64 percent of local jail inmates, were found to have a mental illness, according to a 2006 study published by the Justice Department’s Bureau of Justice Statistics (BJS)\(^1\); and

WHEREAS, As people with mental illnesses continue to come in contact with the criminal justice system, communities across the United States struggle to develop interventions and supports that improve outcomes for these individuals, their service providers, and the public\(^2\); and

WHEREAS, “Participants in mental health and veterans’ courts have lower rates of recidivism—and, in particular, are less likely to be arrested for new crimes—than individuals with mental illnesses who go through the traditional criminal court system”\(^3\); and

WHEREAS, Over time, mental health courts have the potential to save money through reduced recidivism and the associated jail and court costs that are avoided, and also through decreased use of the most expensive treatment options, such as inpatient care\(^4\); and

WHEREAS, alternatives to incarceration of mentally ill saved the City of San Antonio, Texas and the surrounding county $50 million over the past five years\(^5\); and

WHEREAS, A growing number of jurisdictions have developed a number of community-based criminal justice/mental health programs, which include specialized responses by law enforcement, community corrections, courts\(^6\), social service providers, fire and emergency medical services; and

WHEREAS, in 2004, Congress passed the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA), which enhances local public safety by funding training for law enforcement officers on how to identify and respond to incidents involving people with mental

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3 Ibid, p. 23.
illnesses, increasing mental health courts nationwide, improving collaboration between criminal
justice and mental health systems, and improving access to effective treatment; and

NOW, THEREFORE, BE IT RESOLVED that National League of Cities urges Congress to
pass S. 162/H.R. 401, the Justice and Mental Health Collaboration Act that reauthorizes the
MIOTCRA, provides additional resources for veteran treatment courts, and increases resources
and training for police departments to properly respond to mental health calls; and

BE IT FURTHER RESOLVED that NLC urges Congress to consider an amendment to the
Justice and Mental Health Collaboration Act to include funding to train fire and emergency
medical service personnel to properly respond to mental health calls; and

BE IT FURTHER RESOLVED that NLC urges Congress to require the Bureau of Justice
Statistics to regularly update the “Mental Health Problems of Prison and Jail Inmates” report.
PROPOSED PSCP RESOLUTION # 2

IN SUPPORT OF LEGISLATION TO REAUTHORIZE THE SECOND CHANCE ACT

Steering Committee Recommendation: Adopt

WHEREAS, according to the Bureau of Justice Statistics (BJS), about 6.94 million people were under some form of adult correctional supervision in the U.S. at yearend, 2012. This is the equivalent of about 1 in 35 adults – or about 2.9 percent of the adult population – in prison or jail, or on probation or parole; and

WHEREAS, according to the most recent data from the Office of National Drug Control Policy, over 9 million offenders cycle through local jails, while an additional 700,000 people are released from state and federal prisons every year back into their local communities; and

WHEREAS, according to the most recent study by BJS, “an estimated two-thirds (68 percent) of the 405,000 prisoners released in 30 states were arrested for a new crime within three years of release from prison, and three-quarters (77 percent) were arrested within five years. More than a third (37 percent) of prisoners who were arrested within five years of release were arrested within the first six months after release, with more than half (57 percent) arrested by the end of the first year”; and

WHEREAS, there are a number of barriers that prevent offenders from becoming productive members in their communities, including drug and alcohol addiction, mental illness, unemployment, and lack of housing; and

WHEREAS, “when offenders are released from incarceration, many of them have difficulty finding a job and a place to live, and more than two-thirds return to a life of crime because of the lack of opportunities”; and

WHEREAS, without sufficient federal and state support for local programs aimed at transitioning offenders back into the community, cities will see a rise in crime levels which will lead to an increase in recidivism rates; and

WHEREAS, city leaders across the country are looking at ways to support local programs that help offenders reenter into society and one of the key challenges is to create a sustainable system that will provide opportunities for offenders to find jobs and affordable housing; and

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WHEREAS, a study from the National Reentry Resource Center, created under the Second Chance Act, shows that recidivism rates can be significantly reduced when states and local communities commit to jailing only people who present a risk to public safety and to helping newly released prisoners find drug treatment, psychiatric counseling and the other services they need for a successful reentry back into their local communities.

NOW, THEREFORE, BE IT RESOLVED, that the National League of Cities urges Congress to quickly pass the Second Chance Reauthorization Act that helps municipalities develop successful and sustainable programs aimed at reducing recidivism and reintegrating offenders back into the community.

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PROPOSED PSCP RESOLUTION # 3

IN SUPPORT OF LOCAL LAW ENFORCEMENT ACCESS TO THE DEPARTMENT OF DEFENSE’S EXCESS PROPERTY PROGRAM (1033 Program)

[Steering Committee Recommendation: Approve]

WHEREAS, recent events have raised concerns about the Department of Defense’s (DoD) Excess Property Program (1033 program) that provides surplus equipment to local law enforcement agencies; and

WHEREAS, in September 1996, Congress authorized DoD to donate to State and local law enforcement agencies excess property suitable for use in counter-drug and counter-terrorism activities; and

WHEREAS, law enforcement agencies have used the equipment acquired through the 1033 program to respond to incidents like the Boston Marathon bombing and other incidents where members of the public and public safety personnel have been under attack by heavily armed criminals; and

WHEREAS, this equipment is used during critical incidents to protect and rescue members of the public and first responders, and

WHEREAS, more than 8,000 law enforcement agencies around the country participate in the 1033 program; and

WHEREAS, since the program’s inception, the Pentagon has transferred property that has saved local taxpayers more than $5.1 billion, according to the Defense Logistics Agency, which manages the transfers; and

WHEREAS, according to the DoD, much of the gear is non-military items, including but not limited to office equipment, blankets and sleeping bags, computers, digital cameras and video recorders, binoculars, flashlights, extreme weather clothing, repair tools, first-aid supplies and TVs; and

WHEREAS, the Administration and Congress may consider changes to the 1033 program that could limit a law enforcement agency’s ability to acquire certain types of surplus equipment.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities urges the Administration and Congress to work closely with city leaders to maintain policies that ensure local law enforcement agencies continue to have access to the 1033 program to acquire surplus equipment that is essential for public safety from the DoD.

1 10 U.S.C. § 2576a, which was established by section 1033 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201)
POLICY AMENDMENTS AND RESOLUTIONS
FROM THE

INFORMATION TECHNOLOGY AND
COMMUNICATIONS
STEERING COMMITTEE

ITC
RESOLUTIONS

NLC Resolutions are annual statements of position that sunset at the end of the policy year unless action is taken. The Committee reviewed each of the 2014 resolutions that originated in the Committee to determine recommendations for 2015. The Committee has the following options:

1. Renew the resolution for the coming year (with or without edits);
2. Incorporate the resolution into permanent policy; or
3. Let the resolution expire

The table below summarizes the actions on Resolutions recommended by the ITC Policy Steering Committee:

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<td>#2014-35: Broadband Access: A Call for Universal Availability, Affordability, and World Class Quality</td>
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Please note:
- Proposed new language is **underlined**;
- Proposed language for deletion is **struck out**; and
- Existing, unchanged language is shown as plain text.
WHEREAS, the universal availability of affordable high speed Internet broadband access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks provide an essential option for market competition, consumer choice, economic development, and universal, affordable Internet access nationwide; and

WHEREAS, historically, local governments have ensured access to essential services by banding together to provide those services that were not offered by the private sector at a reasonable and competitive cost. This involvement has included electrification, public libraries, and other important services; and

WHEREAS, in the early 1990s the United States was one of the world’s leaders in broadband penetration to its citizens. But in 2012, the Organization for Economic Cooperation and Development (OECD) reported that the United States continued to rank below countries like Canada, France, Germany, Korea, and the United Kingdom slip in broadband penetration among developed and developing nations in deploying fixed (wired) broadband subscriptions services and is currently ranked sixteenth, which is a significant step backward; and

WHEREAS, local government leaders recognize that their economic health of municipalities and survival depends on public and private investment to connecting their communities and they understand that it takes both private and public investment to bring this goal to fruition; and

WHEREAS, attempts continue to be made to limit or stop further local government deployment of municipal broadband services, which has the potential of reducing the ability of local government to provide important information and services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, opponents of community and municipally provided broadband have proposed various administrative procedures that they claim are designed to protect citizens and consumers from unwieldy local governments; however, these safeguards really place over-burdensome requirements on municipalities and act as unnecessary barriers; and

WHEREAS, in the vast majority of community/municipal broadband networks built to date, the private sector has been involved in helping design, build, and operate the network – creating new business opportunities and jobs in the process; and
WHEREAS, local governments should not be preempted by states from being able to offer broadband services, high speed Internet, and other communications services which could advance the deployment of broadband throughout our nation.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) urges the federal government to encourage deployment of broadband networks in a competitive manner via a variety of conduits (satellite, wireless, and wireline WiFi, WiMax, cable, LTE, etc.); and

BE IT FURTHER RESOLVED that NLC opposes any actions that seek to burden cities through unnecessary procedural requirements and safeguards that duplicate the democratic process by which cities govern themselves; and

BE IT FURTHER RESOLVED that NLC embraces local governments’ ability to work cooperatively with the private sector to offer broadband services and does not believe such public/private partnerships are incompatible with private sector competition; and

BE IT FURTHER RESOLVED that NLC supports federal proposals that promote community/municipal broadband, that preserves the authority of local governments to act in the interest of their citizens by offering high speed Internet and other communications services, and preempts states from barring local governments from offering such services in their communities.
WHEREAS, in the early 1990s the United States was one of the world’s leaders in broadband penetration to its citizens. In 2012, the Organization for Economic Cooperation and Development reported that the United States continues to rank below countries like Canada, France, Germany, Korea, and the United Kingdom to slip in national broadband penetration among 30 developed and developing nations in fixed (wired) broadband subscriptions and is currently ranked sixteenth, which is a significant step backward; and

WHEREAS, the federal government has released a National Broadband Map, as directed by the National Broadband Plan, that provides data to support efforts to expand broadband access and adoption in communities at economic risk of being left behind in the 21st century economy and help businesses and consumers seeking information on their high-speed internet options; and

WHEREAS, to compete successfully in an increasingly global environment the United States needs to take advantage of all of the technological solutions that high speed broadband access offers; and

WHEREAS, universal broadband should be considered essential infrastructure that contributes to economic health and survival of communities across the United States; and

WHEREAS, the National League of Cities (NLC) believes that the current federal standard of 4 Megabits actual speed downstream and 1 Megabit upstream to measure broadband connections within the United States is insufficient to meet today’s high-speed Internet options and in order to meet the demand for multiple streams of large-format, high-definition content to support real-time public safety systems, innovative public transportation solutions, smart energy grids, medical image sharing and telemedicine, and immersive educational experiences; and

WHEREAS, with the proliferation of smartphones, tablets, and other mobile devices with Internet access, wireless data traffic has grown significantly, placing a greater demand on both licensed and unlicensed spectrum, and adding additional capacity is essential to support continued innovation and achieve the potential to transform many different areas of the American economy by providing a platform for innovation and is likely to have a substantial impact on jobs, growth and investment, and

WHEREAS, the availability and adoption of quality broadband service can vary dramatically from one neighborhood to another, even in heavily populated urban areas, and a substantial number of individuals in poor and rural communities have limited Internet access and where broadband access is limited, citizens have limited access to information, education and tools for economic independence; and
WHEREAS, 15% of adult Americans do not use the Internet citing a lack of relevance, those being senior citizens, adults with less than a high-school degree, and those living in households earning less than $30,000 a year underscoring a need to address the United States’ persistent digital divide and create opportunities to increase broadband adoption and is highly dependent on socio-economic status with almost 60 percent of households with incomes above $150,000 having a broadband connection while less than 10 percent of households with incomes below $25,000 have a connection; and

WHEREAS, NLC strongly believes that broadband access should be universal, affordable and competitively priced, as universal broadband access would promote economic development, enhance public health and safety and increase educational opportunities for millions of Americans across the country; towns and cities across the country are offering fast, affordable Internet, and states should be encouraging these initiatives, not hindering them; and

WHEREAS, such availability and adoption is insufficient to satisfy current and future needs, and because the broadband capabilities of other countries accommodate much higher connection speeds and are more widely available and less expensive per megabit than in the United States; and

WHEREAS, municipalities have worked jointly with representatives from the private sector to develop municipal broadband networks to provide an essential option for market competition, consumer choice, economic development, universal and affordable range of competitively priced Internet access nationwide; and

WHEREAS, existing municipal broadband networks should be held harmless from any potential federal actions intended to ensure national broadband access; and

WHEREAS, NLC supports proposals that promote community/municipal broadband services, and that preserve the authority of local governments to act in the interest of their citizens by offering high speed Internet and other communications services, and

WHEREAS, NLC opposes any attempts which bars local governments from offering community/municipal broadband services in their communities.

NOW, THEREFORE, BE IT RESOLVED that NLC asks the federal government to recognize and work to achieve the twin goals of broadband access by providing:

- Affordable and competitively priced broadband access; and
- An appropriate standard for broadband speed, reliability, and connectivity that allows America to compete in the global economy and opens more opportunities to deliver robust services more economically and universally; and

BE IT FURTHER RESOLVED that NLC supports the Federal Communications Commission's move to allocate additional spectrum for unlicensed use in order to meet increased demand for wireless technologies; and
BE IT FURTHER RESOLVED, that NLC encourages further availability of Internet for low-income households through the support of low-cost plans, including access provided by local governments; and

BE IT FURTHER RESOLVED that NLC urges that the critically important E-Rate program to be strengthened and modernized in an effort to ensure schools and libraries have access to the best possible broadband technologies available from either the public or private sector; and

BE IT FURTHER RESOLVED that NLC urges the federal government to take an expeditious role in convening together all interested parties, including, but not limited to, all levels of government (local, state, tribal, and federal), consumer organizations, representatives of underserved communities (rural, urban and suburban), all segments of the communications industry interests, representatives of private sector, and not-for-profit sector organizations, to promote ubiquitous broadband access.