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Proposed Policy Amendments and Resolutions of the Finance, Administration, and Intergovernmental Relations Federal Advocacy Committee

FAIR
Proposed Policy 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 at [nlc.org/national-municipal-policy](http://nlc.org/national-municipal-policy)

Please note:
- Proposed new language is underlined;
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- Existing, unchanged language is shown as plain text.

Policy:

- **Section 1.01 Finance**
  - A. Municipal Finance Mechanisms

- **Section 1.03 Intergovernmental Relations**
  - Q. Election Administration
Section 1.01
C. Municipal Finance Mechanisms

The ability for local municipalities to retain maximum flexibility and control over their funding and financing mechanisms is of utmost importance. To preserve and promote that condition, the tax exempt status of municipal debt obligations should be preserved and not altered in any fashion, particularly as to public buildings, spaces, infrastructure and utilities. Rules relating to issuance, deductibility, refunding, credit enhancements and market advisors should be unambiguous and consistent, offering cities the ability to act in their best financial interest.

The advanced refunding of municipal debt helps save cities, towns and villages money that can be reinvested into communities nationwide. The provision, repealed by the Tax Cuts and Jobs Act, should be reversed and municipalities should once again have access to this tool. Advance

Modernization of the small borrower’s exemption (bank qualified debt) is critical for smaller communities nationwide. NLC believes that the small borrower’s exemption should be raised to $30 million and indexed to inflation for each calendar year.

Municipal revenue generation capability should be protected, and preference for municipal tax liens in private bankruptcy proceedings should be retained.

All financing options should be available to cities, including sale and leaseback arrangements, equipment leases, and industrial development bonds, to allow for maximum flexibility in funding the various operations in which a city engages.

Section 1.03
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. NLC is opposed to any federal laws that disenfranchise individuals from exercising their most fundamental constitutional right to vote.

Additionally, NLC supports the John Lewis Voting Rights Advancement Act being enacted into law. Moreover, NLC supports equitable voting rights and protections for individuals whose ability to cast a ballot has historically been restricted on the basis of race, sex, disability, age, English proficiency, or housing status.

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.
NLC Resolutions are annual statements of position that sunset at the end of the calendar year unless action is taken. The committee must review each of the 2022 resolutions that originated in the FAIR Committee to determine recommendations for 2023. 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 FAIR resolutions that were approved for 2022 at City Summit with recommendations for 2023 are:

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NLC RESOLUTION 2022-1

CALLING TO Resolve THE CONFLICT BETWEEN STATE AND FEDERAL CANNABIS LAWS

FAIR Committee Recommendation: Renew

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

WHEREAS, forty-seven states, four U.S. territories, and the District of Columbia – representing 97.7% of the U.S. population – have legalized some form of recreational or medical marijuana; and

WHEREAS, cannabis’ status as a Schedule I illicit substance on the Controlled Substances Act (CSA) and the CSA’s coupling with the Bank Secrecy Act have created a condition under which the cannabis industry has severely limited access to the federally regulated banking industry; and

WHEREAS, this condition has led to a reliance on “cash only” models that involve the transportation of large sums of paper money through cities, increasing the risks of theft crimes and tax evasion, and denying large groups of business owners the capital needed to enter the market; and

WHEREAS, the U.S. Department of Justice has rescinded guidance that previously provided a minimal level of confidence for financial institutions looking to provide services to this growing industry, causing Congress to introduce and pass legislation in the U.S. House of Representatives to try to tackle this issue; and

WHEREAS, on April 19, 2021, the House of Representatives passed H.R. 1996, the Secure and Fair Enforcement (SAFE) Banking Act of 2021. The bill would allow marijuana-related businesses in states with some form of legalized marijuana and strict regulatory structures to access the banking system. The bill passed with overwhelming, bipartisan support by a vote of 321 to 101, including 106 Republicans; and

WHEREAS, on March 23, 2021, Senators Jeff Merkley (D-Ore) and Steve Daines (R-Mont.) introduced the SAFE Banking Act in the Senate with nearly a third of the chamber supporting the bill.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities urges the federal government to remove cannabis from Schedule I of the Controlled Substances Act and provide guidance to financial institutions that results in the cannabis market having access to the federally regulated banking system, such guidance to include the United States Senate to pass the SAFE Banking Act and the President of the United States of America to sign the bill into law.
NLC RESOLUTION 2022-2

PRESERVING THE TAX EXEMPT STATUS OF MUNICIPAL BONDS

FAIR Committee Recommendation: Expire, Incorporate into Policy

WHEREAS, the federal tax exemption for municipal bonds has been in place since the federal income tax was instituted in 1913; and

WHEREAS, tax exempt municipal bonds are the primary funding mechanism for state and local government infrastructure projects with three quarters of the total United States investment in infrastructure being accomplished with tax-exempt financing from over 50,000 state and local governments and authorities; and

WHEREAS, the tax exemption for municipal bonds was granted to ensure affordable access to credit for municipal projects that, among other things, provide for public health and well-being, and as a result, local governments have saved taxpayers an average of 20 to 25 percent on interest costs with tax-exempt municipal bonds as compared to taxable bonds; and

WHEREAS, a cap or elimination of the federal tax exemption for municipal bonds would place federal, state, and local governments at cross-purposes because any savings realized by the federal government as a result of tampering with the tax exemption would be more than offset by economic losses at the state and local level due to higher credit costs, canceled infrastructure projects, fewer job opportunities, and a greater burden on local taxpayers; and

WHEREAS, stability in the municipal bond market rests on the tax exemption for municipal bonds, and market stability is essential to local and national economic recovery.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities calls on members of Congress and the Administration to state their support for maintaining the tax exemption for municipal bonds to promote employment and investment in our nation’s cities and towns; and

BE IT FURTHER RESOLVED that NLC opposes any attempt to eliminate or limit the federal tax exemption for municipal bonds as a part of a federal deficit reduction plan, pension reform legislation or as a consequence of efforts to advance comprehensive tax reform; and

BE IT FURTHER RESOLVED that NLC supports maintaining the tax exemption for qualified private activity bonds (PABs) to finance critical infrastructure, affordable housing projects and other local services; and

BE IT FURTHER RESOLVED that NLC supports efforts to reduce the cost and redundant burdens of issuance and administration by eliminating redundant rules on arbitrage and private use; and
BE IT FURTHER RESOLVED that NLC supports Congress and the Administration providing certainty to municipal issuers of tax credit and other federally subsidized bonds by exempting subsidies from sequestration rules.
NLC RESOLUTION 2022-3

CALLING FOR THE RESTORATION OF TAX EXEMPTION OF ADVANCE REFUNDING BONDS

FAIR Committee Recommendation: Expire, Incorporate into Policy

WHEREAS, prior to January 1, 2018, municipal governments could issue tax exempt securities known as advance refunding bonds; and

WHEREAS, advanced refundings represented 27% of municipal bond market activity in 2016 and 19% in 2017; and

WHEREAS, such single use bonds allowed municipalities to refinance outstanding debt and achieve interest rate reductions prior to the original bond’s call date; and

WHEREAS, lower borrowing costs allowed issuers to save at least $12 billion of local tax dollars per year in debt servicing costs and free up capital to invest in additional infrastructure improvements, better balance budgets and lower local tax rates; and

WHEREAS, advance refunding bonds provided municipalities with a tool to better-weather recessions by allowing them to reduce otherwise fixed costs as tax receipts fall; and

WHEREAS, the Tax Cuts and Jobs Act of 2017 eliminated the ability of municipalities to issue single use tax exempt advance refunding bonds; and

WHEREAS, in the 116th Congress (the prior Congress) bills to reinstate tax exempt advanced refunding was introduced in both chambers of Congress, as well as incorporated into H.R. 2., the Moving Forward Act. Legislation to reinstate tax exempt advanced refundings was again introduced in the 117th (the current Congress).

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities supports the full reinstatement of the tax exemption for advance refunding bonds or a substantial equivalent.
NLC RESOLUTION 2022-4

CALLING FOR THE MODERNIZATION OF SMALL BORROWER’S EXEMPTION
(BANK QUALIFIED DEBT)

FAIR Committee Recommendation: Expire, Incorporate into Policy

WHEREAS, small municipalities frequently struggle to access financing opportunities through the traditional bond underwriting process; and

WHEREAS, local and community banks are typically disincentivized from purchasing and holding municipal securities due to their inability to deduct the associated carrying costs from their federal income tax returns; and

WHEREAS, governments issuing $10 million or less in bonds per calendar year are able to have their bonds designated as bank-qualified; and

WHEREAS, banks are able to deduct most of the carrying costs associated with holding bank-qualified bonds and are therefore incentivized to buy directly from small municipalities; and

WHEREAS, these small municipalities are able to bypass the traditional underwriting process by selling their bank-qualified bonds directly to local banks at a substantial cost savings to local taxpayers; and

WHEREAS, more than three decades of inflation has reduced the utility of the $10 million threshold since it was set in 1986, creating a situation whereby small municipalities are not able to leverage bank-qualified debt to the degree they did 30 years prior; and

WHEREAS, the threshold was temporarily increased to $30 million from 2009 to 2010, which created a market for thousands of small borrowings for small municipalities during the Great Recession.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities supports the modernization of the small borrower’s exemption to allow more small municipalities, struggling to finance critical projects through the traditional bond underwriting process, to issue bank-qualified debt; and

BE IT FURTHER RESOLVED that the small borrower’s exemption threshold should be permanently raised to $30 million and indexed to inflation for all future calendar years;

BE IT FURTHER RESOLVED that the small borrower’s exemption should be modified to apply to governmental issuers and the borrowing organizations separately regardless of the issuer and permit 501(c)(3) organizations to provide the designation
NLC RESOLUTION 2022-5

SUPPORT FOR REFORMING THE EARNED INCOME TAX CREDIT FOR
CHILDLESS WORKERS

FAIR Committee Recommendation: Renew

WHEREAS, the Earned Income Tax Credit (EITC) is a refundable credit to eligible workers. Even if a worker does not owe any federal tax, the worker may benefit from it; and

WHEREAS, the EITC is the nation's largest cash antipoverty program, with a tax year 2016 (returns filed in 2017) total of $66.7 billion claimed on 27.4 million tax returns. Most of the claimed EITC dollars—$64.7 billion, or 97% of total EITC dollars—were for taxpayers with children compared to $2.1 billion in claimed EITC for taxpayers with no qualifying children; and

WHEREAS, the EITC is so small for childless workers, it effectively does not lift them out of poverty because the EITC for this group is much too small (and for some, isn’t available at all) that it does not offset the income taxes and employee share of payroll taxes that they must pay; and

WHEREAS, this affects 5 million childless adults aged 21 through 66; and

WHEREAS, the maximum credit in 2018 is more than 10 times as much for a taxpayer with a child than a childless taxpayer; and

WHEREAS, recipients without children must be at least 25 years old—there are no age restrictions for parents; and

WHEREAS, prior to 2021 the maximum amount that a childless taxpayer could receive though the EITC was $538; and

WHEREAS, as part of the American Rescue Plan Act, a childless taxpayer will be able to receive just more than $1,500 from the EITC; and

NOW, THEREFORE, BE IT RESOLVED that NLC will support Congress making the EITC for childless workers permanent as a way to help reduce poverty in cities.
NLC RESOLUTION 2022-6

EXEMPTS FROM TAXATION INCOME FROM LOAN MODIFICATION, FORGIVENESS OR CANCELLATION FOR SMALL BUSINESSES

FAIR Committee Recommendation: Renew

WHEREAS, for this resolution a “small business” or “small businesses” is defined as a business having fewer than 50 full-time employees; and

WHEREAS, the recent economic downturn and lockdowns forced many businesses forgo significant amounts of revenue; and

WHEREAS, prior to the pandemic, struggling small businesses would have been able to refinance debt or extend lending terms on the original agreement; and

WHEREAS, today, many small businesses are fighting for survival, and creditors face a choice of demanding payment under the original terms outlined in the agreement or engage in loan modification, forgiveness or cancellation; and

WHEREAS, the viability of many small businesses in the coming months to stay afloat will rely on loan modifications, forgiveness, or cancellation to stay in business; and

WHEREAS, the modification, forgiveness and cancellation of debt comes with its own burdens; and

WHEREAS, Internal Revenue Code (“IRC”) general rule considers cancellation of debt (“COD”) ordinary income under Sec. 61(a)(12); and

WHEREAS, for example, XYZ business has a loan with a bank with a balance of $500,000, and modifies the loan to cancel 50 percent of the balance – $250,000. The business will receive a 1099-C stating it had income of $250,000 for that tax year. The business might not have the corresponding cashflow to pay the taxes on the cancelled portion of the loan when the tax bill comes due and may have to close despite altering is loan terms to try to stay afloat.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities will advocate for small businesses as defined herein this resolution to be exempt from taxation on income from loan modification, forgiveness or cancellation to help maintain healthy thriving cities.
NLC RESOLUTION 2022-7

CALLING TO PRESERVE AND ENHANCE VOTING BY MAIL

FAIR Committee Recommendation: Renew

WHEREAS, voting is a constitutionally protected right; and

WHEREAS, all governments, especially state and local, must ensure an accessible, safe and secure method of voting for all citizens; and

WHEREAS, measures are taken to ensure electoral integrity and prevent fraud when votes are cast by mail; and

WHEREAS, use of the terms “voting by mail” and “absentee voting” varies from state to state, “voting by mail” is assumed to mean any ballot sent through the mail, including by absentee voting; and

WHEREAS, all states allow voting by mail in certain circumstances; and

WHEREAS, in the 20 years prior to 2016, the percentage of voters casting ballots in person on Election Day has gradually declined, falling from 89% in 1996 to 60% in 2016; and

WHEREAS, in 2016, nearly ¼ of all U.S. votes were cast by mail. Due to the pandemic the number of voters casting ballots on Election day in 2020 rose to 46%; and

WHEREAS, opinion polls consistently find that a majority of American support having an option to vote by mail; and

WHEREAS, COVID-19 has pushed states to expand options for voting by mail due to limited election facilities and poll workers, increased sanitation costs, the nature of COVID-19 being spread through person-to-person contact, and the need to ensure all citizens have equal access to exercise their right to vote.

NOW, THEREFORE, BE IT RESOLVED that while it takes no stance on individual state election laws, the National League of Cities supports federal efforts that preserve and enhance systems that allow for accessible, safe and secure vote by mail options.
NLC RESOLUTION 2022-8

SUPPORT FOR THE JOHN LEWIS VOTING RIGHTS ADVANCEMENT ACT

FAIR Committee Recommendation: Expire, Incorporate into Policy

WHEREAS, voting is fundamental to democracy in the United States’ form of government; and

WHEREAS, the Voting Rights Act of 1965 was passed to ensure that millions of Black, Latinx, Asian American and Native American citizens who were previously denied suffrage have an equal opportunity to cast their ballot; and

WHEREAS, in the 2013 Shelby County v. Holder decision, the United States Supreme Court upheld Section 5 of the Voting Rights Act, requiring jurisdictions with a history of discrimination to submit any proposed changes in voting procedures to the U.S. Department of Justice or a federal district court in Washington, D.C. to ensure the change would not harm minority voters (known as “preclearance”); and

WHEREAS, in the Shelby County v. Holder decision, the United States Supreme Court struck down Section 4(b) of the Voting Rights Act of 1965, which contained the coverage formula used to determine which jurisdictions are covered by Section 5 of the Act; and

WHEREAS, Section 5 of the Voting Rights Act of 1965 is practically defunct; and

WHEREAS, following the 2013 Shelby County v. Holder decision, several states enacted new voting restrictions that, prior to the 2013 decision, would have been subject to preclearance under Section 5 of the Voting Rights Act of 1965; and

WHEREAS, the United States House of Representatives, in a report entitled Voting Rights and Election Administration in the United States of America concluded that “without federal protections, new and old barriers to voting have emerged” that “disproportionately impact minority voters;” and

WHEREAS, the John Lewis Voting Rights Advancement Act creates a new coverage formula that applies to all states; and

WHEREAS, the John Lewis Voting Rights Advancement Act establishes a targeted process for reviewing voting changes in jurisdictions nationwide, that utilizes measures that have historically been used to disenfranchise minority voters; and

WHEREAS, the National League of Cities is opposed to any federal laws that restrict American citizens from exercising their most fundamental constitutional right to vote.
NOW, THEREFORE, BE IT RESOLVED that the National League of Cities supports the John Lewis Voting Rights Advancement Act and urges its enactment into law.
NEW FAIR RESOLUTION 1

SUPPORT FOR REFORMS OF OPPORTUNITY ZONES

FAIR Committee Recommendation: Adopt

WHEREAS, the 8,764 census tracts designated as qualified opportunity zones span across all 50 States, the District of Columbia, and 5 Territories and overwhelmingly represent communities that have been economically left behind as the American economy has surged forward.

WHEREAS, the average poverty rate of qualified opportunity zone residents is 26.4 percent, nearly double the national average.

WHEREAS, Opportunity Zones cover 54 percent—more than half—of the country’s pockets of concentrated persistent poverty, meaning census tracts in which at least 40 percent of the population has lived in poverty since at least 1980.

WHEREAS, more adults in qualified Opportunity Zones lack a high school diploma than have a four-year college degree.

NOW, THEREFORE, BE IT RESOLVED, the National League of Cities (NLC) supports reforms to Opportunity Zones (1) bring them in line with the original intent of the legislation, (2) support a fund technical assistance and capacity building, (3) allows for zero population census tracts to be eligible for Opportunity Zones designation.

BE IT FURTHER RESOLVED, NLC supports proposals to sunset to Opportunity Zone designation for census tracts with high median family income (MFI), which is one that exceeds 130 percent of the national MFI.

BE IT FURTHER RESOLVED, NLC supports proposals to provide technical assistance and capacity building to help drive capital and projects in underserved communities.

BE IT FURTHER RESOLVED, NLC support population census tracts with zero population and where it was formerly used for industrial purposes to be eligible for an Opportunity Zone designation.
NEW FAIR RESOLUTION 2

CALLING FOR A MORE ROBUST LOW-INCOME HOUSING TAX CREDIT TO HELP EASE THE NATION’S HOUSING CRISIS

Committee Recommendation: Adopt

WHEREAS, the Low-Income Housing Tax Credit (“LIHTC”) was created by the Tax Reform Act of 1986 and is designed to encourage the private sector investment in the new construction, acquisition, and rehabilitation of rental housing affordable to low-income households; and,

WHEREAS, since President Ronald Reagan signed LIHTC into law in 1986, it has financed the construction and preservation of more than 3.6 million affordable homes nationwide, at a rate of more than 120,000 per year; and,

WHEREAS, today LIHTC produces virtually all new affordable rental housing and is our primary tool for preserving existing affordable housing; and,

WHEREAS, LIHTC offers a dollar-for-dollar reduction in a taxpayer’s income tax liability in return for making a long-term investment in affordable rental housing; and,

WHEREAS, state agencies award LIHTC to developers who engage private investors in the property’s ownership; and,

WHEREAS, the investors provide upfront equity capital to fund the construction and rehabilitation of affordable housing, allowing developers to borrow less money and pass through the savings in lower rents for low-income tenants. Investors, in turn, receive a 10-year stream of tax credits based on the cost of constructing or rehabilitating apartments that must be rented to low-income households; and,

WHEREAS, LIHTC credit is allocated to each state based on the state’s population. In 2021, the state Credit cap is $2.81 times the state’s population, with a state minimum of $3,245,625; and,

WHEREAS, the LIHTC program generally serves low-income working households earning 60 percent of area median income (“AMI”) or less; and,

WHEREAS, according to the Department of Housing and Urban Development (“HUD”) data on LIHTC resident demographics, nearly 45 percent of all households living in LIHTC apartments are extremely low income (“ELI”), meaning they earn 30 percent of AMI or less. Another 34 percent were very low income, earning between 30 and 50 percent of AMI, and the remaining 21.5 percent earn more than 50 percent of AMI.

WHEREAS, according to HUD’s most recent Worst-Case Housing Needs report, 7.72 million very low-income renter households had worst-case housing needs in 2017, meaning they did not
receive government housing assistance and paid more than half of their incomes for rent, lived in severely inadequate conditions, or both; and,

WHEREAS, there is a shortage of more than 7 million affordable rental units for extremely low-income renters, with only 37 affordable and available units for every 100 ELI renter households nationwide, and 70 percent of ELI renters are spending more than half of their incomes on housing. Low-income renters who are unable to find affordable apartments are forced to pay a significant portion of their incomes for housing — leaving little money left over for other necessities like food, transportation, childcare, healthcare, and utilities; and,

WHEREAS, LIHTC accounts for the vast majority of the country’s new and substantially rehabilitated rental housing affordable to low-income people, creating affordable housing opportunities for the millions of families in our country today who otherwise pay an excessive portion of their incomes for housing, live in substandard and overcrowded conditions, or face homelessness. Our nation also relies on the LIHTC more and more to preserve the existing affordable rental housing stock that is often desperately in need of recapitalization; and,

WHEREAS, The Consolidated Appropriations Act of 2018 enacted a 50 percent increase in LIHTC allocation for four years (2018-2021), up to 12.5 percent, which is estimated to finance an additional 28,000 affordable rental homes; and,

NOW, THEREFORE, BE IT RESOLVED, the National League of Cities (“NLC”) calls for an increase in LIHTC allocation by 50 percent over current levels, back to the 12.5 percent level, phased in over two years.
Proposed Policy Amendments and Resolutions of the

Energy, Environment and Natural Resources Federal Advocacy Committee

EENR
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 at nlc.org/national-municipal-policy

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**Policy:**

- **Section 2.02 Energy**
  - A. Goals
  - E. Energy Sources
    - 2. Fossil Fuels
2.02 Energy

A. Goals
NLC urges the federal government to work with local governments to develop and implement a sustainable energy policy that is reliable, equitable, environmentally responsible and evidence-based and that will:

- Continue to assess the future of our nation’s energy requirements to ensure that our energy policy adequately addresses the future needs of the country;
- Promote the most efficient and affordable use of renewable and sustainable energy sources to protect the environment; benefit communities, and support the local economy by creating jobs and reducing carbon pollution;
- Improve public health outcomes, particularly for people with disabilities, economically disadvantaged households, the elderly, Black, Indigenous and People of Color (BIPOC), and other vulnerable and underrepresented populations who are most affected by pollution and least able to prepare in advance or recover from climate change and extreme weather events;
- Encourage the transition to a clean energy economy that increases the use of carbon neutral energy and promotes energy efficiency, with a goal of at least 50 percent carbon neutral energy by 2030 and 100 percent by 2050 or sooner;
- Protect the supply of energy by promoting the use of renewable energy sources as an increasing share of a diversified energy portfolio, while implementing measures to minimize the environmental impact of fossil fuels, while transitioning toward net-zero emissions and decarbonization;
- Protect our economic and national security by reducing our dependence on foreign oil, improving the resilience of energy infrastructure, and minimizing the environmental impact of the domestic production of energy sources;
- Ensure a national energy supply that decreases greenhouse gas emissions;
- Encourage conservation and increased energy efficiency across the country and sectors of the economy;
- Encourage the widespread use and deployment of both distributed energy sources and utility scale generation of renewable energy as a component of energy infrastructure to help communities withstand impacts from disruptions in regional supply systems;
- Promote community resilience by strengthening and modernizing energy infrastructure to reduce vulnerability to disruptions and withstand the impacts of climate change;
- Support local economies with job training and workforce development as the nation transitions to clean energy; and
- Ensure that low-income households and businesses do not face unaffordable costs related to the transition away from fossil fuels, particularly for low-income or energy-burdened households.
E. Energy Sources

2. Fossil Fuels

NLC supports the transition toward a clean energy and decarbonized economy that increases the use of carbon neutral energy and promotes energy efficiency. During this transition, the federal government should ensure that:

- Fossil fuel use minimally impacts the environment;
- Communities with a reliance on the fossil fuel industry are supported with job training and workforce development;
- Households and businesses do not face unaffordable energy costs, particularly low-income or energy-burdened households;
- Priority is given to research and development into technologies to reduce greenhouse gas emissions from continued fossil energy use, including carbon capture and sequestration, hydrogen production and others; and
- Nature-based carbon removal approaches, such as increasing and maintaining forests and trees, wetland preservation and restoration, and changes in farming practices that increase soil carbon capture, are utilized.

a. Coal

The use of clean coal technology (as defined by DOE standards) will help NLC supports use of measures to decrease emissions from coal utilization while helping cities affected by such emissions to reach and maintain attainment of air quality standards. Therefore, NLC urges the federal government to:

- Minimize environmental impacts and harm from production and use of coal, including supporting any needed research and development;
- Prohibit disposal of mining spoils in streams and watersheds to protect water quality and water sources and to limit pollution and flooding;
- Support and enhance efforts to minimize ongoing harm to environmental quality and threats to public safety associated with abandoned coal mines and to achieve economically beneficial reuse of former mine sites, particularly for clean energy technology; and
- Provide appropriate guidance and standards for the safe management of coal combustion ash.
- Support research programs to develop the most efficient, environmentally responsible methods to extract, transport, and utilize coal for energy production;
- Streamline requirements for development and retention of leases for coal reserves on federal land in an environmentally responsible manner;
- Research the use and storage of coal byproducts, such as methane, as a future energy source;
- Develop incentives for the use of clean coal technology and Best Available Control Technologies for new and existing plants; and
- Increase research and development for carbon capture and storage technology and fund large-scale integrated demonstration projects for carbon capture, transportation and storage that reduce emissions from existing coal plants.
b. Natural Gas

The federal government should ensure the domestic production of natural gas occurs in an environmentally responsible manner that minimizes environmental impacts and harm. Therefore, the federal government should:

- Promote measures to avoid leakage and other accidental release of methane during production and transport of natural gas and support development of new technologies for leak detection;
- Ensure that water quality and water resources are protected;
- Require the disclosure of chemicals used in hydraulic fracturing; and
- Study the relationship of the oil and natural gas production and extraction process on drinking water resources and air quality, the impacts on land and aquatic ecosystems, seismic risks and public safety.

c. Petroleum

While the nation continues to rely on petroleum as an energy source, the federal government should promote the domestic production occurs in a manner that minimizes environmental impacts and harm of domestic petroleum in an environmentally responsible manner.

In the event of a supply disruption, there should be no action by the federal government that causes the depletion of the Strategic Petroleum Reserve simply to mitigate oil prices. The federal government should not reinstate price controls on domestically produced crude oil.
NLC resolutions are annual statements of position that sunset at the end of the calendar year unless action is taken. The committee must review each of the 2022 resolutions that originated in the EENR Committee to determine recommendations for 2023. 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 EENR resolutions that were approved for 2022 at City Summit with recommendations for 2023 are:

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NLC RESOLUTION 2022-9

SUPPORTING LOCAL PACE PROGRAMS

EENR 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 2013 study that found default risks are on average 32 percent lower in energy efficient homes and recommends that the lower risks associated with energy efficiency should be taken into consideration when underwriting mortgages;¹ 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 HVAC systems, upgraded insulation, new windows, solar installations, etc. – to their homes and businesses; and

WHEREAS, PACE programs can also be used for other types of projects that provide public and community benefits, such as improving community resilience to hurricanes and wildfires and managing stormwater and tidal flooding; 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, 37 states plus the District of Columbia have passed laws enabling local
governments to develop PACE programs; 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, PACE holds the potential to unlock private capital and jumpstart economic growth
backed by the marketplace certainty of the federal government; and

WHEREAS, in communities that have enabled PACE, investments have had significant effects
on local job creation and economic activity, energy savings and carbon abatement. Over the
lifetime of the measures installed to date, estimates show that those PACE projects will result in
$19 billion in economic impact, 152,000 job-years created, 11 million metric tons CO2
emissions avoided and 36 billion kWh energy saved;2 and

WHEREAS, despite PACE’s great promise, in July 2010 the Federal Housing Finance Agency
(FHFA), as conservator of the government-sponsored enterprises (GSEs) following the 2008
financial crisis, and the Office of the Comptroller of the Currency issued guidance that directed
the GSEs not to purchase mortgages with a PACE assessment, which statements that
immediately slowed the advancement of forced existing PACE residential programs to halt
operations and froze the development of dozens of other residential PACE programs
nationwide across the country; 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;
and

WHEREAS, in 2010 the U.S. Department of Energy dedicated $150 million to assist in the
development of local PACE programs and in 2016 issued Best Practice Guidelines for
Residential PACE Financing Programs to help state and local governments develop and

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implement programs and recommended protections that PACE programs should put in place for consumers and lenders;³ and

WHEREAS, in July 2016, the U.S. Department of Housing and Urban Development released guidance allowing the Federal Housing Administration to insure mortgages on properties that include PACE assessments,⁴ which has since been withdrawn; and

WHEREAS, in 2018, Congress passed the Economic Growth, Regulatory Relief, and Consumer Protection Act banking reform bill that recognizes PACE as a tax assessment and directs the Consumer Financial Protection Bureau (CFPB) to develop rules in consultation with state and local governments that ensure consumers have the ability to pay their residential PACE financing obligations.

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 reduce greenhouse gas emissions and promote renewable energy; and

BE IT FURTHER RESOLVED that the National League of Cities (NLC) urges FHFA to reconsider the 2010 guidance that prohibits government-sponsored entities from purchasing mortgages with a PACE assessment and 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 the CFPB to work with local governments to adopt regulations 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, and establishes 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.

NLC RESOLUTION 2022-10

SUPPORTING AND ADVANCING RESILIENT COMMUNITIES TO PREPARE FOR CHANGING CLIMATE AND EXTREME WEATHER EVENTS

EENR 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, hurricanes, and changes in other storms have brought renewed attention to the need for cities, towns and villages to anticipate, prepare for and adapt to these events; and

WHEREAS, these challenges are larger than individual communities can address on their own, making it beneficial to coordinate regionally and across levels of government; 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 Fourth 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;¹ and

WHEREAS, the effects of a changing climate are a national security issue with potential impacts to the U.S. Department of Defense (DoD) missions, operations plans and installations and the DoD must be able to adapt to current and future operations to address the impacts of a variety of threats and conditions, including those from weather and natural events²; and

WHEREAS, a report by the Intergovernmental Panel on Climate Change indicates that limiting global warming to 1.5°C is necessary to avoid the worst impacts of climate change;³ and

WHEREAS, climate change and extreme weather events can have severe impacts on local and regional infrastructure, economies, public safety, national security, public health, population migration, natural landscapes, water resources, and environmental quality; and

WHEREAS, the impacts of climate change and extreme weather events pose an especially pressing threat to persons with disabilities, economically disadvantaged households, the elderly, Black, Indigenous and People of Color (BIPOC), and other vulnerable and underrepresented populations; and

WHEREAS, as local governments continue to recover from the coronavirus pandemic, hurricanes, wildfires, drought, floods and other disasters continue to threaten communities across the U.S. and present new challenges for communities in protecting residents, particularly those that are most affected and least able to prepare, or respond or recover; 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 290-323 separate billion-dollar-plus weather and climate disasters since 1980, including 14-22 in 2019-2020 and 22-20 in 2020-2021, with a cumulative cost exceeding $1.921.195 trillion (CPI-adjusted) and a total death toll of 14,492-15,347;4 and

WHEREAS, in 2005 Hurricane Katrina led to 1,833 deaths and more than $167.5 billion (CPI-adjusted) in losses, and a subsequent $120 billion in supplemental disaster assistance and in 2012 Hurricane Sandy led to 159 deaths and more than $73.5 billion in damages (CPI-adjusted), and a subsequent $60.4 billion in supplemental disaster assistance;5 and

WHEREAS, in 2017 three Category 4 hurricanes—Harvey, Irma and Maria—made landfall in the U.S. Texas, Florida and Puerto Rico, respectively totaling more than $275 billion (CPI-

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adjusted) in damages and a death toll of 3,167, including 2,981 in Puerto Rico from Hurricane Maria, which made landfall in Puerto Rico,6 and

WHEREAS, in 2019 historic flooding hit the Midwest and southern plains significantly affecting agriculture, roads, bridges, levees, dams and other infrastructure, assets and industries, resulting in 12 deaths and $20.3 billion (CPI-adjusted) in economic costs;7 and

WHEREAS, 2020 sets a new annual record of 22 billion-dollar-plus weather or climate events – shattering the previous annual record of 16 events that occurred in 2011 and 2017, and is was the sixth consecutive year (2015-2020) in which 10 or more billion-dollar weather and climate disaster events have impacted the United States;8 and

WHEREAS, rising temperatures are lengthening the wildfire season and increasing drought risks, causing more radical fire behavior and increasing wildfire risks throughout the Western United States due to earlier snow melts and forests that are drier longer,9 the costs of putting out wildfires has increased dramatically, from $771 million in 1985 to over nearly $4.4 billion in 202010 (2020 dollars11), and the economic losses associated with wildfire continues to grow, with the 2018 western wildfires costing over $24.5 billion (CPI-adjusted)12 and the 2020 western wildfires, the most active fire season on record, costing over $16.6 billion (CPI-adjusted);13 and

WHEREAS, Congress approved over $692 billion in disaster relief in FY210;14 and

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7 National Climate Data Center, National Oceanic and Atmospheric Administration, available at: https://www.ncdc.noaa.gov/billions/events/US/2019
10 Federal Firefighting Costs (Suppression Only), National Interagency Fire Center, available at: https://www.nifc.gov/fire-information/statistics/suppression-costs
WHEREAS, 2020 was the second warmest year on record behind 2016 (warmest), followed by 2019 (third warmest), 2015 (fourth warmest), 2017 (fifth warmest) and 2018 (sixth warmest);¹⁵ and

WHEREAS, as extreme weather events 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, a preparedness response fund would provide financial assistance to accelerate the development of adaptive success models and provide a far-reaching damage prevention initiative that would help reduce the ultimate financial pressure on the federal government; 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, firefighters and other local essential personnel, who risk their lives responding to natural disasters and extreme weather events, are put at even greater risk of contracting coronavirus as they respond to emergency situations; 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, in 2014 the President’s Task Force on Climate Preparedness and Resilience, comprised of state, local and tribal leaders, including representatives from the National League of Cities (NLC) made recommendations to the President on ways the federal government can assist local efforts to address and prepare for the impacts of climate change; and

WHEREAS, the bipartisan Infrastructure Investment and Jobs Act of 2021 makes significant progress toward strengthening infrastructure and communities against extreme weather events by investing in pre-disaster mitigation and flood, wildfire and drought mitigation and the Inflation Reduction Act provides additional funding and incentives for climate and clean energy goals, but additional federal policies and local government support is needed.

https://www.noaa.gov/news/2021-was-worlds-6th-warmest-year-on-record
NOW, THEREFORE, BE IT RESOLVED that NLC calls on Congress and the Administration
to partner with local governments and to support local action on climate change adaptation and
resilience; and

BE IT FURTHER RESOLVED that NLC urges Congress and the Administration to take
urgent action to 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 NLC urges the federal government to develop a national
strategy to assist communities in integrating the risks of climate change and extreme weather
events into emergency management planning and responses to identify and quantify the
economic value of regional infrastructure at risk under different scenarios; and

BE IT FURTHER RESOLVED that NLC urges the federal government to work with state and
local governments, the insurance industry, and other stakeholders to develop an incentive-based
disaster insurance and mitigation system that would encourage property owners to retrofit
existing structures to reduce future losses from natural disasters; and

BE IT FURTHER RESOLVED that returning to the status quo is not sufficient in meeting the
challenges of climate change and inequities in our society; 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
extreme weather; 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 climate change and extreme weather
events and establish a preparedness and response fund to support local governments that are at
the forefront of developing adaptive solutions; and
BE IT FURTHER RESOLVED that NLC urges the federal government to develop grant and technical assistance programs to enable communities to develop community energy transition plans that ensure 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 NLC urges the federal government to develop a national pilot project initiative to conduct detailed assessments and designs for resilient city energy system retrofit and redesign across a range of different regions and city sizes; and

BE IT FURTHER RESOLVED that federal investments in communities must prioritize those communities that have been left behind and BIPOC communities, which have been disproportionately impacted by the effects of climate change and COVID-19.
NLC RESOLUTION 2022-11

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

EENR Committee Recommendation: Renew with edits

WHEREAS, climate change mitigation is a global problem that demands a global solution; and

WHEREAS, the Fourth 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;¹ and

WHEREAS, a report by the Intergovernmental Panel on Climate Change (IPCC) indicates that limiting global warming to 1.5°C is necessary to avoid the worst impacts of climate change;² and

WHEREAS, extreme heat will have more serious health consequences on people living in low-income communities, communities of color, and tribal communities, and people in these communities have been disproportionately impacted by coronavirus and high rates of underlying health conditions, both of which can be exacerbated by extreme heat; and

WHEREAS, these same vulnerable populations also face dramatically higher energy burdens—spending a greater portion of their income on energy bills—than the average household³; and

WHEREAS, according to the American Lung Association’s 2022 State of the Air report, more than 40 percent or 137.5 million people live in counties with unhealthy air, which is especially concerning as research shows that people with long-term exposure to air pollution are more likely to die from COVID-19⁴; and

WHEREAS, while some impacts 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

⁴ “State of the Air,” American Lung Association (2021), available at: https://www.lung.org/research/sota/key-findings
WHEREAS, in order to meet the carbon emissions reductions goals necessary 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, enhance national security, increase our nation’s energy independence, and improve environmental quality; and

WHEREAS, technology exists and continues to be developed that will help families, businesses and communities reduce energy use, but without standards to encourage adoption of new technology, many of these technology options will be unavailable or unaffordable; and

WHEREAS, the transportation sector generates the largest share of greenhouse gas emissions, 27.9 percent of 2019-2020 greenhouse gas emissions, in the United States; and

WHEREAS, buildings account for nearly 40 percent of the nation’s energy consumption and more than 70 percent of its electricity use, and electricity production represents the second largest share of greenhouse gas emissions, 25 percent of 2019 greenhouse gas emissions, in the United States; and

WHEREAS, indoor and outdoor lighting account for 56 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, communities large and small nationwide are laboratories of innovation and are taking action on climate mitigation, including adopting greenhouse gas reduction goals, successfully pioneering and demonstrating cost-effective clean energy solutions, and pursuing local strategies that create jobs, save energy and taxpayer dollars, and promote renewable sources; and

WHEREAS, the Energy Efficiency and Conservation Block Grant (EECBG) helped local governments undertake projects to reduce energy use, diversify energy supplies and improve air quality and the environment; and

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, in 2014 the President’s Task Force on Climate Preparedness and Resilience, comprised of state and tribal leaders, including representatives from the National League of Cities (NLC), made recommendations to the President on ways the federal government can assist local efforts to address and prepare for the impacts of climate change; and

WHEREAS, the bipartisan Infrastructure Investment and Jobs Act of 2021 makes significant progress toward reducing greenhouse gas emissions throughout the transportation sector and investing in clean energy and energy efficiency and conservation and the Inflation Reduction Act provides additional funding and incentives for climate and clean energy goals, but additional federal policies, funding and resources are needed to support local governments.

NOW, THEREFORE, BE IT RESOLVED that NLC calls on Congress and the Administration to partner with local governments, to support local action on climate change mitigation, and to provide essential tools, research, technology development, data, and funding, as well as workforce development, job training and community assistance, to help local governments achieve their greenhouse gas reduction targets and transition to a clean energy economy; and

BE IT FURTHER RESOLVED that NLC urges Congress and the Administration to take urgent action to reduce carbon emissions across a broad sector of the economy and become carbon neutral to mitigate the effects of climate change; and

BE IT FURTHER RESOLVED that NLC supports the U.S.’s engagement in the Paris Climate Agreement and calls on Congress to position the U.S. as a climate leader and adopt nationwide greenhouse gas emission goals and policies that exceed the IPCC 1.5°C targets of 45% emissions reduction from 2010 levels by 2030 and net zero by 2050; and

BE IT FURTHER RESOLVED that NLC supports the U.S.’s reengagement in the Paris Climate Agreement; and

BE IT FURTHER RESOLVED that NLC supports efforts to increase the CAFE standards or fuel efficiency for all types of vehicles; and
BE IT FURTHER RESOLVED that NLC calls on Congress to pass energy efficiency and conservation 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 use of carbon neutral energy and promotes energy efficiency, with the goal of at least 50 percent carbon neutral energy by 2030 and 100 percent by 2050 or sooner; 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

BE IT FURTHER RESOLVED that NLC calls on Congress to reauthorize and fully fund the EECBG or other funding structure at the U.S. Department of Energy to further incentivize clean energy at the local level; and

BE IT FURTHER RESOLVED that federal investments in communities must prioritize those communities that have been left behind and Black, Indigenous and People of Color (BIPOC) who have been disproportionately impacted by the effects of climate change and COVID-19.
WHEREAS, access to clean drinking water is fundamental to the health and well-being of America’s communities and families; and

WHEREAS, Flint, Michigan, and Sebring, Ohio, are two recent examples of cities where high levels of lead have been found in the city’s drinking water; and

WHEREAS, in the early 2000s, the District of Columbia experienced a similar crisis, as have many other cities; and

WHEREAS, lead has negative and long-term neurological effects, particularly in infants and children; and

WHEREAS, in Flint, the elevated blood lead level was discovered in children after the city’s water source was switched to the Flint River by the state-appointed emergency manager, a decision made without coordination or consultation with local officials; and

WHEREAS, a contributing factor to the Flint, Michigan, drinking water crisis was the city’s aging infrastructure and the lack of investment in infrastructure and the community; and

WHEREAS, incidents like these can undermine citizens’ confidence in the safety and quality of the drinking water supply and water infrastructure of every community; and

WHEREAS, in January 2016, President Obama signed an emergency declaration in the State of Michigan, ordering federal aid to supplement state and local response efforts due to the emergency conditions caused by lead-contaminated water; and

WHEREAS, corrosion control and testing are essential to preventing lead leaching and alerting the public to potential dangers; and

WHEREAS, recent analysis by the National Resources Defense Council found that over 5,300 water systems nationwide have elevated levels of lead and a recent analysis by the American

Water Works Association estimates 6.1 million lead service lines remain in U.S. communities, at an estimated $30 billion to replace;\(^2\) and

**WHEREAS**, there is a need to invest in our aging water infrastructure nationwide and a failure to do so can have negative public health consequences; and

**WHEREAS**, the U.S. Environmental Protection Agency (EPA) estimates the nation’s water infrastructure capital needs over the next 20 years to be approximately $743 billion in total,\(^3\) the American Society for Civil Engineers estimates that over the next 20 years, the cumulative water and wastewater capital investment need will soar to $3.27 trillion and the cumulative capital investment gap will total $2.2 trillion,\(^4\) and other estimates put the cost at more than $4 trillion to maintain and build a 21\(^{st}\) century water system; and.

**WHEREAS**, the bipartisan Infrastructure Investment and Jobs Act of 2021 provided federal funding for lead service line replacement projects, but additional federal funding is needed to fully replace all lead service lines in the country.

**NOW, THEREFORE, BE IT RESOLVED** that local planning and infrastructure decisions, including those related to clean drinking water, should not be preempted and should be made by locally elected leaders in coordination with state and federal officials; and

**BE IT FURTHER RESOLVED** that the National League of Cities (NLC) calls on Congress to provide direct assistance to the City of Flint, Michigan, and for EPA and the federal government to work directly with local officials, for as long as necessary, to resolve the drinking water crisis through the provision of safe drinking water and to support economic recovery; and

**BE IT FURTHER RESOLVED** that NLC calls on Congress and the Administration to provide long-term support for the families affected by lead drinking water contamination in Flint and nationwide, including in the areas of education and mental health; and

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BE IT FURTHER RESOLVED that NLC calls on Congress and the Administration to support robust funding for all water infrastructure financing mechanisms, including the Clean Water and Drinking Water State Revolving Loan Fund programs and the Water Infrastructure Finance and Innovation Act (WIFIA); and

BE IT FURTHER RESOLVED that NLC calls on Congress and the Administration to support other mechanisms of infrastructure financing, including protecting the tax-exempt status of municipal bonds and reinstating the tax exemption for advance refunding bonds; and

BE IT FURTHER RESOLVED that NLC calls on Congress and the Administration to support grants to local governments, as well as school systems and daycare centers, for the replacement of lead service lines, testing, inventories, planning, corrosion control, and public education campaigns, and to assist small and disadvantaged communities in complying with the Safe Drinking Water Act.
NLC RESOLUTION 2022-13

INCREASE FEDERAL INVESTMENT IN WATER INFRASTRUCTURE

EENR Committee Recommendation: Renew with edits

WHEREAS, the nation’s water infrastructure systems, both built and natural, are significant assets that protect public health and the nation’s water resources and well-maintained systems are essential to our citizens’ general welfare and the nation’s prosperity; and

WHEREAS, with much of our nation’s physical water infrastructure built in the post-World War II period – and some of it more than 100 years old – there are an estimated 240,000-250,000 to 300,000 water main breaks each year;¹ and

WHEREAS, cities, and-towns and villages nationwide are finding that decentralized water solutions such as water use efficiency measures and green stormwater installations can effectively and affordably serve many of the same functions as conventional water infrastructure and can supplement and extend their existing centralized systems;² and

WHEREAS, federal loan and grant assistance to cities and local governments to assist in maintaining and upgrading water infrastructure systems has continued to decline in real dollars over the past decades³; and

WHEREAS, local governments are responsible for the vast majority of investment in water and sewer infrastructure, investing over $1.7 trillion between 1956-2010⁴, £2.38 trillion between 1993-2019 (not adjusted for inflation) and over $134 142 billion in 202019 alone;⁵ and

WHEREAS, tax-exempt municipal bonds are the primary funding mechanism for state and local government infrastructure projects with three-quarters of the total United States investment in infrastructure being accomplished with tax-exempt financing; and

¹ 2019-2021 Infrastructure Report Card, American Society of Civil Engineers, available at: https://www.infrastructurereportcard.org/cat-item/drinking-water/
⁵ 202019 Annual Surveys of State and Local Government Finances, U.S. Census Bureau (October, 2022), available at: https://www.census.gov/programs-surveys/gov-finances.html
WHEREAS, an economic analysis by the American Society of Civil Engineers shows a water-related infrastructure investment gap of $434 billion over 10 years for drinking water, wastewater, and stormwater combined; and

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

WHEREAS, the bipartisan Infrastructure Investment and Jobs Act of 2021 (IIJA) provided a significant boost in federal funding for drinking water and wastewater infrastructure, but not enough to close the needs gap; and

WHEREAS, aside from the IIJA, annual appropriations for federal loan and grant assistance to cities and local governments to assist in maintaining and upgrading water infrastructure systems has continued to decline in real dollars over the past decades; and

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

WHEREAS, public-private partnerships can provide options for communities to access sources of private capital to meet water infrastructure needs, but are not viable for all communities or all types of projects; 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 that 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

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6 2019 Infrastructure Report Card, American Society of Civil Engineers, available at: https://infrastructurereportcard.org/cat-item/stormwater/
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.\textsuperscript{8}

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, particularly in disadvantaged communities that have historically been under-invested in, by developing a financial option that strikes the right balance between local responsibility and federal assistance; and

BE IT FURTHER RESOLVED that NLC calls on Congress and the Administration to support robust funding for water infrastructure financing through the Clean Water and Drinking Water State Revolving Loan Fund programs and to reauthorize the programs; and

BE IT FURTHER RESOLVED that Congress should provide full appropriation to the Water Infrastructure Finance and Innovation Act (WIFIA) for loans and loan guarantees for water infrastructure projects; and

BE IT FURTHER RESOLVED that Congress should provide funding to local governments through grant programs such as for sewer overflow and stormwater management, lead pipe replacement, water infrastructure resilience/sustainability to protect and reduce risk to extreme weather events, new/emerging technologies for cybersecurity improvements and water efficiency, workforce development in the water sector, and other programs; and

BE IT FURTHER RESOLVED that Congress should exempt from federal taxation rebates issued to consumers by local governments to pay for consumer-installed decentralized water infrastructure that benefits their communities; and

BE IT FURTHER RESOLVED that NLC supports legislation removing the federal volume cap on tax-exempt bonds for water and wastewater infrastructure projects; and

BE IT FURTHER RESOLVED that NLC calls on Congress and the Administration to support other mechanisms of infrastructure financing, including protecting the tax-exempt status of municipal bonds and reinstating the tax exemption for advance refunding bonds; and

BE IT FURTHER RESOLVED that Congress and the Administration should enact new legislation which provides adequate and reliable long-term funding for municipal water infrastructure needs to help close the funding gap.

\textsuperscript{8} Testimony of Stephen L. Johnson, Administrator, U.S. Environmental Protection Agency, before the Senate Appropriations Committee, March 4, 2008.
NLC RESOLUTION 2022-14

SUPPORT FOR INTEGRATED PLANNING AND NEW AFFORDABILITY CONSIDERATION FOR WATER

EENR Committee Recommendation: Renew with edits

WHEREAS, in 2012 the U.S. Environmental Protection Agency (EPA) issued its Integrated Municipal Stormwater and Wastewater Planning Approach Framework (“Integrated Planning Framework”), which was intended to help local governments seek more efficient and affordable solutions to stormwater and wastewater issues and meet the requirements of the Clean Water Act (CWA) in a more flexible, affordable, and cost-effective manner; and

WHEREAS, in 2014 EPA issued its Financial Capability Assessment Framework for Municipal Clean Water Act Requirements (“Financial Capability Framework”), which allows the consideration of additional information, such as socio-economic factors, in determining the financial capability of residents and a community when developing compliance schedules for municipal projects necessary to meet CWA obligations; and

WHEREAS, these two policy frameworks demonstrate an awareness by EPA of the challenges local governments face in meeting CWA requirements, as well as the conflicts they face in balancing environmental protection with economic feasibility; and

WHEREAS, taking a One Water approach to water resource management means that “all water has value and should be managed in a sustainable, inclusive, integrated way” and requires balancing water equity, water access and water affordability;¹ and

WHEREAS, at a time where local financial resources are increasingly limited and the ability of local governments to raise revenue is also limited, local governments are facing costly unfunded federal and state regulatory requirements forcing them to make tough decisions about the services and maintenance that they can afford; and

WHEREAS, proposed federal budget cuts to critical local programs would further reduce the ability of cities and towns to meet the everyday needs of their community; and

WHEREAS, local water and sewer rates and stormwater fees are rapidly becoming unaffordable for many fixed- and low-income citizens, placing a disproportionate financial burden on these vulnerable populations who live at or below the poverty level; and

WHEREAS, the current reliance on two percent of median household income for wastewater and combined sewer overflows controls is a misleading indicator of a community’s ability to pay, and often places a particularly high burden on residents at the lower end of the economic scale; and

WHEREAS, green infrastructure, such as constructed swales, wetlands, green roofs, infiltration planters, rain gardens, cisterns, and enhanced floodplains and riparian buffers, augmented by permeable pavers, rain barrels, and trees, is a valuable part of water infrastructure systems and provides a multitude of community benefits such as helping local governments manage runoff, extending the life of local infrastructure, saving the city and taxpayers money, providing outdoor recreation opportunities through parks and green spaces and promoting the joint use of city and school facilities, and serve as an economic development tool; and

WHEREAS, National Pollutant Discharge Elimination System (NPDES) permits are increasingly stringent, the treatment technologies and approaches necessary to meet permit limits have become exceedingly expensive and time-intensive to implement, and project construction timelines for clean water infrastructure projects can extend more than a decade.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) calls on EPA to work with local governments to develop local integrated plans through the permit process to comprehensively and collectively manage wastewater and stormwater needs, prioritize investments in wet weather overflows and flooding, incorporate green infrastructure components, and to ease the burden of unfunded mandates; and

BE IT FURTHER RESOLVED that NLC calls on EPA to share integrated planning best management practices, including those that take a regional watershed approach, from across the country with all communities that are interested in pursuing an integrated planning approach; and

BE IT FURTHER RESOLVED that NLC calls on Congress to modernize the NPDES permitting process to approve legislation to allow states with delegated authority to administer the NPDES permitting program to issue permits of up to ten years; and

BE IT FURTHER RESOLVED that NLC calls on EPA to work with local governments to revise the “Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development” (Feb. 1997) to eliminate reliance on median household income as the critical metric for determining investment level and to allow for the consideration of additional
information, such as socio-economic factors, consistent with the Agency’s 2014 Financial Capability Framework; and

BE IT FURTHER RESOLVED that NLC calls on the federal government to explore options for providing ratepayer assistance, such as through a consumer assistance program modeled on the Low Income Home Energy Assistance Program.
CALLING ON THE FEDERAL GOVERNMENT TO TAKE ACTION TO ADDRESS PFAS CONTAMINATION

EENR Committee Recommendation: Renew with edits

WHEREAS, Per- and polyfluoroalkyl substances (PFAS) are a class of nearly 5,000 man-made chemicals that includes PFOA, PFOS, PFBS and GenX manufactured and used in a variety of industries; and

WHEREAS, PFAS chemicals are known as “forever” chemicals because they are persistent in the environment and in the human body; and

WHEREAS, PFAS chemicals have been known to cause adverse health outcomes in humans including effects on prenatal development, low infant birth weights, early onset of puberty, negative effect on the immune system, cancer, liver damage, and thyroid disruption; and

WHEREAS, while science predicts that the entire class of PFAS chemical may be associated with adverse health effects and many such chemicals are in industrial and commercial use, only a small fraction of these chemicals have been investigated sufficiently to establish quantitative measures of toxicity; and

WHEREAS, in 2016-2022 the U.S. Environmental Protection Agency (EPA) lowered the established a lifetime exposure health advisory level for PFOA and PFOS from of 70 parts per trillion to near zero and established new health advisories for GenX and PFBS for the combined concentration of PFOA and PFOS in drinking water; and

WHEREAS, in 2018 the U.S. Department of Health and Human Services Agency for Toxic Substances and Disease Registry released a draft report warning that PFAS chemicals could pose a health risk at levels lower than currently recommended by the EPA; and

WHEREAS, in 2019-2021 EPA announced a PFAS Strategic Roadmap that outlines a comprehensive nationwide action plan for addressing PFAS, including identifying both short-term solutions for addressing these chemicals and long-term strategies that will help states, tribes

1 Fact Sheet: PFOA & PFOS Drinking Water Health Advisories, U.S. Environmental Protection Agency (Nov. 2016); available at: https://www.epa.gov/sites/production/files/2016-06/documents/drinkingwaterhealthadvisories_pfoa_pfos_updated_5.31.16.pdf
2 Drinking Water Health Advisories, U.S. Environmental Protection Agency (June 2022); available at: https://www.epa.gov/sdwa/drinking-water-health-advisories-has
and local communities provide clean and safe drinking water to residents and address PFAS at
the source – before it gets into the water;\textsuperscript{4} and

\textbf{WHEREAS}, in February 2020 EPA issued a proposed regulatory determination to regulate
PFOS and PFOA, is currently undergoing a rulemaking process to the first step in the regulatory
process of setting a \textit{propose a National Drinking Water Regulation and set a Maximum
Contaminant Level for PFOA and PFOS} under the Safe Drinking Water Act; and

\textbf{WHEREAS}, there are significant technical challenges in detecting, and measuring and
removing PFAS in water and other environmental media at the levels where health effects can
occur, and analytical methodologies are still under development or are not yet generally
available; and

\textbf{WHEREAS}, the Environmental Working Group and the Social Science Environmental Health
Research Institute at Northeastern University updated maintains an interactive map of known
contamination of communities from PFAS, which; and \textbf{WHEREAS}, as of March 2019; June
2022, the interactive map shows 2,858 at least 610 locations in 43-50 states and two territories
with known contamination known to be contaminated, including drinking water systems
serving an estimated 19 million people;\textsuperscript{5} and

\textbf{WHEREAS}, in February 2019, EPA and United States Geological Survey scientists published
results on analysis for 17 PFAS compounds in water samples from 25 public drinking water
supplies in 24 states (locations confidential) that detected PFAS in every sample tested,
suggesting that PFAS is ubiquitous in our water;\textsuperscript{6} and

\textbf{WHEREAS}, PFAS chemicals were widely used in firefighting foams, particularly for airports,
and were used in frequent training exercises at military air bases; and

\textbf{WHEREAS}, PFAS chemicals were required in firefighting foams used at airports to meet
federal performance standards for extinguishing agents, but currently the Federal Aviation
Administration is updating its standards to allow for a non-fluorinated option for airports; and

\begin{itemize}
  \item \textsuperscript{4} EPA’s Per- and Polyfluoroalkyl Substances (PFAS) Action Plan, PFAS Strategic Roadmap: EPA’s Commitments
to Action 2021-2024, U.S. Environmental Protection Agency (Feb. 2019 Oct. 2021); available at:
  \url{https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024}
  \item \textsuperscript{5} EWG: PFAS Chemicals Must be Regulated as a Class, Not One by OnePFAS Contamination in the U.S.,
  \item \textsuperscript{6} “Per- and polyfluoroalkyl substances in source and treated drinking waters of the United States,” Science of the
Total Environment, Volume 653 (February 25, 2019), pages 359-369, available at:
\url{https://www.sciencedirect.com/science/article/pii/S004896971834141X}
\end{itemize}
WHEREAS, the U.S. Department of Defense has ended its use of the foam in training exercises; and

WHEREAS, PFAS contamination is found at and around military bases, airports, manufacturing sites, landfills, and in local water supplies obtained from both rivers and groundwater; and

WHEREAS, local governments are responsible for protecting the health, safety and welfare of residents, including providing clean and safe water; and

WHEREAS, while treatment technology for removing PFAS from water is not well-developed, the more effective methods use technologies that are not conventionally available in existing water treatment plants, so removing these PFAS chemicals from water could require costly investments by local governments and other local water suppliers, which would be passed onto ratepayers; and

WHEREAS, local governments are owners and operators of airports and landfills and employ firefighters, some of whom may have been exposed to PFAS chemicals on the job through inhalation or skin absorption, and therefore present a pension and liability concern for local budgets; and

WHEREAS, PFAS contamination not only poses health risks, but also economic impacts on communities, including in the agriculture and fishing industries by contamination of food sources; and

WHEREAS, a number of states have adopted PFAS policies pertaining to prohibiting use, monitoring, notification and reporting, cleanup, health studies, testing, liability provisions, and contamination limits, including Michigan, New Jersey and Vermont that have set maximum contamination levels lower than EPA health advisory levels; and

WHEREAS, a number of bills have been introduced in both the U.S. House of Representatives and U.S. Senate to survey, regulate, mitigate and phaseout the use of PFAS.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) calls on Congress and the Administration to holistically examine PFAS contamination and to take comprehensive action to address the problem, including through nationwide testing, monitoring, mapping, public education, and water supply treatment; and

2. States Forge Ahead with PFAS Regulations, PoliticoPro Datapoint on Energy (Feb. 28, 2019)
BE IT FURTHER RESOLVED that NLC calls on the federal government to ensure that the
parties responsible for PFAS contamination, including the federal government but excluding
local governments, are held fully liable for costs of cleanup and mitigation and to ensure that
sites are cleaned up in a timely manner and to standards sufficiently stringent to permit reuse of
the site and to obviate the need for additional cleanup and mitigation costs by affected local
governments; and

BE IT FURTHER RESOLVED that the federal government should incentivize and support
research and development for extended producer responsibility programs to prevent pollution of
waterways, drinking water and soil contamination and to address the life cycle environmental
impacts of PFAS chemicals; and

BE IT FURTHER RESOLVED that local governments, including municipal airports and fire
departments, were required by federal law to use firefighting foam containing PFAS chemicals,
and therefore should not be held liable for PFAS contamination or cleanup costs; and

BE IT FURTHER RESOLVED that local governments, including drinking water and
wastewater utilities and municipal landfills, serve as receivers of PFAS chemicals and did not
cause or contribute to contamination, and therefore should not be held liable for PFAS
contamination or cleanup costs; and

BE IT FURTHER RESOLVED that NLC calls on the federal government to accelerate
research and technology development to advance the science needed to understand the health
consequences of exposure to PFAS chemicals, detect and measure PFAS chemicals in water and
other environmental media, treat water supplies to remove these substances, and find safe
substitutes for PFAS chemicals; and

BE IT FURTHER RESOLVED that NLC calls on the federal government to set drinking water
standards, including for PFAS chemicals, based on sound science, public health protection,
ocurrence of the contaminant in drinking water supplies at levels of public health concern, risk
reduction and cost; and

BE IT FURTHER RESOLVED that NLC calls for the federal government to avoid passing
costs onto local ratepayers and to provide financial and technical assistance to communities for
testing, monitoring, mapping, public education, water supply treatment, and pursuit of alternative
water supplies if necessary; and

BE IT FURTHER RESOLVED that NLC calls on the federal government to prevent further
exposure to PFAS through multiple means, including promoting and funding the development
and use of firefighting alternatives and the phasing out the use of PFAS; and
BE IT FURTHER RESOLVED that the federal government should thoroughly study and test alternative PFAS and other long-chain chemicals before they are put into circulation to make sure they are safe; and

BE IT FURTHER RESOLVED that NLC should update the “Assessing the State Firefighter Cancer Presumption Laws and Current Cancer Firefighter Cancer Research” that it conducted in 2009 to determine what linkages there are between firefighting and an elevated incidence of cancer.
NLC RESOLUTION 2022-16

IMPROVE THE BENEFIT-COST ANALYSIS FOR FEDERALLY FUNDED FLOOD CONTROL PROJECTS AND SUPPORTING BENEFICIAL REUSE OF DREDGED MATERIAL

EENR Committee Recommendation: Renew

WHEREAS, the U.S. Army Corps of Engineers (Army Corps) at the U.S. Department of Defense has responsibilities for development and maintenance of waterways and harbors and for other water resource projects across the nation, and is the primary federal agency associated with the design and construction of flood damage reduction projects across the country; and

WHEREAS, the White House Office of Management and Budget (OMB) works with the Army Corps to determine what water resource projects are funded with the budget allocation for the Army Corps enacted by Congress each year; and

WHEREAS, the Army Corps and OMB rely heavily on a benefit-cost analysis to determine which projects receive federal funding each year; and

WHEREAS, since Congress traditionally provides the Army Corps with far fewer resources than are necessary to fund the significant backlog of projects under their jurisdiction, the benefit-cost analysis has become a de facto filter for the Army Corps and OMB; and

WHEREAS, as a result, projects that have a benefit-cost ratio below a certain level are often not considered for funding at all; and

WHEREAS, the current system used by the Army Corps for determining benefit-cost ratios is narrowly focused on traditional economic and financial costs and benefits, largely overlooking environmental costs and benefits, social equity and potential for secondary benefits of interest to local communities; and

WHEREAS, the current system used by the Army Corps for determining benefit-cost ratios does not effectively reflect the potential value of projects for low-income communities, including the benefits of replacement of structures that protect low-income, low-cost of living communities; and

WHEREAS, the current system used by the Army Corps for determining benefit-cost ratios does not adequately consider the impacts of the loss of a community’s livelihood associated with agricultural land; and
WHEREAS, the current system used by the Army Corps for determining benefit-cost ratio at the U.S. Army Corps of Engineers does not consider the value of federal lands; and

WHEREAS, dredged materials produced from Army Corps waterway and harbor maintenance activities may be suitable for beneficial reuse, but often are disposed as waste; and

WHEREAS, there is a lack of sediment available for the habitat restoration and flood protection needed along our coasts and waterways.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) calls on the U.S. Army Corps of Engineers and the White House Office of Management and Budget to revise the benefit-cost analysis system used for projects to reflect the values of the nation to protect communities from flooding in ways that are environmentally protective and foster social equity;

BE IT FURTHER RESOLVED that NLC calls on the Army Corps and OMB to add a quantitative indexed value to life and safety to determine the benefit of federal investments in flood control projects; and

BE IT FURTHER RESOLVED that NLC calls on the Army Corps and OMB to add a quantitative indexed value to agricultural land value and the impacts of crop flooding to determine the benefit of federal investments in flood control projects; and

BE IT FURTHER RESOLVED that NLC calls on the Army Corps and OMB to add a quantitative indexed value to protection of low-income communities and environmental benefits to determine the benefit of federal investments in water resources projects, including projects for flood control; and

BE IT FURTHER RESOLVED that NLC calls on the Army Corps and OMB to add a quantitative indexed value to potential benefits of projects on federal properties, as well as benefits to military readiness when developing coastal storm protection projects in the adjacent community;

BE IT FURTHER RESOLVED that NLC calls on the Army Corps to increase the quantity of dredged materials put to environmentally beneficial uses, especially related to marsh restoration and sea level rise protection, by allowing a national beneficial reuse policy that considers dredged materials to be a potential resource (instead of a waste product) and establishes a realistic economic value of environmentally-suitable dredged material that takes into account its use for storm or flood risk reduction and habitat restoration; and
BE IT FURTHER RESOLVED that the cost of offshore disposal of dredged materials should include the full future economic value of that sediment that would be lost if it is deposited offshore.
WHEREAS, international transboundary rivers on the southern border of the United States are a major source of sewage, trash, chemicals, heavy metals and toxins; and

WHEREAS, transboundary flows threaten the health of 18 million residents in the United States and Mexico, harm important estuarine land and water of international significance, force closure of beaches, damage farmland, compromise border security, and directly affect U.S. military readiness; and

WHEREAS, a significant amount of untreated sewage, sediment, hazardous chemicals and trash have entered United States waters, via the Tijuana and New Rivers in southern California, the Santa Cruz and San Pedro Rivers in Arizona and the Rio Grande in Texas, eventually draining into coastal waterways, waterbodies and inland waters, such as the Salton Sea; and

WHEREAS, the presence of pollution on state and federal public lands is creating unsafe conditions for visitors and residents—these lands are taxpayer supported and intended to be managed for recreation, resource conservation and the enjoyment by the public, and

WHEREAS, the current insufficient and degrading infrastructure in the border zone poses a significant risk to the public health and safety of residents and the environment on both sides of the border, and places the economic stress on cities that are struggling to mitigate the negative impacts of pollution; and

WHEREAS, the 1944 treaty between the United States and Mexico regarding Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande allocates flows on transborder rivers between Mexico and the United States, and provides that the nations, through their respective sections of the International Boundary Water Commission shall give control of sanitation in cross border flows the highest priority; and

WHEREAS, in 1993, the United States and Mexico entered into the Agreement Between the Government of the United States of America and the Government of the United Mexican States Concerning the Establishment of a North American Development Bank which created the North American Development Bank (NADB) to certify and fund environmental infrastructure projects in border-area communities; and

WHEREAS, on November 30, 2018 the United States, Mexico and Canada entered into the Agreement Between The United States of America, The United Mexican States, And Canada to...
replace the *North American Free Trade Agreement*, and on December 10, 2019 the United States, Mexico and Canada agreed to a protocol of amendment to the U.S.-Mexico-Canada Agreement (USMCA), which became effective in the United States on January 29, 2020; and

**WHEREAS**, the implementing language of USMCA authorizes and allocates funding for grants under the U.S.-Mexico Border Water Infrastructure Program (BWIP), the Trade Enforcement Trust Fund and recapitalization of the NADB, including $300 million to address the problem of toxic sewage flowing from the Tijuana River watershed; and

**WHEREAS**, the funding package included $300 million to be available to address the problem of toxic sewage flowing from the Tijuana River watershed; and

**WHEREAS**, the increase in commerce and traffic across the border has resulted in economic benefits for both the U.S. and Mexico; and

**WHEREAS**, the ease of trade and commerce has resulted in increased vehicle and factory emissions, which negatively impact the water quality, land quality and air quality of the areas along the southern border; and

**WHEREAS**, border communities need modernized and innovative water infrastructure to provide clean and sanitary drinking water to improve the quality of living and support the expanding communities; and

**WHEREAS**, the adverse environmental impact will worsen existing environmental issues and the strain on aging infrastructure, while also creating new environmental issues in the future; and

**WHEREAS**, the widespread threat to public health and safety, damage to fish and wildlife resources and degradation to the environment caused by transboundary pollution in the border states requires urgent action by the federal and state governments; and

**WHEREAS**, Congress authorized funding under the Safe Drinking Water Act and established the State and Tribal Assistance Grants (STAG) program for the U.S.-Mexico Border Water Infrastructure Program in 1996 to provide grants for high-priority water, wastewater, and stormwater infrastructure projects within 100 kilometers of the southern border; and

**WHEREAS**, the EPA administers the STAG and BWIP, and coordinates with the NADB to allocate BWIP grant funds to projects in the border zone; and

**WHEREAS**, since its inception, the BWIP has provided funding for projects in California, Arizona, New Mexico and Texas that would not have been constructed without the grant program; and
WHEREAS, the BWIP program was initially funded at $100 million per year, but, over the last 20 years, the program has been significantly reduced to $15-30 million in FY19-FY21 and $25-32 million in FY20-FY22; and

WHEREAS, in its FY 2021 Budget Request, the Administration proposed to eliminate the BWIP program and recommends that state revolving funds be used as a source of infrastructure funding; and

WHEREAS, officials from EPA Region 6 and 9 identified a multitude of BWIP-eligible projects along the southern border totaling over $300 million; and

WHEREAS, Mexico has identified multiple projects totaling hundreds of millions of dollars that would benefit from BWIP funding; and

WHEREAS, without federal partnership through the BWIP and state support to address pollution, cities that are impacted by transboundary sewage and toxic waste flows are left with limited resources to address a critical pollution and public health issue and limited legal remedies to address the problem; and

WHEREAS, Mexico benefits from the bi-national funding program and relies on the North American Development Bank to assist in funding projects on the Mexico side of the border, which have an immediate and long-term environmental impact along the border in the U.S. due to the upstream, transboundary flows of the major rivers; and

WHEREAS, local governments and the public support the State’s primary objectives in complying with environmental laws including the Clean Water Act and Endangered Species Act, and their state law analogues, and are supported by substantial public investments at all levels of government to maintain a healthy and sustainable environment for the future.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities urges the Federal government to continue to fund the Border Water Infrastructure Program, and to recommit to working bi-nationally to develop and implement long-term solutions to address serious water quality and contamination issues, such as discharges of untreated sewage and polluted sediment and trash-laden transboundary flows originating from Mexico, that result in significant health, environmental, and safety concerns of affected communities.
NLC RESOLUTION 2022-18

SUPPORTING LOCAL CONTROL OF WATER INFRASTRUCTURE PROJECTS

EENR Committee Recommendation: Renew with edits

WHEREAS, local leaders have a strong commitment to ensuring that their residents have access to clean and reliable drinking water and wastewater systems; and

WHEREAS, local leaders have an obligation to protect public health, to use limited public resources in the most efficient manner possible, and to promote economic development; and

WHEREAS, local public and private engineers and water professionals also have an obligation to protect public health, to use limited public resources in the most efficient manner possible, and to promote economic development; and

WHEREAS, there are efforts at the federal level and in various states that would undermine these goals, supersede engineering judgment and impose new mandates on local communities; and

WHEREAS, the design of drinking water and wastewater systems is an inherently local process and local communities are in the best position to select infrastructure materials, as each community’s needs are unique; and

WHEREAS, infrastructure materials all have different service lives, durability, reliability, economic, health and safety characteristics and engineers and communities need to retain local control to select infrastructure materials based on factors important to the local community; and

WHEREAS, communities should remain free to adopt system-wide best management practices and uniform design specifications in the development and maintenance of their water systems to maximize efficiency and control costs; and

WHEREAS, restricting local control increases costs, interferes with sound engineering judgment, limits the ability of communities to manage their systems as efficiently as possible and delays projects.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) supports local control of drinking water and wastewater systems and the ability of local governments to make water infrastructure decisions based on engineering and design, not solely based on cost; and
BE IT FURTHER RESOLVED that NLC opposes federal and state policies that mandate, or in any way promote, material preferences or otherwise undermine local autonomy for local water and wastewater infrastructure systems.
Proposed Policy Amendments and Resolutions of the

Community and Economic Development
Federal Advocacy Committee

CED
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 at [nlc.org/national-municipal-policy](http://nlc.org/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.

**Policy:**
There are no proposed amendments to existing policy.
NLC Resolutions are annual statements of position that sunset at the end of the calendar year unless action is taken. The committee must review each of the 2022 resolutions that originated in the CED Committee to determine recommendations for 2023. 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 CED resolutions that were approved for 2022 at City Summit with recommendations for 2023 are:

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<th>Resolution</th>
<th>CED Committee Recommendation</th>
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<td>NLC RESOLUTION 2022-19: Supporting A Federal Agenda for Local Economic Development, Economic Mobility, and Entrepreneurship</td>
<td>Renew with edits</td>
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<tr>
<td>NLC RESOLUTION 2022-20: Urging the Development of Criteria for Neighborhood Preference as an Anti-Displacement Tool</td>
<td>Expire (HUD now supports carefully structured local anti-displacement preferences)</td>
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<td>NLC RESOLUTION 2022-21: Urging the Department of Housing and Urban Development (HUD) to Enact Safeguards Against Abuses in Contracts for Deeds</td>
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<td>NLC RESOLUTION 2022-22: Supporting the Need for Public Transparency Surrounding Installation Scoring from Past Rounds of Base Realignment and Closure</td>
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<td>NLC RESOLUTION 2022-23: Supporting A National Agenda for U.S. Housing Investment and Opportunity</td>
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<tr>
<td>NLC RESOLUTION 2022-24: Endorsing the Recommendations of NLC’s National Housing Task Force Report “Homeward Bound, The Road to Affordable Housing”</td>
<td>Renew</td>
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NLC RESOLUTION 2022-19

SUPPORTING A FEDERAL AGENDA FOR LOCAL ECONOMIC DEVELOPMENT, ECONOMIC MOBILITY, AND ENTREPRENEURSHIP

CED Committee Recommendation: Renew with edits

WHEREAS, cities are the engine of our nation’s economy. From infrastructure like roads and water to parks and libraries, to workforce development centers and business support, to law enforcement and emergency services; cities create the conditions that drive new business, spur innovation, and attract talent and investment; and

WHEREAS, NLC’s indicates America’s cities and towns are prioritizing economic recovery and addressing declines related to the COVID-19 pandemic; and

WHEREAS, NLC’s State of the Cities 2022 Report identifies “Economic Development” as the second most-covered policy issue in 2022 state of the city speeches; and

WHEREAS, following two years of stewarding turbulent local economies, local governments are using a wide range of policies and programs to increase their city’s economic resiliency, maintain commercial competitiveness and lift up the members of their communities most negatively impacted by the COVID-19 pandemic; and

WHEREAS, the federal government has an essential role to play – in cooperation with local leaders – to help address the social, economic, and fiscal challenges weighing on the nation’s cities; and

WHEREAS, local entrepreneurs and small businesses lead a majority of economic growth and are essential stakeholders in the success of neighborhoods, help create a community’s sense of place, and serve as a vital link to connect communities to the larger, global economy; and

WHEREAS, successful neighborhood revitalization requires effective plans for both community development and economic development; and

WHEREAS, the Community Reinvestment Act (CRA), a landmark civil rights law passed in 1977 to end discrimination in America’s banking and housing markets, remains a critical tool for both community and economic development that ensures regulated financial institutions have continuing and affirmative obligations to help meet the credit needs of the local communities in which they are chartered; and

WHEREAS, working with Congress, the President has an opportunity to partner with local officials to renew and reinvigorate federal economic development policies and programs that local entrepreneurs have increasingly been unable to access; and

WHEREAS, in many cases federal programs and policies created in response to the great-recession have remained static and increasingly inaccessible or irrelevant to small businesses and local entrepreneurs at the center of today’s urban growth and revitalization; and
WHEREAS, high federal regulatory barriers to accessing capital in both public programs and the private market are one reason why racial and ethnic wealth gaps have grown since the great recession (Pew); and

WHEREAS, NLC supported the formation of the bipartisan House Entrepreneurship Caucus, which will serve as a forum for policy discussions and collaboration to address the most pressing issues facing entrepreneurs throughout the country. The caucus will seek to analyze new business formation trends and form a wide ranging strategy to boost entrepreneurship growth, ensuring new business ventures continue to create jobs and drive innovation.

NOW, THEREFORE, BE IT RESOLVED that NLC urges federal investment and support for economic mobility and opportunity, regional economic development, local entrepreneurship, community banking and community development financial institutions, and direct federal investment in distressed and underserved communities; and

BE IT FURTHER RESOLVED that NLC supports the bipartisan House and Senate Entrepreneurship Caucuses and urges growth in their membership; and

BE IT FURTHER RESOLVED that the federal government can make an immediate and enormously positive impact on local economies by acting on the following five-four areas:

BE IT FURTHER RESOLVED 1.) that NLC urges federal lawmakers to help local entrepreneurs by supporting policies that result in a supportive ecosystem for entrepreneurship. To that end, Congress should:

- Create an Entrepreneurs Extension Partnership to connect startups with the basic resources needed to create and grow their businesses locally.
- Establish an Office of Entrepreneurship within the Small Business Administration to broaden eligibility for SBA support beyond the types of businesses traditionally supported for the smallest businesses.
- Launch a network of non-equity based, “revenue first” accelerators for new businesses that fall within a grey area where they are too risky for traditional banks and not risky enough for venture capitalists.

BE IT FURTHER RESOLVED 2.) that NLC urges the federal government improve equity and economic mobility by modernizing the Community Reinvestment Act (CRA) to increase public accountability of banks to serve every community. To that end, federal regulators should:

- Update CRA assessment areas to include areas with considerable bank lending and deposit gathering outside of bank branch networks.
- Improve public data around community development lending and investments in order to provide greater clarity to lenders about what qualifies for CRA and to help identify areas around the country in need of greater community development lending and investing.
- Federal regulators should not adopt a one-ratio or single-metric approach to CRA exams and should not adjust bank asset thresholds solely for making exams easier for banks to pass, or otherwise dilute attention to LMI borrowers and communities.
BE IT FURTHER RESOLVED 3.) that NLC urges federal lawmakers to increase the pace of economic development by continuing on the path of regulatory reform that reduces barriers to development. To that end, Congress should:

- Establish a shot-clock on federal agencies making rulings and determinations on local governments to expedite the federal decision-making processes; and to provide for the certainty that project partners and project finance require; and
- Appoint an independent Intergovernmental Ombudsman at each cabinet level agency to serve as point of contact for state and local elected officials and serve as a facilitator at times of intergovernmental impasse; and

BE IT FURTHER RESOLVED 4.) that NLC urges federal lawmakers make economic mobility a federal priority. To that end, Congress should:

- Restore full funding for the Community Development Block Grant Program, which serves as the first line of defense against local neighborhood decline and has been the bridge for countless families to the middle class; and
- Authorize significant annual increases in funding for economic development grants for cities and towns through the U.S. Economic Development AdministrationIncrease EDA funding for Partnership Planning, Research and National Technical Assistance, and Public Works, and enhance the scope of related activities; and
- Enact the broadest possible definition of economic development to permit EDA grant funding for innovative programs at the intersection of economic development and education, workforce, and infrastructure; and
- Elevate the office of Economic Development Integration at U.S. EDA to fill the role of central integrator of all federal economic development programs across federal agencies to streamline and simplify city access to those programs; and
- Support greater offerings of technical assistance and capacity building at federal agencies tasked with economic development, including HUD, EDA, and USDA, for small and mid-sized cities and towns to create and fill economic development positions within municipal governments – or to support NGO partners assisting local governments; and

BE IT FURTHER RESOLVED 5.) that NLC urges federal lawmakers remain focused on workforce development. Specifically, Congress should:

- Create a workforce planning and development grant jointly administered by the U.S. Departments of Commerce, HUD, and Labor to help cities create a streamlined workforce plan to foster economic mobility by focusing on the education, apprenticeship, and housing needs of those seeking to move up the income ladder; and
- Support federal programs and efforts, such as ban the box initiatives, that assist with reintegration of ex-offenders into the workforce, and that ensure applicants with a criminal history have a fair opportunity to compete for Federal jobs.
NLC RESOLUTION 2022-20

URGING THE DEVELOPMENT OF CRITERIA FOR NEIGHBORHOOD PREFERENCE AS AN ANTI-DISPLACEMENT TOOL.

CED Committee Recommendation: Expire
(HUD now supports carefully structured local anti-displacement preferences)

- WHEREAS, federal Fair Housing Act does not allow for any lender, landlord, or housing provider to institute policies or practices that could negatively affect a protected class (race, color, religion, national origin, sex, disability, and familial status); and-
- WHEREAS, many cities have the affirmative duty to further the Fair Housing Act which includes but not limited to anti-displacement mechanisms; and-
- WHEREAS, many cities have communities with diverse population of many races, colors, and national origin who have often chosen to live in communities that are like their own race, color, or national origin; and-
- WHEREAS, in many cities, certain communities, primarily communities of color, are facing gentrification leading to displacement of longtime residents to less desirable areas of the city or displaced entirely from the community; and-
- WHEREAS, in many communities facing gentrification by market and unaffordable housing, the only source of new housing affordable to the low-income residents is government subsidized housing; and-
- WHEREAS, the Fair Housing Act does not allow any preference to be given to residents of gentrifying communities being displaced upon the construction of a new housing affordable to low-income residents of that community; and-
- WHEREAS, if the residents could have preference to these better and safer affordable housing structures recently developed in their communities, the residents would be able to vacate the deteriorating structures which are the only ones they can afford, allowing for the redevelopment of the properties; and-
- WHEREAS, cities have a legitimate interest in protecting long-term residents as long-term residents are often engaged positively in the community, provide community stability, and stability often lends to less crime; and-
- WHEREAS, neighborhood/community preference is a very powerful anti-displacement tool which operation (interpretation) of the Fair Housing Act has taken away from municipalities.
- NOW, THEREFORE, BE IT RESOLVED that NLC urges the Secretary of the Department of Housing and Urban Development ("HUD") give municipalities guidance as to how a Fair
Housing marketing plan can be set up with a neighborhood preference that will be acceptable to the department; and

BE IT FURTHER RESOLVED that such guidance can include demographic parameters such as percentage of minorities in a neighborhood, percentage of displacement over the last five years, fair market rent as a percentage of low-income residents and a percentage limit of the local preference.
NLC RESOLUTION 2022-21

URGING THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO ENACT SAFEGUARDS AGAINST ABUSES IN CONTRACTS FOR DEEDS

CED Committee Recommendation: Renew

WHEREAS, the subprime home mortgage crisis damaged housing affordability across the country and caused disproportionate harm in African-American communities, resulting in the loss of forty percent of non-home-equity wealth. Moreover, home-equity wealth, which dropped nineteen percent during the crisis, has declined by an additional thirteen percent in the years since the crisis; and

WHEREAS, over three million families have entered into a Contract for Deed to purchase a home due to the inaccessibility of the traditional mortgage market; and

WHEREAS, a Contract for Deed is a seller finance method to purchase a home where the seller retains the legal title to the property until the homebuyer finishes paying all principal payments and interest owed under the contract. Contracts for Deeds are principally used by low-income homebuyers who are unable to obtain a traditional mortgage or financing because of poor credit ratings, inadequate income or other issues; and

WHEREAS, bad actors can abuse Contracts for Deeds to allow the seller to avoid health and safety regulations, and crucial repairs to the property, while transferring the burden of property taxes, property insurance, and repairs to the homebuyer; and

WHEREAS, in comparison to renting, the homebuyer must pay more per month for the property under Contracts for Deeds, make a larger upfront payment, and take better care of the premises, because the homebuyer is working toward ownership. However, sellers that abuse Contract for Deeds rarely end up transferring the title to the prospective homebuyer; and

WHEREAS, Contracts for Deeds are often consummated between the homebuyer and the seller without the benefit of a title search and title insurance, government regulatory protections and standardized legal documents in many states including Texas, Illinois, Michigan, Minnesota, West Virginia, South Dakota, Ohio, South Carolina, and Florida; and

WHEREAS, the proliferation and abuse of Contracts for Deeds presents the risk of creating yet another large drain on African-American wealth comparable in impact to the housing finance abuses that brought about the 2007-2009 subprime crisis; and

WHEREAS, the National Black Caucus of Local Elected Officials, a constituency group of the National League of Cities, has endorsed this resolution; and also, strongly condemns the use of Contracts for Deeds to exploit low-income homebuyers.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities urges the U.S. Department of Housing and Urban Development, the U.S. Department of Veterans Affairs, and
the Rural Housing Service of the U.S. Department of Agriculture to enact regulations and safeguards against predatory uses of Contracts for Deeds, and to protect consumers from the practice of using Contracts for Deeds to unjustly evict families from their homes.
NLC RESOLUTION 2022-22

SUPPORTING THE NEED FOR PUBLIC TRANSPARENCY SURROUNDING INSTALLATION SCORING FROM PAST ROUNDS OF BASE REALIGNMENT AND CLOSURE

CED Committee Recommendation: Renew

WHEREAS, the strength of the United States Armed Services is a matter of critical national security; and

WHEREAS, the communities surrounding the military installations throughout the United States have a symbiotic relationship with the installations; and

WHEREAS, communities are engaging in efforts to build collaborative networks to support the needs of active duty and transitioning military personnel, their families, Veterans, and members of the reserve and National Guard through Community Veteran Engagement Boards (CVEBs), Points of Light Foundation’s Community Blueprint program, and the U.S. Department of Defense’s Employer Support of the Guard and Reserve (ESGR) program; and

WHEREAS, realignment and closure of those installations will have a significant economic effect upon the communities surrounding the installations; and

WHEREAS, previous rounds of base realignment and closure resulted in installations and the surrounding communities being scored on specific criteria; and

WHEREAS, providing communities surrounding military installations with scoring criteria and prioritization from previous rounds of base realignment and closure will assist them in making necessary changes to better prepare their communities against potential closure of an adjacent installation; and

WHEREAS, 52 cities that are a part of NLC’s Military Communities Council (MCC) represent the communities adjacent to military installations.

NOW, THEREFORE BE IT RESOLVED that the National League of Cities (NLC) urges Congress and the Department of Defense to provide the criteria and scoring of installations and surrounding communities from previous rounds of base realignment and closure to allow communities to better prepare themselves against potential closure of the installation and to work closely with the installations to improve low scoring criteria.
NLC RESOLUTION 2022-23

SUPPORTING A NATIONAL AGENDA FOR U.S. HOUSING INVESTMENT AND OPPORTUNITY

CED Committee Recommendation: Renew

WHEREAS, America’s cities are the strength of the nation – communities of neighborhoods where people live, work, learn, and play; and

WHEREAS, every American deserves a decent home in a suitable living environment with adequate financial stability to maintain it; and

WHEREAS, affordable housing contributes to the economic vitality of our communities and local economic regions as a vehicle for creating jobs and increasing municipal tax bases; and

WHEREAS, there is an irreplaceable role for the federal government in addressing our nation’s housing needs; and

WHEREAS, research demonstrates that inadequate housing is linked to issues including unemployment, rising health care costs, public safety challenges, and poor academic performance; and

WHEREAS, the demand for affordable housing far outpaces the supply in the United States, as wages have not kept pace with rising home values over the period following the subprime mortgage crisis; and

WHEREAS, data shows that in no state, metropolitan area, or county can a worker earning the federal minimum wage or prevailing state minimum wage afford a two-bedroom rental home at fair market rent by working a standard 40-hour week; and

WHEREAS, three out of four households eligible for federal housing assistance receive none; and

WHEREAS, on any given night, there are in excess of 560,000 Americans experiencing homelessness, meaning they are sleeping outside, in an emergency shelter, or in a transitional housing program; and

WHEREAS, NLC supports the bipartisan coalition “MAYORS AND CEOS FOR US HOUSING INVESTMENT”, and welcomes all city leaders and CEOs to consider joining the coalition as common stakeholders in expanding housing opportunities and ending homelessness; and

WHEREAS, NLC supports the national, multi-sector housing campaign “OPPORTUNITY STARTS AT HOME”, a long-term, multi-sector campaign to meet the rental housing needs of the nation’s lowest income people.
NOW, THEREFORE, BE IT RESOLVED that NLC urges the President and Congress to
work with city leaders to end homelessness and ensure that the lowest-income and most
vulnerable households have the opportunity for safe, decent, affordable housing; and

BE IT FURTHER RESOLVED that NLC urges Congress to bridge the funding gap between
rents and income for extremely low-income households through rental assistance programs,
including supporting a mechanism to address the acceptance of federal rental assistance
vouchers; and

BE IT FURTHER RESOLVED that NLC urges the federal government to work with local
governments to expand the stock of affordable housing and workforce housing; and

BE IT FURTHER RESOLVED that NLC urges Congress to restore and improve funding for
neighborhood and household stabilization to provide emergency assistance to avert housing
instability, homelessness, and neighborhood decline.
NLC RESOLUTION 2022-24

ENDORsing the recommendations of NLC’s national housing task force report “Homeward Bound, the Road to Affordable Housing”

CED Committee Recommendation: Renew

WHEREAS, in cities, towns, and villages across the country, demand for affordable housing is far outpacing supply. According to property data provider Attom Data, home prices are rising faster than wages in 80% of U.S. markets. And according to the National Low Income Housing Coalitions annual report on housing affordability, Out of Reach, there is no county in America where a renter working 40 hours a week, and earning minimum wage, can afford a two-bedroom apartment without spending more than 30% of their income on housing; and

WHEREAS, unmet demand for safe, healthy, affordable housing is reaching crisis levels for local governments in both urban and rural areas. According to the Housing Assistance Council, of the nation’s most rural counties, none with towns of more than 10,000 residents, approximately one quarter have seen a sizeable increase in the number of households this decade spending at least half their income on housing; and

WHEREAS, in response to the housing crisis, former Mayor Karen Freeman-Wilson, Gary, Indiana, announced the formation of the National Housing Task Force in November 2018, under the leadership of chair Muriel Bowser, mayor of Washington, D.C.; and

WHEREAS, the National Housing Task Force was comprised of 18 local elected officials representing a diversity of city sizes, geography, and market types - plus the executive directors of two state municipal leagues. The task force was charged to develop a set of policy recommendations for local governments and the federal government; and

WHEREAS, the Housing Task Force developed a federal/local housing platform consisting of five policy recommendations for the federal government, and five policy recommendations for local governments; and

WHEREAS, the National Housing Task Force Housing released the report Homeward Bound: The Road to Affordable Housing. The report is a call for action on the ten federal/local policy recommendations based on evidence that housing stability is a prerequisite for economic mobility, job security, and health and well-being.

NOW, THEREFORE BE IT RESOLVED that the National League of Cities congratulates and applauds the members of the National Housing Task Force for their work and participation; and

BE IT FURTHER RESOLVED that the National League of Cities endorses the findings and recommendations of NLC’s National Housing Task Force Report “Homeward Bound, the Road to Affordable Housing; and
BE IT FURTHER RESOLVED that the National League of Cities urges federal lawmakers to advance the following five priorities:

1. Immediately stabilize and stem the loss of public and affordable housing.
2. Enact a long-term housing bill that provides ten years of funding certainty for pilot programs advancing housing for all.
3. Support innovation and modernization of land-use and planning at the local and regional level.
4. Fix inequities in housing development and the housing finance system.
5. Support scalable innovation and financing for cities, towns and villages.

BE IT FURTHER RESOLVED that the National League of Cities makes the following five recommendations to local governments:

1. Establish local programs by combining funding and financing streams to support housing goals.
2. Modernize local land use policies, including zoning and permitting, to rebalance housing supply and demand.
3. Identify and engage broadly with local stakeholders; and coordinate across municipal boundaries, to develop a plan to provide housing opportunities for all.
4. Support the needs of distinct sub-populations including the homeless, seniors and persons with conviction histories.
5. Prioritize equitable outcomes in housing decision as it is an essential component for success.
Proposed Policy Amendments and Resolutions of the

Human Development
Federal Advocacy Committee

HD
Proposed Policy 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 at nlc.org/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.

Policy:

- **Section 4.00 Introduction**
- **Section 4.01 Social Services**
  - E. Special Populations
- **Section 4.02 Children and Learning**
  - A. Early Care and Learning
  - B. School-Age Children
  - D. Safe Schools
  - E. Green Schoolyards
  - F. Postsecondary Education
- **Section 4.03 Poverty Reduction and Income Support**
  - B. Education and Skills Development
- **Section 4.04 Employment**
  - A. Workforce Development
  - B. Job Creation
  - C. Job Elimination
- **Section 4.05 Equal Opportunity**
- **Section 4.06 Seniors and Social Security**
  - A. Aging in Place
- **Section 4.07 Individuals with Disabilities**
  - B. Self-Sufficiency
- **Section 4.08 Health**
  - F. Vaccination Stockpiles
  - G. Infectious Diseases
  - H. Substance Abuse
  - J. Mental Health
- **Section 4.09 Immigration and Refugees**
- **Section 4.11 Veterans**
- **Section 4.12 International, National and Community Service**
Section 4.00 Introduction

The National League of Cities (NLC) believes that the cornerstone of the federal government’s comprehensive human development strategy should be the self-sufficiency and well-being of every individual. Through policy recommendations, financial investments, staffing commitments and legislative action, the federal government should:

- Establish a coordinated system of social services;
- Establish and implement a national policy on children and youth, from early childhood through opportunity youth;
- Fully fund federally-mandated programs;
- Fund services designed to prevent unintended pregnancy and eliminate poverty;
- Promote full employment;
- Promote equal opportunity efforts in education, employment, and social services;
- Provide a floor of financial support for seniors and persons with disabilities through Social Security;
- Provide assistance to individuals with disabilities;
- Ensure that all Americans have access to adequate physical and mental health care;
- Establish a federal block grant program to enhance our public health system;
- Implement comprehensive immigration reform, build a humane, just and dignified asylum system, and restore the refugee resettlement program to historic norms; and
- Support efforts to ensure that cultural resources are accessible to all residents.

Section 4.01 Social Services

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. The federal government should:

- Increase funding for the Social Services Block Grant and other federal block grants that help local communities provide social services;
- Provide coordination, flexibility, and oversight, in full partnership with local officials;
- 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 and youth, immigrants and refugees, and individuals experiencing homelessness.

E. Special Populations—

NLC supports federal efforts to focus funding and program services on special populations including:

- Senior Citizens (see also HD Section 4.06, 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 4.09, Immigration and Refugees);
and
IndividualseXperiencingHomelessness.

**Section 4.02 Children and Learning**

A. **Early Care and Learning**

NLC supports early childhood development programs that address the holistic needs of children including their physical, social and emotional health and well-being and prepare them for long-term success in school and life. Such programs should include:

- Support for social and emotional health and well-being, routine health screenings, physical fitness activities, and nutrition for proper development;
- Training and support for families to support their child’s development at home and to help them effectively advocate for their child at school;
- Developmentally appropriate early learning experiences grounded in research- and evidence-based curricula that incorporate play-based learning which develops a child’s intelligence through experimentation and fosters collaboration with others.
- Learning environments that are safe, academically enriching, culturally appropriate and provide access to nature; and
- Early childhood educators that have the training, skills, and ongoing professional development to provide high-quality teacher/child interactions, including trauma-informed care, and are appropriately compensated according to their education and experience.

To achieve this, NLC urges the federal government to provide increased funding and programmatic flexibility, and 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, nutritional assistance, family support services, and education programs so that all children have the skills and support needed to enter kindergarten ready to succeed.

NLC urges the federal government to provide direct funding to cities to support early childhood programs in their communities.

Furthermore, NLC urges the federal government to:

- Continue efforts to modernize and expand the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) program;
- Support increased funding for the Maternal, Infant and Early Childhood Home Visiting (MIECHV) Program, and encourage greater coordination and alignment between federal, state, and locally funded home visiting models;
- Increase funding for the Child Care Development Block Grant to ensure that all families can find high-quality, accessible and affordable child care. Incentivize states to adopt payment and eligibility practices that better meet the needs of families and child care providers such as paying payout based on enrollment rather than attendance, setting payment rates based on the true cost of care rather than a market
rate survey, utilizing contracts to build the supply of care, allowing families to be eligible for subsidy if attending an institute of higher education, and allowing localities to determine eligibility guidelines that can account for regional differences in the cost of living;

- Ensure that the early childhood 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. Effort should be made to promote a diverse early childhood workforce that is trained in trauma-responsive care, culturally appropriate practices; and implicit bias; and

- Create a local early childhood innovation fund to encourage states, counties, local governments and their partners to find new ways to support the expansion and quality of child care and preschool in communities through early childhood workforce preparation programs, facilities enhancements, and strategic partnerships between early childhood programs and city agencies that serve families, so that families have access to nutrition and health services, housing, transportation and employment services.

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;
- Provide support and regulations to ensure child care providers are paid a living wage;
- Improve the Child and Dependent Care Tax Credit to make it available to more low-and-moderate-income families; and
- Urge the Small Business Administration (SBA) to view child care as a legitimate business including providing them operational support and make available low-interest loans to those interested in starting child care businesses; and

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.

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. NLC urges the federal government to:

- Increase funding for preschool expansion and encourage states to adopt a mixed-delivery model that supports children's holistic development;
- Increase funding for Head Start, Early Head Start, and the Early Head Start Child Care Partnerships programs. Preserve the federal-to-local funding structure and encourage more birth-to-five grants to allow for additional flexibility for local programs to structure their operations to best meet local needs. Also, in addition to
further supporting State Collaboration Offices, create local collaboration grants for
cities, counties or their partners to help align and coordinate federal, state and local
early childhood initiatives; and-
- Provide support for the inclusion of outdoor learning environments and nature play
spaces that promote early learning, healthy development, healthy eating, and positive
interactions between families and young children within parks, green spaces, and
early childhood centers; and
- Supports transition activities to ensure that children entering kindergarten have the
support needed to be successful in school.

B. School-Age Children
NLC supports comprehensive programs to raise student achievement and support positive whole
child development. NLC supports Title I of the ESEA, which enables schools serving under-
resourced children to meet their unique educational needs. NLC also supports federal efforts
around after-school and summer learning through the expansion and full funding of the 21st
Century Community Learning Center grants at its authorized levels, summer or year-round youth
employment, service-learning programs, financial inclusion through financial education and
vocational/career technical education that may include apprenticeship programs that are linked to
staying in school higher retention rates, higher school attendance, lowering truancy rates, improved
grades and behavior.

The federal government should increase funding for programs that support opportunity youth,
students who have disengaged from school, so they can return to school, receive an alternative
education, and easily move into the employment sector effectively. In addition, for students who
are not actively pursuing education beyond high school, NLC supports continued federal
investment in research and local programs, including career and technical education programs that
help students to transition from school to work.

NLC also supports the long-term success of immigrant students through English language
education. Therefore, NLC urges the federal government to:
- Provide sufficient funding to assist local communities help Limited English
Proficiency (LEP) and English Language Learners (ELL) students
through investments in high-quality educator preparation programs, multicultural
lessons inside and outside of school, multigenerational programs, and other needed
services;
- Continue to implement flexible policies based on different communities’ needs;
- Continue to allow states to give some school districts time-limited waivers regarding
assessments of students who are new immigrants; and
- Provide support that helps mixed-status immigrant youth and families navigate the
postsecondary education application process.

D. Safe Schools
NLC also believes that widespread bullying and harassment—including bullying based on race,
nationality, religion, culture, sexual orientation and/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:

- Adopt comprehensive and effective student conduct policies that include clear prohibitions regarding all bullying and harassment, including bullying and harassment based on race, ethnicity, nationality, religion, culture, 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;
- 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;
- Improve access to social emotional learning programs for youth and adults that have links to promoting positive school climate;
- Invest in high-quality educator preparation and training, including peer-to-peer learning that promotes equitable social and emotional learning models, and create collaborations between school staff and external mental health and wellness providers; and
- Address the impact of structural racism on BIPOC students, including disparities in punishment/enforcement.

E. **Green Schoolyards**

NLC supports federal funding in support of all-inclusive infrastructure and design to ensure that green schoolyards and outdoor learning are seen as important, cost-effective assets for student learning and become fully integrated into school infrastructure, green infrastructure planning processes funding mechanisms, and state education standards. These installations:

- Support a healthy school environment, both indoors and outdoors, to ensure the health and well-being of children, teachers, and staff;
- Reduce the carbon footprint and urban heat island effects of thousands of school buildings and grounds;
- Ensure buildings and grounds that are adaptable and resilient to address climate change impacts such as increasing extreme weather events; and
- Provide locations for wrap-around services and joint uses such as for school-based health clinics, adult, and youth education, and civic and recreational centers.

F. **Post-Secondary Education**

Education and training beyond high school is increasingly required to ensure access to the jobs of the future and upward economic mobility. Without high-quality postsecondary education that develops a skilled and trained workforce, the nation’s cities, towns, and villages will face serious challenges when it comes to attracting and retaining businesses and staying economically competitive. NLC urges Congress to support strategies and investments that improve postsecondary access, completion, and long-term success in the labor market including those that:

- Ensure a smooth transition from high school to postsecondary education and work.

NLC supports those college preparation programs, authorized by the Higher Education Act, that help to bridge the transition from high school to college (such as
Gear Up, Upward Bound, Talent Search, Student Support Services, and Educational Opportunity Centers). NLC also supports dual and concurrent enrollment programs, and college-in high school models like P-TECH;

- Promote a culture of postsecondary engagement and support the expansion of dedicated savings vehicles for post-secondary education such as children’s savings accounts or other programs operated by towns, cities, and villages;
- Support work-based and career-connected learning, like programs funded under the Carl D. Perkins Career and Technical Education Act and Registered Apprenticeship Programs and continue to ensure such programs are responsive to local labor market needs;
- Support career readiness programs, including English language and technology literacy programs as well as soft skills training;
- Elevate the central role that community colleges play in providing non-degree credentials, rapid upskilling and job training, and work to align federal support staff and technical assistance for community colleges at the U.S. Departments of Education and Labor;
- Incentivize state re-investment in higher education;
- Provide technical assistance and guidance to postsecondary institutions on strategies to improve career guidance, industry credential attainment, competency-based education, and other evidence-based practices;
- Make it easier for people receiving food assistance or social services to access postsecondary education. Work requirements in programs like TANF & SNAP can prevent youth and adults from gaining the education and skills they need to access economic opportunity; and
- Promote transparency in postsecondary data – including labor market outcome data – to enable local policymakers to make effective decisions that support education attainment and address equity issues; and
- Address the impact that increased student loan payments have on the financial security and economic mobility on the residents of our nation’s cities.

Section 4.03 Poverty Reduction and Income Support

B. Education and Skills Development

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 child care; health insurance; substance abuse and rehabilitation treatment; entrepreneurial opportunities; and transportation.

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 with pathways 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;
- Invest in workforce development programs, especially for communities of color, LGBTQ+ people, and women, veterans, individuals with disabilities and low-income individuals;
- Direct federal investments to address the digital literacy gap facing the 48 million Americans with limited or no digital literacy skills;
- 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.

As part of 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. This information can be used to help improve program design and outcomes for participants.

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 make permanent the expansions of the EITC for those without children and the Child Tax Credit made possible with the passage of the American Rescue Plan Act. In addition, the federal government should support working families by increasing the minimum wage.

Section 4.04 Employment

A. Workforce Development

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, in addition:

- 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, formerly incarcerated individuals, and opportunity 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;

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.

Encourage greater use of apprenticeship programs with access to funding for local programs.

Establish a permanent summer jobs program for young people ages 14 through 24 that is designed to provide youth, including economically disadvantaged and disconnected, youth with paid jobs that provide measurable world-of-work training and job skills development ideally connected to postsecondary skills development opportunities in in-demand career pathways as well as wrap-around supports to engage them in the workforce system and learn the responsibilities and soft-skills that lead to better jobs;

Expand the Pell Grant program to cover needed workforce skills training for short-term and certificate training programs;

More generally promote streamlining of state occupational licensure procedures that reduce economic and geographic mobility for millions of Americans, including veterans, healthcare professionals, and others in in-demand industries;

Provide streamlined pathways to licensing and certification for immigrants and refugees who come to the U.S. with existing experience, degrees, and qualifications from other countries; and

Ensure access to affordable, high-quality child care and portable benefits system to ensure all those able to engage in the workforce are able, including supporting an intra-DOL taskforce/study group on the gig economy and worker classification; and

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 when the federal government closes military bases or major federal facilities.

B. Job Creation

To reduce poverty, the federal government should provide resources to help local communities address the shortage and maintenance of living wage jobs.

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 that will promote business growth and entrepreneurship and generate new employment opportunities in those areas. NLC also supports local hire initiatives and encourages the federal government to allow and support these programs to ensure that local workers have access to local jobs.
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.

See also CED section 3.04 (B4a) Economic Development.

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 the Worker adjustment and Retraining Notification (WARN) Act and
other federal laws that ensure advance notice in cases of closing and mass layoffs and requires
private businesses to:

- Provide 60 days advance notice of relocations, reductions in workforce or
  business closings for businesses with 100 or more employees;
- Consult with local municipal officials so that the individuals and communities
  affected can plan for needed adjustments; and
- Create incentives for individuals to be re-skilled/re-trained to obtain further
  employment within the local community;
- Make supplemental financial contributions to support the unemployment
  insurance fund to assist in worker transition; and
- Support Short-Term Compensation (STC) programs, also known as “work
  sharing”, as a layoff aversion tactic under a state-approved plan to reduce the hours
  for a group of workers who in turn also receive a reduced unemployment benefit
  payment.

Section 4.05 Equal Opportunity

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, racism, xenophobia,
sexism, homophobia, transphobia, ageism, and ableism.

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

- Enforce civil rights laws and eliminate discrimination with regard to race, color,
  ethnicity, religion, national origin, immigration status, age, sex, sexual orientation,
  gender/identity expression or any social barriers or physical disadvantage;
- Promote and encourage equitable efforts in employment, education, delivery of
  services, and health care to ensure that every person is considered only with regard to
  individual need; and
- Take current action to remedy past discrimination.
Develop and disseminate legal standards that will provide clear guidance on the use of mechanisms to address present or past racial discrimination;

Promote diversity;

Explicitly include women and sexual/gender minorities in the Constitution;

Provide statutory authority for same-sex and interracial marriages; and

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, LGBTQ+ and individuals with disabilities.

Section 4.06 Sections and Social Security

NLC believes that the federal government should ensure that all seniors 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;
- Access to healthy foods;
- 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.

A. 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 culturally relevant programs that will enable seniors to “age in place” and enjoy their elderly years in the comfort, safety, dignity and familiarity of their own homes and/or communities. NLC supports seniors in our communities to have affordable opportunities and support to age in a place of their choice that meets their needs. 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, support home repairs and accessibility renovations, ensure access to healthy foods, and increase access to broadband and internet services to improve healthcare and social networking. Further, the federal government should prioritize action within the Domains of Livability, identified by AARP and the World Health Organization:

1. Outdoor spaces and buildings
2. Transportation
3. Housing
4. Social participation
5. Respect and social inclusion
6. Work and civic engagement
Section 4.07 Individuals with Disabilities

B. Self-Sufficiency
The federal government should increase funding for workforce development, social services and housing programs, including permanent, affordable supportive housing for persons with disabilities. These efforts should include financial incentives for self-sufficiency.

Section 4.08 Health

NLC supports universal access to health care. Universal access will improve standard health indicators such as maternal and infant mortality rates, life expectancy, and immunization rates of the young against preventable diseases. It can also eliminate disparities in treatment.

NLC believes that the federal government should:
- Control costs and reduce the rate of growth in health care expenditures and coverage costs;
- Ensure universal health care coverage;
- Maintain and improve Medicaid, Medicare, and the State-Children’s Health Insurance Program (S-CHIP), SNAP, WIC, and promote school health clinics to expand access and availability of health care;
- Address disease management;
- Reimburse localities fully for the costs of services provided to Medicare, Medicaid, Tri-Care and Veterans Administration patients;
- Adequately fund a federal block grant program to enhance our public health planning, capacity building, and disaster response systems;
- Assist local public health departments to better address infectious diseases such as HIV/AIDS and influenza, and increase the number of health services personnel employed;
- 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.

In addition, NLC urges the federal government to:
- Enhance access to health care by expanding telemedicine and virtual health options, particularly in rural areas;
- Provide funding for outreach and application assistance to uninsured individuals;
- Fund and support increased access to behavioral health programs and services;
- 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.

F. Vaccination Stockpiles
The federal government should accelerate development and procurement of all vaccines and those pharmaceuticals needed to control and treat biological threats, such as smallpox, monkeypox and anthrax. Local health officials should 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
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, towns and villages. 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.

Specific attention should also be placed on the transmission of zoonotic diseases, such as COVID-19, which are transmitted from animals to humans and that researchers now believe contributes to no fewer than 2.2 million deaths each year on average. As we have experienced with COVID-19, which has resulted in 4,986,524 million deaths worldwide as of October 2021September 2022, these diseases are an increasingly serious problem resulting from environmental change and increased travel among within 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, training and infrastructure so that city public health officials are prepared to address such outbreaks with a focus on equitable coordination with state and local governments and best practice sharing among communities. NLC also calls on the federal government to continue to recognize the financial impact of these diseases on local economies and to work with local leaders to understand revenue loss and impacts.

NLC urges the federal government to continue collecting data disaggregated by race, ethnicity, sex, sexual orientation, religion, and gender identity and to support data that sheds light on the intersecting forces of racial disparities, underlying conditions, and poverty that affect how an infectious disease spreads and provide resources that address the disproportionate effect on impacted communities.
H. Substance Abuse
The federal government should maintain the definition of substance use disorders as illnesses and should ensure that there are enough facilities for those who need substance use disorder treatment, including children and infants who are born with prenatal substance exposure.
According to the National Survey on Drug Use and Health (NSDUH, 2014), 21.2 million Americans needed treatment for a substance use disorder. However, only about 2.5 million people received the specialized treatment they needed. The federal government should take steps to improve access to medication-assisted treatment and ensure that Naloxone dosage guidelines keep pace with the changing needs on the ground, especially the increasing prevalence of fentanyl. Harm reduction efforts such as syringe exchange programs should be scaled in coordination with state and local partners.

Additionally, the federal government should provide education and support services for families involved in the recovery process including culturally sensitive community supports and adequate resources to mitigate the impact of intergenerational trauma caused by substance abuse in the home.

Resources should include:
- Accessible, affordable detoxification centers that facilitates entry into long-term treatment and recovery;
- Education and support for family members impacted by the dysfunction associated with substance use, including how adverse childhood experiences increase risk for substance use; and
- Community supports, including assistance with basic needs, that ensure individuals and families have the necessary resources to mitigate the stress that can lead to relapse.

J. Mental Health
The federal government should ensure that the civil and constitutional rights of persons with mental health conditions and substance use disorders are protected. In addition, the federal government should provide trauma-informed funding and support to local communities to increase protective factors that promote resilience in children and families without discrimination based regard to race, gender, religion, sexual orientation, age, ethnicity, ability or gender identity.

NLC supports mental health parity and the provision of comprehensive services to address mental health needs for persons with general mental health conditions, serious mental health diagnoses, and substance use disorders. Whether at the federal, state or local levels, there should be effective plans for preventing, diagnosing, and treating mental health conditions and substance use disorders that reflect the parity between mental and physical health. Mental health and substance use disorder services should be accessible and equal to physical health services. These services should also provide support and stabilization to family systems.

The Federal government should:
- Embed behavioral health supports in existing community centers to promote integrated systems of health care and stress reduction;
• Coordinate with state, county, and local officials on the implementation of the 988 mental health line, to ensure coordinated access to service providers;
• Recognize trauma as a major public health threat and offer mandated trauma-awareness trainings for all entities receiving federal funding;
• Incentivize screenings for social determinants of health including Adverse Childhood Experiences (ACE) screenings understanding that adversity in childhood impacts healthy brain development and increases risk for disease and early death; and
• Acknowledge the significant return on investment in early childhood programs and supports for children and families including home visitation, parenting education, and affordable, high quality preschool. These programs allow service providers to identify environmental risks that can lead to substance use disorders and mental health conditions.

Section 4.09 Immigration and Refugees

When admitted through a well-regulated system, immigrants and refugees 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 arrival 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:
• 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;
• Provide local governments with financial and technical assistance so localities can assist new immigrants, including the costs of providing social services, health care, education, language services, refugee resettlement and civic integration;
• 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 law enforcement;
• Increase federal capacity and infrastructure to provide efficient means for foreign nationals to obtain legal authorization for temporary visas or legal permanent residency;
• Establish an affordable efficient process whereby undocumented immigrants currently living in the United States may earn legalized status;
• Protect people seeking asylum at the border and through other means, and create a humane reception system for migrants and refugees;
• Establish a process whereby once the documentation process has begun, individuals are permitted to obtain a driver’s license or other official identification card;
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, if they do not move ahead of applicants with proper documentation waiting to adjust their status or those waiting on lists in their home countries;

- Adopt legislation like the “Dream Act” that can facilitate state efforts to offer in-state tuition to undocumented students and create a pathway to U.S. citizenship and an improved process to eliminate case backlogs that prevent and slow the process;

- 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;

- Ensure Congressional oversight mechanisms are in place to prohibit discrimination on the basis of religion;

- Restore and provide support for the refugee resettlement program and provide equivalent supports and opportunities for people who came to the U.S. seeking safety through alternative related means, such as humanitarian parole; Restore the refugee resettlement program by increasing the annual admission allotment for refugee resettlement to at least the annual average since program inception (95,000);

- Reopen ports of entry to process asylum seekers in accordance with international law; and

- Adopt (1) a definition of “stateless person” in line with international human rights standards, and (2) legal protections for those identified as stateless in the United States through a federal-level Stateless Status Determination procedure based on the United Nation’s High Commissioner for Refugees Handbook on Protection of Stateless People, to ultimately provide stateless people a designated path to lawful status.

Section 4.11 Veterans

NLC believes that all levels of government have an obligation to support the men and women members of the armed services who have made sacrifices to preserve the freedom of the American people.

In order to meet the diverse needs of veterans and their families, NLC believes the federal government should:

- Provide effective veterans’ health care;

- Support programs that provide veterans experiencing homelessness 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;
• 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.

Section 4.12 International, National and Community Service

NLC believes that federal investment in international, national and community service is an important way to help cities, towns and villages meet pressing needs in areas such as neighborhood revitalization and healthy, affordable housing; conservation and the environment including climate resilience and adaptation; human services; public safety and public health; and education and child/youth development.

In order to support communities towards this end, NLC believes that the federal government should:

• Ensure a range of ways for municipalities to engage with international, national and community service programs, including as project sponsors, hosts of individual placement and crew-based programs, and participants on State Service Commissions;

• Provide support for engagement of the full range of city, town and village residents in full-time or part-time stipend international, national and community service activities, with post-service scholarship awards, and with special emphasis on involvement of disconnected youth and young adults, seniors, and veterans;

• Ensure leadership opportunities for city and town elected officials on national Days of Service; and

• Provide ongoing reporting on the impact of international, national and community service on cities, towns and villages, and about the contributions of our communities towards advancing international, national and community service.
NLC Resolutions are annual statements of position that sunset at the end of the calendar year unless action is taken. The committee must review each of the 2022 resolutions that originated in the [Committee Abbr.] Committee to determine recommendations for 2023. 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 HD resolutions that were approved for 2022 at City Summit with recommendations for 2023 are:

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NLC RESOLUTION 2022-25

IN SUPPORT OF ACTION BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) TO STUDY AND ADDRESS VIOLENCE IN AMERICA

HD Committee Recommendation: Renew with edits

WHEREAS, young men, generally, and African-American males, specifically, are dying at an alarming rate due to homicides, 13 times higher than non-Hispanic white youth[1], and is the number one cause of death for 15-24-year-old African American males[2], and

WHEREAS, approximately 1 in 4 women and nearly 1 in 10 men have experienced contact sexual violence, physical violence, and/or stalking by an intimate partner during their lifetime and reported some form of intimate partner violence (IPV)-related impact, and over 43 million women and 38 million men have experienced psychological aggression by an intimate partner in their lifetime;

WHEREAS, family and domestic violence affects an estimated 10 million people every year and 1 in 15 children is exposed to domestic violence and intimate partner violence each year; every month, an average of 53 women are shot and killed by an intimate partner, nearly 1 million women alive today report being shot or shot at by intimate partners, and 4.5 million woman have reported being threatened with a gun[3]; and

WHEREAS, youth violence is an adverse childhood experience (ACE) and can hand a long-term impact on health and well-being[4].

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities is declaring violent crimes a public health crisis and calls upon the United States Congress to direct the Centers for Disease Control and Prevention (CDC), 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 in America; and

BE IT FURTHER RESOLVED that the CDC develop a holistic intervention designed to address the health-related aspects and implications of violence; and

BE IT FURTHER RESOLVED that the CDC continue collecting data disaggregated by race, ethnicity, sex, sexual orientation, religion, and gender identity and support prevention strategies that are tailored to impacted communities; and
BE IT FURTHER RESOLVED that the Substance Abuse and Mental Health Services Administration (SAMHSA) continue to invest in early intervention models, including trauma-informed care, and in studying and addressing the intersection between community violence/mental health/substance use in local communities; and

BE IT FURTHER RESOLVED that Congress and the President increase funding for the Centers for Disease Control and Prevention in the federal budget to support data and indicators that will inform local strategy in cities and towns across our country as they address the issue of violence in their communities.
NLC RESOLUTION 2022-26

IN SUPPORT OF COMPREHENSIVE IMMIGRATION REFORM

HD Committee Recommendation: Renew with edits

WHEREAS, historically, the cities and towns of the United States are a cultural mosaic of multiple cultures and nationalities based on our nation’s history of welcoming immigrants; and

WHEREAS, when admitted through a well-regulated, timely and efficient 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 simplify immigration procedures, reopen legal ports of entry for asylum seekers to deter illegal entrance, secure the borders, track visa recipients in the interior, or enforce worksite laws allows illegal immigration to thrive, with an estimated 11.3 million residents, 3.5% of the nation’s population, living and/or working in the United States without legal authorization or proper documentation[^6]; and

WHEREAS, more than 40 million people living in the United States are foreign-born of which 23% are unauthorized immigrants, 27% are lawful permanent residents, and 77% are lawful immigrants[^7]; and

WHEREAS, the worksite enforcement program does not adequately protect work visa holders from employer abuse or 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 visa-holders and permanent resident status, 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 results in deleterious effects such as children aging out of parents’ applications and becoming undocumented, indefinite stagnation of career and life milestones, and inability to move freely across borders; and

WHEREAS, the United States granted more than 900,000 visas in 2019, of which 300,424 were through temporary, unskilled worker programs (the H2-A and H2-B visas); and

WHEREAS, output in the economy is higher and grows faster with more immigrants[^8]; 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, undocumented immigrants are children, and another 4.5 million U.S.-citizen children have at least one undocumented parent[9]; 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 fiscal impact of both legal and illegal documented and undocumented immigrants living in their communities.

WHEREAS, with the signing on the executive order, “Affording Congress an Opportunity to Address Family Separation”, the President called for modification of the 1997 Flores v. Reno court settlement to enable Immigration and Customs Enforcement (ICE) to detain families together longer than 20 days, resulting in nearly 2,000 children having been separated from their parents in a six-week time period, many of whom are being sent to cities and facilities across the country[10]; and

WHEREAS, with guidance from the U.S. Citizenship and Immigration Services (USCIS) updating policy for the accrual of unlawful presence of those in student (F nonimmigrant), exchange visitor (J nonimmigrant) or vocational student (M nonimmigrant), visa overstay penalties will include harsher penalties impacting students and families[11]; and

WHEREAS, with a reduced number of visas available through the H-2A program, which allows U.S. employers to bring foreign nationals to the United States to fill temporary agricultural jobs, many employers struggling to find qualified workers; and

WHEREAS, the federal government has conducted raids in cities, towns and villages across the country, targeting undocumented immigrants ordered by courts to be removed from the country; and

WHEREAS, there are 511,000 immigrant veterans in the United States of which, 94,000 are waiting to be naturalized and are at risk of deportation; and

WHEREAS, the refugee limit-resettlement goal was set in FY21 at the lowest since the passage of the Refugee Act of 1980, with a limit-goal of 18,000, and then increased to 62,500 midyear, a level not able to be met in a short period of time without adequate support in place and still remaining below the historic average; and
WHEREAS, current asylum seekers must first arrive at a U.S. port of entry without advanced approval to be considered as asylum seekers and risk rejection at the border with no alternative; and

WHEREAS, an increasing number of individuals from multiple countries seeking safety have been admitted to the U.S. in emergency situations as humanitarian parolees; and

WHEREAS, Title 42 continues to be used to prohibit entry of asylum seekers to the U.S. and expel them to danger in other countries; and

WHEREAS, the global refugee crisis the highest in history, with over 82,4100 million forcibly displaced people worldwide, including 276,41 million refugees and 4,61 million asylum-seekers under international law; and

WHEREAS, with the passage of the Infrastructure Investment and Jobs Act, there is a pressing need to fill positions within the sectors that will build and maintain our nation’s roads, bridges, water systems and broadband networks. But, hiring for infrastructure jobs is a significant challenge — the median infrastructure job takes 20% more time to fill than a non-infrastructure job.

NOW, THEREFORE, BE IT RESOLVED that the federal government should provide local governments with financial and technical assistance to alleviate the local impact of and ensure the success and productivity of new immigrants, including the costs of providing social services, health care, education, language services, and civic integration; and

BE IT FURTHER RESOLVED that the federal government enforce its current immigration laws equitably, consistently and timely to adequately staff ports of entry to reduce unauthorized entry at the borders, track visa overstays, working without proper documentation, and employing undocumented workers; 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

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, including the speed of processing, funding levels and number of judges, to enforce
the laws and provide efficient means for foreign nationals to obtain legal authorization for visas or legal permanent residency as well as to be processed when making a border crossing; and

BE IT FURTHER RESOLVED that the federal government must update its policies to provide an appropriate, streamlined legal means of immigration and change status according to life milestones, as is determined to be necessary and effective for the United States, for undocumented immigrants, non-immigrant foreign nationals that want to visit or work here temporarily, or immigrant foreign nationals that want to become legal permanent residents, or gain citizenship, as well as clearly define penalties and consider impacts to students and families for harsh penalty policies for visas overstays; and

BE IT FURTHER RESOLVED that the federal government should reexamine its policies regarding seasonal workers given its impact on local business and the economic vitality of cities and towns across America; 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 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 consider the negative impact of U.S. Immigration and Customs Enforcement raids on local economies and communities, including public safety and social services resources; and

BE IT FURTHER RESOLVED that the federal government should ensure detention policies that do not inflict trauma upon vulnerable children and their families, creating additional financial burdens for mental health, education and family supports in cities across the country; and

BE IT FURTHER RESOLVED that NLC supports federal legislation like the “Dream Act” that can facilitate state efforts to offer in-state tuition to undocumented students and provide Dreamers with a path to U.S. citizenship; and

BE IT FURTHER RESOLVED that documented immigrants who have served honorably in the US Armed Forces should be given the ability to expedite their naturalization process without prejudice and should not be put at risk of being deported; and

BE IT FURTHER RESOLVED that the federal government should adopt (1) a definition of “stateless person” in line with international human rights standards, and (2) legal protections for those identified as stateless in the United States through a federal-level Stateless Status Determination procedure based on the United Nation’s High Commissioner for Refugees
Handbook on Protection of Stateless People, to ultimately provide stateless people a designated path to lawful status; and

BE IT FURTHER RESOLVED that the federal government should be trained to provide language services and a clearly defined appeals process to asylum seekers who are denied entry into the United States; and

BE IT FURTHER RESOLVED that the federal government should restore and increase the refugee resettlement allotments; and

BE IT FURTHER RESOLVED that the federal government should end Title 42 expulsions of asylum seekers; and

BE IT FURTHER RESOLVED that Congress must act to increase legal immigration by raising the employment-based visa program caps to expand the pool of qualified individuals for hard-to-fill jobs across our nation’s communities - from truck drivers and heavy equipment operators to agricultural workers, nurses, and engineers, and other positions.
NLC RESOLUTION 2022-27

IN SUPPORT OF EFFORTS TO PREVENT SEXUAL HARASSMENT AND ASSAULT REFORM

HD Committee Recommendation: Renew with edits

WHEREAS, according to the Equal Employment Opportunity Commission and the Centers for Disease Control and Prevention, 1 in 4 women and 1 in 7 men are victims of severe physical violence by an intimate partner; 1 in 5 women and 1 in 71 men are raped in their lifetime; 1 in 5 women report harassment by a boss and 1 in 4 were harassed by a coworker; 1 in 6 women and 1 in 19 men were stalked in their lifetime; 81% of women experienced verbal harassment; and 25% say they have received lewd texts or emails; lesbian, gay and bisexual people experience sexual violence at similar or higher rates than their heterosexual; and

WHEREAS, according to the Department of Justice, one in two transgender individuals are sexually abused or assaulted at some point in their lives; and

WHEREAS, approximately 3 out of every 4 employees who experience harassment never report it, and 75% of employees who spoke out against workplace mistreatment suffered some form of retaliation; and

WHEREAS, the groundbreaking anti-assault and women’s empowerment movement #MeToo upended the public conversation around harassment issues across the world; and

WHEREAS, the United States Congress has recognized the importance and impact of this movement, evidenced by the introduction of 194 bills related to sexual harassment during the 115th Congress; and

WHEREAS, the U.S. Senate passed S. 2952, and the U.S. House of Representatives passed H.R. 4924, both of which call for the amendment of the Congressional Accountability Act of 1995 to establish protections against congressional sexual harassment and discrimination, taking clear action for harassment experienced within the halls of Congress; and

WHEREAS, the U.S. Justice Department has recognized the importance and impact of this movement, evidenced by the announcement of the Sexual Harassment in the Workplace Initiative, focusing on workplace sexual harassment in the public sector; and

WHEREAS, local governments are not immune to the challenges and threats that reports of sexual harassment can pose to workplace safety and culture as well as to the public trust.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) calls upon the federal government to take meaningful action to prevent sexual harassment for all individuals, regardless of gender or sexual orientation, and to adopt improved reporting practices as an example for cities to follow; and
BE IT FURTHER RESOLVED that NLC supports the intention and vision of the #MeToo movement and calls on Congress to provide support to programs and initiatives that create pathways to healing as well as direct resources towards training, counseling and other appropriate measures that address both prevention efforts and resources for survivors of sexual violence and harassment
NLC RESOLUTION 2022-28

IN SUPPORT OF REAUTHORIZATION OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT AND INCREASED INVESTMENT IN WORKFORCE DEVELOPMENT PROGRAMS

HD Committee Recommendation: Renew

WHEREAS, in 2014 Congress signed into law the Workforce Innovation and Opportunity Act (WIOA) with overwhelming bipartisan support, the largest single source of federal funding for workforce development activities; and

WHEREAS, WIOA reauthorizes the Workforce Investment Act (WIA), which replaced the Job Training Partnership Act (JTPA), and established the system of one-stop career centers for access to training and employment services for a full range of workers, including youth, to help them access good jobs of the 21st century in local and regional industries; and

WHEREAS, WIOA allows for the greater use of sector partnerships, career pathway models and higher levels of accountability; and

WHEREAS, WIOA reflects the growing recognition that in order to adequately address the skills needs of workers, jobseekers, and employers, we must do a better job of coordinating across multiple education, training, and supportive service programs; and

WHEREAS, ongoing State and local implementation of WIOA (29 U.S.C. 3101 et seq.) provides unprecedented opportunities to develop the skills of workers in the United States through access to effective workforce education and training, including the development and delivery of proven strategies such as sector partnerships, career pathways, integrated education and training, work-based learning and paid internships; and

WHEREAS, during these unprecedented times, it is clearer than ever that workers need skills now to access open positions. Out of the nearly 60 million people who have filed for unemployment since March, more than 40 percent[16] have been workers who earn less than $40,000 a year; and

WHEREAS, the global crisis has disproportionately impacted workers without any education past high school, workers who already needed access to skills prior to the pandemic. Workers with a high school degree or less have been displaced at nearly three times[17] the rate as those with a bachelor’s degree; and

WHEREAS, workers of Color, particularly women of color, have shouldered the greatest job losses due to their concentration in low-wage service industries that have been hardest hit[18] by the economic downturn; and

WHEREAS, for local small business, the economic disruption from the first months of the pandemic alone could cause 1.4 million to 2.1 million of them to close for good[19]; and
WHEREAS, minority-owned small businesses, which employ more than 8.7 million workers, are most vulnerable because they are disproportionately represented in sectors that are most likely to see permanent closures, such as storefront retail, bars and restaurants, travel and hospitality; and

WHEREAS, in 2018, programs authorized under WIOA:
   1. Served nearly 6,000,000 young people
   2. Exceeded employment targets across programs
   3. Helped more than 1,500,000 individuals, including English language learners, gain skills and credentials to help the individuals succeed in the labor market

WHEREAS, the public workforce system and partner programs provide a pathway into 21st century jobs that support families while ensuring that businesses in the United States find the skilled workforce needed to compete in the global economy; and

WHEREAS, businesses need skilled workers — people trained for jobs in growing industries like healthcare, medical technology, IT and software, and advanced manufacturing – as well as plumbers and electricians, and WIOA allows for greater local control of business outreach and ability to react to business needs; and

WHEREAS, the United States invests less than all other developed countries, except Mexico, in workforce development, and over the past two decades has cut investments by 40%, and does not support local workforce development at the levels necessary to ensure cities across the country can prepare workers for the impact of automation, technology and AI on the workplace; and

WHEREAS, as cities across America work to strengthen their economic standing and competitiveness and respond and recover from the COVID-19 pandemic, we must build strong workforce development systems; and

WHEREAS, key areas to consider include supporting and scaling pathways to employment, equity and access, and the impact of emerging technologies; and

WHEREAS, registered apprenticeships have an 80-year history which has been marked by a recent increase in funding and expansion. With additional shifts in prioritizing apprenticeships in WIOA and the increased awareness of these potential pipelines to employment, apprenticeships continue to increase in number and expand into new and emerging industries including health, technology (IT), finance and transportation[20]; and

WHEREAS, WIOA calls for the prioritization of service for all U.S. Department of Labor-funded job training programs for veterans and eligible spouses, including access to Jobs for Veterans State Grants (JVSG) and the National Dislocated Worker Grants (DWG) program for transitioning service members and their spouses.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) calls upon the United States Congress to enact a five-year reauthorization of WIOA that will provide
certainty needed to deliver programming; and

BE IT FURTHER RESOLVED that NLC calls upon the United States Congress to increase funding to WIOA programs across all titles to ensure a robust investment in skills training, business engagement and increased economic development in communities across America; and

BE IT FURTHER RESOLVED that NLC calls upon the United States Congress to immediately invest at least $15 billion in our nation’s workforce development system as a supplemental measure to ensure that our nation’s workforce development system can respond to the increased demands associated with COVID-19; and

BE IT FURTHER RESOLVED that NLC supports clearer guidance on how WIOA can be used locally to support apprenticeship programs, including through the use of industry or sector partnerships and by supporting pre-apprenticeship programs for workers with barriers to employment; and

BE IT FURTHER RESOLVED that NLC supports increasing employment opportunities for veterans, transitioning service members and their families, and urges Congress to provide increased funding to WIOA Title I employment and training programs to provide for adequate investment in job training and adult education for this critical population in our cities, towns and villages.
WHEREAS, racism is rooted in the foundation of America, beginning with enslavement of Africans in 1619 and attempted genocide of Indigenous people and including early examples of racism such as the Chinese Exclusion Act and state-sanctioned violence against LatinX people such as the Porvenir massacre. There are numerous examples of racism in the history and present of the United States; much of the Black experience in America has been endured under slavery and Jim Crow which allowed preferential opportunities for white people while subjecting Black, and Indigenous people to hardships and disadvantages in every area of life and Asian and LatinX people have experienced racism and violence, including the forcible relocation and incarceration of Asian Americans in internment camps during World War II, and forced deportation of American citizens with Mexican heritage during the Great Depression; and

WHEREAS, health disparities have existed in America for more than 400 years - we now are witnessing a coronavirus pandemic which is shining a light upon the stark inequities that result from generations of structural and systemic racism. Black, Indigenous, LatinX, Asian, and other People of Color are disproportionately impacted because of long standing racism in every system, unaddressed health disparities and other socioeconomic inequities across class lines; and

WHEREAS, COVID-19 is killing Indigenous and LatinX people at 2.4 times the rate of white people, and Black people at 2 times the rate of White people. Asian and Pacific Islander communities are experiencing racist violence and treatment due to xenophobic rhetoric related to the virus; and

WHEREAS, racism is a system of power and oppression. A system of structuring opportunity and assigning value based on the social interpretation of how one looks (which is what we call “race”), that unfairly disadvantages People of Color, unfairly advantages white individuals and communities, and saps the strength of the whole society through the waste of human resources; and

WHEREAS, there is clear data to illustrate that racism results in disproportionate impacts on the lives of Black, Indigenous, LatinX, Asian and other People of Color. The current COVID-19 crisis has helped to highlight now, more than ever, that racism, not race causes disproportionately higher rates of homelessness, incarceration, and economic hardships for African Americans and that racism can be seen across systemic, institutional and interpersonal levels - all operating over the course of time and across generations. An increasing number of local leaders are declaring racism as a public health crisis in cities, towns and villages across the country; and

WHEREAS, racism is a driving force of social determinants of health, such as housing, education, neighborhood conditions, environmental conditions, and employment, and is a barrier to health equity. For example, lending practices of the 20th century known as “redlining” and
the current limitations and access to healthy, nutritious food, reduced life expectancy, increased rates of lead poisoning, limited access to clean water, and higher rates of infant mortality demonstrate the current impact of racism; and

WHEREAS, Black people in the United States face higher rates of chronic disease than White people[23], Black women are nearly four times as like to die of pregnancy-related causes than White women[24] and Black people are more likely to die at early ages of all causes[25]; and

WHEREAS, the privileges that white Americans experience inhibits them from fully understanding how racism impacts Black BIPOC people in America - for example the performance of simple tasks like driving while Black, walking in neighborhoods or just going to a park come with certain risk not experienced by others - life events like getting a job, purchasing a home, buying a car, or just raising a family come with barriers that other cultures don’t experience; and

WHEREAS, the American Public Health Association, the American Medical Association, the American Academy of Pediatrics, and the American Academy of Emergency Physicians have declared institutional racism as a public health crisis.

NOW, THEREFORE, BE IT RESOLVED that the National league of Cities (NLC) recognizes racism as a public health crisis and calls on Congress to appropriate significant resources towards policy, programs and practices (i.e. Housing, Education, Nutritious Food, Transportation, Employment, Legal system, etc.) that work to address social determinants of health and end racism in our country, so race is no longer the strongest predictor of one’s success; and

BE IT FURTHER RESOLVED that NLC calls on Congress to ensure that disaggregated data by race is made available to provide a clear and accurate picture of disparate effects and outcomes to BIPOC communities.
WHEREAS, the coronavirus (COVID-19) pandemic has revealed deep-seated inequities in health care for communities of color, including LGBTQ+ people and amplified social and economic factors that contribute to poor health outcome; and

WHEREAS, recent reports indicate that the pandemic disproportionately impacts communities of color, compounding longstanding racial disparities; and

WHEREAS, nationally, COVID-19 is killing Indigenous and LatinX people at 2.4 times the rate of White people, and Black people at 2 times the rate of White people; and

WHEREAS, women of color are also disproportionately likely to experience many of the chronic health conditions that heighten the risk of serious illness from COVID-19, such as diabetes and asthma, as a result of structural racism; and

WHEREAS, women are more likely to be on the front lines of coronavirus response and exposure: 52 percent of essential workers are women, and women are the majority of the workers in jobs that the federal government has designated as essential, including the vast majority of hospital workers, home health aides, and grocery store cashiers; and

WHEREAS, in 42 states plus Washington D.C., Latinos make up a greater share of confirmed cases than their share of the population; and

WHEREAS, Puerto Rico, an area with a large Latino population, is at risk for experiencing health disparities due to an already weakened economic and health infrastructure. In addition, territory’s population is now older and more prone to health threats, such as the coronavirus. Many younger Puerto Ricans have moved away, and the median age of residents is forty-five, making Puerto Rico’s one of the oldest populations in the U.S.; and

WHEREAS, while data for tribal populations is harder to come by, where it exists, it also shows glaring disparities. In New Mexico, Native American communities have accounted for 60% of cases but only 9% of the population. Similarly, in Arizona, at least 136 Native American have died from COVID-19, a striking 21% of deaths in a state where just 4% of the population are Native American; and

WHEREAS, in several states Asian Americans have seen a disproportionate share of cases. In South Dakota, for example, they account for only 2% of the population but 12% of cases. But beyond these places, data can be spotty. In Iowa, Maine, Michigan, Oklahoma and Wisconsin,
Asian Americans and Hawaiian and Pacific Islanders are counted together, making comparison to census data difficult[32]; and

WHEREAS, LGBTQ+ people also experience health disparities that magnify the impact of the COVID-19 pandemic; and

WHEREAS, in addition to the greater risk of health complications as a result of COVID-19, LGBTQ+ Americans are more likely than the general population to live in poverty and lack access to adequate medical care, paid medical leave, and basic necessities during the pandemic[33]; and

WHEREAS, it is unknown how many of the 1.5 million people who have contracted the coronavirus in the U.S. and the 93,000 who have died are lesbian, gay, bisexual or transgender. Just one state, Pennsylvania, has begun tracking information on the LGBTQ identities of COVID-19 patients[34]; and

WHEREAS, major holes in the data remain: 48% of cases and 9% of deaths still have no race tied to them. And that can hamper response to the crisis across the U.S., now and in the future[35].

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) urges the Centers for Disease Control and Prevention (CDC), to continue collecting data disaggregated by race, ethnicity, sex, sexual orientation, religion, and gender identity; and—

BE IT FURTHER RESOLVED that NLC urges the CDC to support data that sheds light on the intersecting forces of racial disparities, underlying conditions, and poverty that affect how the virus spreads and provide resources that address the disproportionate effect of the pandemic on communities of color.—
NLC RESOLUTION 2022-31

IN SUPPORT OF THE ONE HEALTH INITIATIVE

**HD Committee Recommendation:** Renew with edits

**WHEREAS,** cities depend on the health and vitality of their inhabitants, reliable access to sufficient quantities of wholesome food and clean water, clean air, and the ecosystem services that support them; and

**WHEREAS,** government plays an important role in coordinating efforts to preserve and maintain those resources; and

**WHEREAS,** policymakers are challenged to make sense of complex inter-relationships among human health, animal health, and ecological health, and pressed to conform with decision-making models that often isolate those critical connections and shorten planning horizons; and

**WHEREAS,** cities’ economic, social, and environmental well-being—the “triple bottom line” whereon environmental stewardship, economic prosperity, and social responsibility intersect—depends on our ability to integrate diverse interests through unified long-range planning, and to engage and inform policymakers and practitioners about critical interdependent needs; and

**WHEREAS,** the *One Health Initiative* is a collaborative, multisectoral, and transdisciplinary approach—working at the local, regional, national, and global levels—to achieve optimal health outcomes recognizing the interconnection between people, animals, plants, and their shared environment; and

**WHEREAS,** leaders in local government are ideally suited as partners in that responsibility; and

**WHEREAS,** successful adoption and implementation of the *One Health Initiative* will be predicated on the leadership, communication skills, and cooperation of its advocates; and

**WHEREAS,** *One Health* topics that pertain to local government include the costs and organizational structure of public health services; pandemic preparedness; health education; adaptation to climate change; animal control and vaccination requirements; transportation and land use planning affecting public wellness; water quality protection; waste management; energy choices; food safety and regional food systems; ecological protection, restoration, and monitoring; homeland security and bioterrorism; measures of economic trends and workforce preparedness relative to sustainable practices; health, healthcare costs; investments in telehealth and the digital divide; and absenteeism of personnel; and

**WHEREAS,** facilitating communication among increasingly specialized experts will improve health outcomes for communities through increased awareness of connections between climate variability, food production, and infectious diseases; cross-species contagion (zoonoses), and human and animal health conditions; and demands on municipal infrastructure and services; and
WHEREAS, climate change will affect energy costs, the frequency and severity of floods, fires, wind events, heat waves, and other extreme weather conditions; coastal development and building standards; incidence vector-borne illnesses; crop production; habitat loss; endangerment and extinction of species; and human illness; and

WHEREAS, cities can only thrive if they remain attractive and livable, with sufficient quantities of clean water, clean air, efficient, affordable buildings, healthful food choices, healthy food animals, strong public health systems, and leaders who are committed to cooperative long-range planning for a sustainable future.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities supports integrated decision-making in the context of the One Health Initiative and calls on the federal government to adopt legislation and practices that address human health, animal health, and ecological health in an integrated fashion and support local efforts to monitor and control public health threats.
NLC RESOLUTION 2022-32

IN SUPPORT OF CHILD-NUTRITION AND FOOD SECURITY REAUTHORIZATION PROGRAMS

HD Committee Recommendation: Renew with edits

WHEREAS, federal nutrition programs play a critical role in helping children in low-income families improve their overall nutrition, health, development, and academic achievement. These programs support the development of our next-generation workforce; and

WHEREAS, the Child and Adult Care Food Program (CACFP) provides healthy meals and snacks that support good nutrition and prepares children to learn at school and in high-quality child care settings; and

WHEREAS, the after-school and summer nutrition programs provide meals and snacks at schools, parks, recreation centers, libraries, nonprofit organizations, and others often provide nutritious food and educational enrichment and physical activities in low-income communities; and

WHEREAS, the National School Lunch Program and the School Breakfast Program play an essential part in reducing hunger, improving nutrition, and supporting learning for millions of children. School meals will be an important tool as schools work to overcome the learning loss students had due to the COVID-19 pandemic; and

WHEREAS, the Supplemental Nutrition Assistance Program (SNAP) provides nutrition benefits to supplement the food budget of low-income families so they can purchase healthy food and combat nutrition insecurity while moving towards self-sufficiency; and

WHEREAS, the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) provides nutritious food and nutrition education to low-income, at-risk pregnant and postpartum mothers, infants, and young children.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) calls upon the United States Congress to strengthen federal nutrition program access and supports participation by under-resourced children, ensuring nutrition quality and simplifies program administration and operation; and

BE IT FURTHER RESOLVED that Congress should lower area eligibility test to 40 percent to allow more low-income communities to provide summer meals; and

BE IT FURTHER RESOLVED that Congress should allow nonprofits and local governments to provide meals year-round seamlessly through the Summer Food Service Program.

[1]
BE IT FURTHER RESOLVED that Congress increase school breakfast and school lunch reimbursement rates to match the recommended rates of the U.S. Department of Agriculture’s School Nutrition and Meal Cost Study\(^{[ii]}\); and

BE IT FURTHER RESOLVED that the federal government should expand WIC research in under-resourced communities; and

BE IT FURTHER RESOLVED that Congress should extend certification periods to two years for infants and postpartum women for those in the WIC program; and

BE IT FURTHER RESOLVED that Congress should continue to provide flexibility for SNAP, including the ability to streamline administration and application processes with other social service programs and waiving work requirements to meet the individual needs of residents and ensuring local flexibility to provide access to all residents, including returning citizens; and

BE IT FURTHER RESOLVED that Congress should help streamline the Disaster Supplemental Nutrition Assistance Program (D-SNAP) operations to increase the ability of individuals to pre-register for benefits as soon as possible after a disaster strikes, support the streamlining of easy-to-administer SNAP waivers that would allow for automatic replacement of benefits for SNAP households, and expand funding to ensure application assistance for individuals to receive D-SNAP quickly; and

BE IT FURTHER RESOLVED that NLC urges Congress to permanently implement policy improvements for federal nutrition programs that were made in response to COVID-19 including but not limited to creating the Pandemic Electronic Benefit Transfer (P-EBT) program and alternative delivery models.
NLC RESOLUTION 2022-33

IN SUPPORT OF A NATIONAL HOLIDAY COMMEMORATING THE
ACCOMPLISHMENTS AND LEGACY OF CESAR ESTRADA CHAVEZ AND
DELORES HUERTA

HD Committee Recommendation: Renew with edits

WHEREAS, César Estrada Chávez was born on March 31, 1927, near Yuma, Arizona on a
family farm and Delores Huerta was born on April 10, 1930 in Dawson, New Mexico; and

WHEREAS, at the age of 10, César Estrada Chávez joined the thousands of migrant farm
workers laboring in fields and vineyards throughout the Southwest after a bank foreclosure
resulted in the loss of the family farm and ultimately left school to work full-time as a farm
worker to help support his family; and

WHEREAS, César Estrada Chávez left school to work full-time as a farm worker to help support
his family; and

WHEREAS, Delores Huerta received an associate teaching degree from the University of the
Pacific’s Delta College; and

WHEREAS, at the age of 17, César Estrada Chávez entered the United States Navy and served
the United States with distinction for 2 years; and

WHEREAS, in 1952, César Estrada Chávez joined the Community Service Organization, a
prominent Latino civil rights group, and worked with the organization to coordinate voter
registration drives and conduct campaigns against discrimination in east Los Angeles. He later
served as their national director; and

WHEREAS, Delores Huerta began her career as an activist when she co-founded the Stockton
chapter of the Community Service Organization and later founded the Agricultural Workers
Association; and

WHEREAS, in 1962, César Estrada Chávez left the Community Service Organization and
Delores Huerta to founded the National Farm Workers Association, which eventually became the
United Farm Workers of America; and

WHEREAS, under the leadership of César Estrada Chávez, their leadership, the United Farm
Workers of America organized thousands of migrant farm workers to fight for fair wages, health
care coverage, pension benefits, livable housing, and respect; and

WHEREAS, his-the union’s efforts brought about the passage of the landmark 1975 California
Agricultural Labor Relations Act, which sought justice and guaranteed certain protections for
farm workers; and
WHEREAS, through his commitment to nonviolence, César Estrada Chávez brought dignity and respect to the organized farm workers and became an inspiration to and a resource for individuals engaged in human rights struggles throughout the world; and

WHEREAS, the influence of César Estrada Chávez and Delores Huerta extends far beyond agriculture and provides inspiration for those working to better human rights, empower workers, and advance the American Dream; and

WHEREAS, 10 States and dozens of communities across the United States honor the life and legacy of César Estrada Chávez and Delores Huerta on March 31st of each year; and

WHEREAS, during his lifetime, César Estrada Chávez was a recipient of the Martin Luther King, Jr. Peace Prize and posthumously awarded the Presidential Medal of Freedom; and

WHEREAS, Delores Huerta received the Eleanor Roosevelt Human Rights Award and the Presidential Medal of Freedom; and

WHEREAS, President Barack Obama proclaimed “César Chávez Day” on March 31 of every year as a United States commemorative holiday to support public observance of the contributions of Cesar Chavez to the United States.

NOW, THEREFORE, BE IT RESOLVED the National League of Cities calls upon the United States Congress to declare a national holiday celebrating the life and legacy of César Estrada Chávez and Delores Huerta.
NLC RESOLUTION 2022-34

IN SUPPORT OF THE EQUALITY ACT

HD Committee Recommendation: Renew

WHEREAS, the National League of Cities (NLC) opposes discrimination on the basis of race, color, religion, national origin, ancestry, disability, age, sexual orientation, gender identity and sex; and

WHEREAS, the member cities of NLC respect the fundamental dignity of all people and want to see all members of our communities able to participate fully in society; and

WHEREAS, there are 29 states where LGBTQ+ Americans are not fully protected from discrimination, including in credit, education, employment, housing, government funded programs, jury service and public accommodations such as stores, restaurants, and transportation services; and

WHEREAS, the current state and local patchwork of laws about non-discrimination creates uncertainty and unpredictability for businesses operating across multiple states; and

WHEREAS, the member cities of NLC agree that as Americans, everyone should have the freedom and opportunity to work hard, earn a living, provide for their families, and contribute to their communities; and

WHEREAS, 76% of Americans support a policy of non-discrimination against their LGBTQ+ neighbors; and

WHEREAS, The Equality Act requires our nation’s civil rights laws to work in support of prohibiting discrimination based on sex, sexual orientation, and gender identity in areas including public accommodations and facilities, education, federal funding, employment, housing, credit, and the jury system and defines and includes sex, sexual orientation, and gender identity among the prohibited categories of discrimination or segregation.

NOW, THEREFORE, BE IT RESOLVED that NLC calls on Congress and the President to pass S. 393/H.R. 5, The Equality Act, and provide full protections for Lesbian, Gay, Bisexual and Transgender individuals regardless of where they live in the United States.
NLC RESOLUTION 2022-35

IN SUPPORT OF MOTHERS IN THE WORKFORCE

HD Committee Recommendation: Renew with edits

WHEREAS, according to the U.S. Census Bureau’s 2018 American Community Survey, working mothers make up a significant portion of the labor force, accounting for nearly one-third of all employed women; and any relief and long-term recovery from the economic fallout of the COVID–19 pandemic must recognize, rebuild, and support mothers who wish to return to the workforce; and

WHEREAS, according to the Center for American Progress, 64 percent of mothers are the primary breadwinners or co-breadwinners in their households and Women of color, and Black women in particular, are especially likely to play this role for their families. More than 8 in 10—84.4 percent—of Black mothers are breadwinners or co-breadwinners, as are 6 in 10—60.3 percent—of Latinx mothers; and

WHEREAS, women, and especially working mothers, are bearing the brunt of the economic fallout from the COVID–19 pandemic as a result of existing social barriers and policy failures such as the lack of a child care infrastructure, national paid leave policy and gender and racial pay inequity; and

WHEREAS, prior to the pandemic, women comprised the majority of the workforce for the first time in almost a decade; and

WHEREAS, 2.3 million women have left the labor force since the beginning of the COVID–19 pandemic; and according to the U.S. Chamber of Commerce, both men and women suffered a 3% drop in labor force participation at the height of the pandemic. But more than two years later, men have returned to work at a higher rate than women. Today, women’s labor force participation is still a full percentage point lower than it was pre-pandemic, meaning an estimated one million women are missing from the labor force; and

WHEREAS, mothers in the prime of their working lives have paid an especially high price, with those ages 25 to 54 experiencing a 5.7-percentage point decline in employment since the COVID–19 pandemic began, compared to a 3.1 percentage-point decline for fathers in the same age group; and

WHEREAS, work interruptions caused by school closures and child care closures have disproportionately impacted women, forcing women to reduce work hours, take a leave of absence, or permanently leave the workforce; and

WHEREAS, the unprecedented burdens of balancing child care and work, and remote learning have strained the mental and emotional health of mothers; and
WHEREAS, except for the United States, OECD countries offer a minimum of 6 weeks paid maternity leave and the average time off (regardless of pay equivalent) in approximately 18 weeks; and

WHEREAS 1 in 3 women-owned business is owned by a mother, which translates to near 4.7 million businesses; and

WHEREAS, access to paid leave during the COVID–19 pandemic has been linked to a reduction in the spread of COVID–19 by as many as 15,000 new cases per day.

NOW, THEREFORE, BE IT RESOLVED the National League of Cities calls on Congress to recognize, rebuild, and support mothers who wish to return to the workforce in order to support local economic recovery including support for a minimum of 12 weeks paid maternity leave, the Child Care for Working Families Act and the Black Maternal Health Momnibus Act of 2021.
NLC RESOLUTION 2022-36

IN SUPPORT OF EQUAL PAY FOR WOMEN

HD Committee Recommendation: Renew with edits

WHEREAS, women of all ethnicities who are working full-time, year-round are paid an average of 82 percent of what a man is paid; and

WHEREAS, the disparities are even greater for Black, Native American, and Hispanic women, who are paid 63 percent, 60 percent, and 55 percent of white men’s wages, respectively; and

WHEREAS, while Asian American women make 87 percent of what white men make, the gap for Asian women varies significantly depending on subpopulation, with some Asian women – for example, Cambodian and Vietnamese women – earning among the lowest wages; and

WHEREAS, since the COVID-19 pandemic began, we have seen women, particularly women of color, disproportionately working on the frontlines, caring for our loved ones, and working to combat the virus, and women bore the brunt of the child care crisis due to COVID-19 impacts on child care and school, with women leaving the workforce due to child care needs at a rate of more than four times men during the pandemic according to the U.S. Department of Labor, the pandemic stalled gains made toward closing the pay gap, and layoffs and a lack of child care have forced many women out of the workforce entirely; and

WHEREAS, while the Lilly Ledbetter Fair Pay Act was signed into law in 2009, which amends Title VII of the Civil Rights Act of 1964 and states that the 180-day statute of limitations for filing an equal-pay lawsuit regarding pay discrimination resets with each new paycheck affected by that discriminatory action, we must go farther.

NOW, THEREFORE, BE IT RESOLVED the National League of Cities calls on Congress to pass the Paycheck Fairness Act, which works to address ending pay discrimination.
Proposed Policy Amendments and Resolutions of the

Transportation and Infrastructure Services

Federal Advocacy Committee

TIS
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 at [nlc.org/national-municipal-policy](http://nlc.org/national-municipal-policy)

Please note:
- Proposed new language is underlined;
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**Policy:**

- **Section 5.01 Transportation Policies**
  - B. Transportation Finance and Administration
    - 1. The Federal Role
    - b. Credit Assistance
Section 5.01 Transportation Policies

B. Transportation Finance and Administration

1. The Federal Role

b. Financing and 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 U.S. Department of Transportation in approving projects that can take advantage of favorable financing.

While infrastructure financing programs provide flexible funding for major transportation projects and help local governments leverage private and other non-federal investments, limited budget capacity, authority and delays in the federal approval process limit the effectiveness of these programs, particularly to disadvantaged communities. NLC supports greater technical support at the USDOT Build America Bureau and flexibility for their approving multimodal and jurisdictional projects that can take advantage of favorable federal financing. NLC also recommends raising the federal population threshold for communities accessing the best available borrowing rates to ensure growing communities can appropriately utilize financing options.
NLC Resolutions are annual statements of position that sunset at the end of the calendar year unless action is taken. The committee must review each of the 2022 resolutions that originated in the TIS Committee to determine recommendations for 2023. 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 TIS resolutions that were approved for 2022 at City Summit with recommendations for 2023 are:

<table>
<thead>
<tr>
<th>Resolution</th>
<th>TIS Committee Recommendation</th>
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<tr>
<td><strong>NLC RESOLUTION 2022-37</strong>: Partner with Cities, Towns, and Villages on Flexible Programs to Meet Every Community’s Transportation Needs and Vision</td>
<td>Renew with edits</td>
</tr>
<tr>
<td><strong>NLC RESOLUTION 2022-38</strong>: Advancing Safety for All to Reach Vision Zero with Policies that Achieve Safe, Healthy and Equitable Mobility for All</td>
<td>Renew with edits</td>
</tr>
</tbody>
</table>
NLC RESOLUTION 2022-37

PARTNER WITH CITIES, TOWNS, AND VILLAGES ON FLEXIBLE PROGRAMS TO MEET EVERY COMMUNITY’S TRANSPORTATION NEEDS AND VISION

CITIES, TOWNS, AND VILLAGES CALL ON CONGRESS TO ADVANCE FEDERAL-LOCAL PARTNERSHIP ON INFRASTRUCTURE

TIS Committee Recommendation: Renew with Edits

WHEREAS, the National League of Cities (NLC) applauds Congress, the President, and the Administration for advancing the Infrastructure Investment and Jobs Act (IIJA), a historic national infrastructure package that will allow us to rebuild and reimagine America’s transportation and essential infrastructure together; and

WHEREAS, the economic potential of our cities, towns and villages relies on a safe and efficient multimodal network of locally owned and operated roads, bridges, transit, rail, sidewalks, trails, airports and ports built on strong transportation plans starting at the local and regional level and intersecting with state and national systems; and

WHEREAS, local governmental agencies own 74.8% of the nation’s highway lane mileage and 50% of the nation’s 617,000 bridges while 845 urban and 1,684 rural transit providers are directly owned by local governments and make up 46% of the nation’s transit providers; and

WHEREAS, as the level of government closest to America’s communities, cities, towns and villages continues to be responsive to emerging and obstinate challenges while also being nimble, innovative and welcoming to new creative ideas and processes that deserve further recognition; and

WHEREAS, local governments are prioritizing the full transportation network as a critical instrument for reaching community goals including quality of life for residents, economic opportunity for workers and businesses, health outcomes for children, equity for disadvantaged people and neighborhoods and so many more, but we share ownership and responsibility for the transportation network with federal and state authorities whose decisions can impact what is possible in our own areas, such as with the limitations from the Manual on Uniform Traffic Control Devices.

NOW, THEREFORE, BE IT RESOLVED that NLC urges the federal government to prioritize infrastructure partnership with America’s cities, towns and villages as a national priority through direct and flexible programs that are positioned to meet every community’s

1 https://www.fhwa.dot.gov/policy/23cpr/chap1.cfm
2 https://crsreports.congress.gov/product/pdf/R/R44459
3 https://crsreports.congress.gov/product/pdf/R/R44459
transportation needs and vision as they carry out the programs and policy in the Infrastructure
Investment and Jobs Act; and

BE IT FURTHER RESOLVED that local governments expect that the USDOT will support
the full transportation network of the U.S. and align available programs, investments, research,
and support more appropriately to reflect the demands of the full system and work with all
infrastructure owners productively;

BE IT FURTHER RESOLVED that NLC asks for federal, state and regional commitments to
collaboration with cities, towns and villages on the rebuilding and reimagining necessary for
transportation, including renewing a long-term comprehensive transportation vision and
completing thousands of projects in the next decade; and

BE IT FURTHER RESOLVED that NLC recommends that the federal funding process and
administration be guided and streamlined so that cities, towns and villages are empowered to
manage and utilize federal transportation investments efficiently and effectively without fear of
unnecessary burden or surprise costs; and

BE IT FURTHER RESOLVED that America’s local governments fully support a more
equitable approach in the distribution and competition for federal resources across the full
transportation network and prioritizing projects based on their local and regional impact; and

BE IT FURTHER RESOLVED that local governments call on the federal government to
support local initiatives to modernize and improve transportation planning and community
engagement, including partnerships with community leaders and community-based organizations
to ensure a greater and more equitable role for impacted communities in transportation planning;
and

BE IT FURTHER RESOLVED that America’s local governments support both traditional and
emerging transportation modes including regional and intercity rail connections, safe biking and
walking infrastructure, transit and micromobility of all forms including autonomous vehicles,
modern buses, scooters and e-bikes; and

BE IT FURTHER RESOLVED that NLC supports continuing to move toward a outcome-
based transportation structure where the goals of the programs align with the region’s goals for
economic development, sustainability, safety, innovation, equity, and regional connectivity; and

BE IT FURTHER RESOLVED that local governments call on the federal government to
address the nation’s congestion points in collaboration with our communities and actively
consider the essential urban and rural connections between ports, rail, freight and highways and
the implications on the nation’s energy use, economy, public health, and environment.
WHEREAS, the National League of Cities (NLC) applauds Congress and the President for passing the bipartisan Infrastructure Investment and Jobs Act (IIJA) in 2021, which is a historic infrastructure package that provides opportunities for local communities to rebuild and reimagine America’s transportation and essential infrastructure together; and

WHEREAS, the U.S. Department of Transportation (USDOT) has been diligently rolling out new IIJA transportation programs – including several that cities can directly access and also programs that are dedicated to local issues like the “Safe Street and Roads for All” program; and

WHEREAS, Congress has provided USDOT $25 million for a new local technical assistance Thriving Communities program to ensure that all communities can access the historic infrastructure investment – especially disadvantaged communities adversely or disproportionately affected by environmental, climate, and human health policy outcomes; and

WHEREAS, most of the nation’s 19,000 local governments represent small to mid-sized communities while our largest cities rival the size of some states, yet all communities value the opportunity for a direct, productive relationship with the federal government on infrastructure while also building regional partnerships with our metropolitan and rural planning organizations, transportation service providers including transit, aviation, and shared micromobility, and our state partners; and

WHEREAS, the economic potential of our cities, towns and villages relies on a safe and efficient multimodal network of locally owned and operated roads, bridges, transit, rail, sidewalks, trails, airports and ports built on strong transportation plans starting at the local and regional level and intersecting with state and national systems; and

WHEREAS, local governmental agencies own 74.8% of the nation’s highway lane mileage and 50% of the nation’s 617,000 bridges while 845 urban and 1,684 rural transit providers are directly owned by local governments and make up 46% of the nation’s transit providers; and

WHEREAS, America’s $2.5 trillion infrastructure funding gap will be substantially reduced by the combined federal, state and local efforts underway from the IIJA, but unfortunately, the estimated needs for preservation of infrastructure assets and modernization still outpace available funds, especially with recent inflation challenges; and

WHEREAS, as the level of government closest to America’s communities, local governments continue to be responsive to obstinate infrastructure challenges as well as prioritizing emerging community needs that deserve investment attention, balancing the tools of prioritization with being responsive and nimble to welcome innovative opportunities; and

4 www.fhwa.dot.gov/policy/23cpr/chap1.cfm
5 www.crsreports.congress.gov/product/pdf/R/R44459
6 www.infrastructurereportcard.org/resources/investment-gap-2020-2029
WHEREAS, local governments are prioritizing the full transportation network as a critical instrument for reaching community goals including quality of life for residents, economic opportunity for workers and businesses, health outcomes for children, equity for disadvantaged people and neighborhoods and so many more, but we share ownership and responsibility for the transportation network with federal and state authorities whose decisions can impact what cities can do on their own to build and fix our own areas.

NOW, THEREFORE, BE IT RESOLVED that NLC urges the federal government to prioritize infrastructure partnership with America’s cities, towns and villages through direct, regional and flexible programs that are positioned to meet every community’s transportation needs and vision as they carry out the programs and policy provided by the IIJA; and

BE IT FURTHER RESOLVED that local leaders encourage USDOT to provide robust engagement with local governments to navigate the various transportation programs and provide clarity on the federal infrastructure process from competition to completion of projects that can serve the transportation system as a whole; and

BE IT FURTHER RESOLVED that NLC calls on Congress and USDOT to ensure that all federal programs come complete with essential, corresponding local technical assistance programs, like the Thriving Communities Program, which ensures a more fair and transparent process for all eligible applicants of all sizes across the country; and

BE IT FURTHER RESOLVED that NLC calls on our state and regional partners – such as state departments of transportation, rural and metropolitan planning organizations, transit, port and airport authorities – for greater commitments to infrastructure collaboration with cities, towns and villages on the rebuilding and reimagining necessary for completing thousands of projects in the next decade that will touch our communities and be in place for decades; and

BE IT FURTHER RESOLVED that NLC urges our state legislatures and state departments of transportation to ensure that appropriate funds are set aside to fully match Congress’ IIJA programs at the state and local level so that more infrastructure can be updated in each state and that all administrative changes – such as reporting on Surface Transportation Block Grant spending and setting aside planning funds for multimodal – are put in place so that the full impact of the rebuilding is clear and every dollar is able to be well spent; and

BE IT FURTHER RESOLVED that NLC recommends that the federal infrastructure processes be continuously improved so that cities, towns and villages are empowered to advance bold plans and accept federal transportation investments with clear expectations; and

BE IT FURTHER RESOLVED that local city leaders call for federal and state government to review their community engagement processes for improvements, including partnerships with
community leaders and community-based organizations, to ensure a greater and more equitable role for all communities in transportation planning; and

BE IT FURTHER RESOLVED that America’s local governments continue to urge USDOT and states to embrace both traditional and emerging transportation modes including regional and intercity rail connections, safe biking and walking infrastructure, transit and micromobility of all forms including autonomous vehicles, modern buses, scooters and e-bikes; and

BE IT FURTHER RESOLVED that the active participation and role of oversight bodies, like the Surface Transportation Board, which can improve the safety and competitiveness of the nation’s core transportation networks and must be respected; and

BE IT FURTHER RESOLVED that local governments support the active participation and role of oversight bodies, like the Surface Transportation Board, which can improve the safety and competitiveness of the nation’s core transportation networks and must be respected; and

BE IT FURTHER RESOLVED that NLC supports continuing to move toward an outcome-based transportation structure where the goals of the programs align with each region’s goals for economic development, sustainability, safety, innovation, equity, and regional connectivity which serve America’s residents and economic vitality.
NLC RESOLUTION 2022-38

ADVANCING SAFETY FOR ALL TO REACH VISION ZERO WITH POLICIES THAT ACHIEVE SAFE, HEALTHY AND EQUITABLE MOBILITY FOR ALL

AMERICA’S COMMUNITIES CALL FOR ADVANCING SAFE STREETS AND ROADS FOR ALL TO REACH ZERO ROAD DEATHS IN THE U.S.

TIS Committee Recommendation: Renew with Edits

WHEREAS, every traffic death in the U.S. is unacceptable and preventable, yet each year more than 40,000 people are killed and thousands more are injured on American streets and every 7 minutes a pedestrian is injured; and

- WHEREAS, while everyone is affected by collisions, collisions do not affect everyone equally; and

- WHEREAS, preventable deaths and serious injuries disproportionately impact disadvantaged and vulnerable communities that include, but are not limited to: children, older adults, individuals experiencing homelessness, individuals who rely on streets, bike lanes, and sidewalks for income, individuals with a disability, and individuals who have historically been profiled by law enforcement; and

WHEREAS, as the primary owners and managers of the road network in the U.S., America’s local governments are leading safety efforts across the country on the roads, rails and sidewalks they own and operate by implementing road design and technology solutions that allow us to reach a goal of zero fatalities—Vision Zero; and

- WHEREAS, the United National has proclaimed a Decade of Action for Road Safety from 2021-2030, to target a reduction of road traffic deaths and injuries by 50% by 2030 using a Safe Systems approach and Senator Blumenthal of Connecticut and Representative Schankowsky of Illinois have introduced a bi-cameral resolution expressing a desire to reduce traffic fatalities to zero by 2050; and

WHEREAS, communities of all sizes can aid in preventing the deaths of our residents, neighbors and families by taking a proactive, preventative “Safe Systems” approach that acknowledges humans make mistakes and uses a holistic safety approach of the road system; and

WHEREAS, communities across the country are engaged in planning and constructing connected networks of safe trails and active transportation infrastructure that enable people to, in the safest way possible, walk or bike to their daily destinations, including their schools, workplaces, and commercial centers; and
WHEREAS, road collisions also have an economic cost to the injured and even to those who are not immediately impacted, since communities share responsibility for the increased costs of medical services, legal and court fees, emergency service response, insurance administration, congestion, property damage, and decreased workplace productivity from incidents.

NOW, THEREFORE, BE IT RESOLVED that America’s city leaders urge the President, Congress, USDOT and all federal agencies to commit federal leadership and support to cities prioritizing safety for all residents through safety efforts, implementing Safe Systems in roadway design and guidance recognizing that design is more effective than enforcement, honing proven countermeasures and interventions that prioritize transportation safety for all, investing in safe and connected trail and greenway networks, and working with cities toward the “Vision Zero” goal of zero deaths on roads in the U.S.; and

BE IT FURTHER RESOLVED that to design safe, healthy, equitable multi-modal mobility for all and utilize the strength of cities as the laboratories of innovation, we urge Congress to authorize and appropriate sufficient safety and infrastructure funding to cities to implement Safe System local plans that provide a path of actions to “Vision Zero” and provide safer streets for all users and invest in safe and connected on- and off-road active transportation networks; and

BE IT FURTHER RESOLVED, cities, towns, and villages call on USDOT to ensure that safety data is widely available and accessible, methodologies for showcasing safety outcomes are developed in collaboration with communities, and that the value for investments in safety are demonstrated; and

BE IT FURTHER RESOLVED that USDOT should encourage state departments of transportation to improve data gathering and technical assistance for local government on safety as well and tracking of traffic crashes and other issues related to transportation safety; and

BE IT FURTHER RESOLVED that NLC encourages the USDOT to update design standards and manuals, such as the Manual on Uniform Traffic Control Devices (MUTCD), and guidelines for road speeds with a focus to put safety first for all users and shift away from constructs like level-of-service in lieu of improved performance standards; and

BE IT FURTHER RESOLVED that given the inequitable impacts to disadvantaged communities of unsafe roadway design and lack of access to safe and connected networks for walking and bicycling, achieving equity in safety should be a priority to repair the disparity in access to safe transportation options; and

BE IT FURTHER RESOLVED that public education is not achieved through advertising alone so we urge the use of more effective education strategies with USDOT resources such as demonstration projects, tactical urbanism projects, local community engagement, local road safety audits, and other effective strategies to address safety and capture interest.
WHEREAS, in the United States each year more than 40,000 people are killed and thousands more are injured on American streets, and every 7 minutes a pedestrian is injured on our shared transportation system; and

WHEREAS, while everyone is affected by collisions, collisions do not affect everyone equally; and road deaths and serious injuries disproportionately impact disadvantaged and vulnerable communities that include but are not limited to: children, older adults, individuals experiencing homelessness, individuals who rely on streets, bike lanes, and sidewalks for income, individuals with a disability, and individuals who have historically been profiled by law enforcement; and

WHEREAS, as the primary owners and managers of the road network in the U.S., America’s local governments are leading safety efforts across the country on the roads, rails and sidewalks they own and operate by implementing road design and technology solutions that allow us to reach a goal of zero fatalities – Vision Zero; and

WHEREAS, the United Nations has proclaimed a Decade of Action for Road Safety from 2021-2030, to target a reduction of road traffic deaths and injuries by 50% by 2030 using a Safe Systems approach and Congress has introduced a bicameral resolution expressing a desire to reduce traffic fatalities to zero by 2050; and

WHEREAS, communities of all sizes can aid in preventing the deaths of our residents, neighbors, and families by taking a proactive, preventative “Safe Systems” approach that acknowledges humans make mistakes and uses a holistic safety approach of the road system; and

WHEREAS, communities across the country are engaged in planning and constructing connected networks of safe trails and active transportation infrastructure that enable people to, in the safest way possible, walk or bike to their daily destinations, including their schools, workplaces, and commercial centers; and

WHEREAS, road deaths and collisions also have an economic cost both directly and indirectly since communities share responsibility for the increased costs of medical services, emergency service response, insurance administration, legal and court actions, property damage, and more.

NOW, THEREFORE, BE IT RESOLVED that America’s city leaders urge the President, Administration, Congress, State Governors, and state departments of transportation to commit federal and state leadership to support cities that are prioritizing safety for all residents by implementing Safe Systems in roadway design and guidance, recognize that design is more effective than enforcement, hone proven countermeasures and interventions that prioritize transportation safety for all, invest in safe and connected pedestrian and trail networks, and join with cities working toward the “Vision Zero” goal of zero deaths on roads in the U.S.; and
BE IT FURTHER RESOLVED that to design safe, healthy, equitable multi-modal mobility for all and utilize the strength of cities as the laboratories of innovation, NLC applauds Congress for funding the new “Safe Streets for All” local road safety program and USDOT for quickly opening up grant opportunities for both safety planning and project implementation to more quickly put in safety upgrades that will increase safe journeys on the nation’s full transportation network; and

BE IT FURTHER RESOLVED that cities, towns, and villages call on USDOT to ensure that the states and cities have current safety data is widely available and accessible, methodologies for showcasing safety outcomes are developed in collaboration with communities, and that the value for investments in safety are demonstrated; and

BE IT FURTHER RESOLVED that USDOT should encourage state departments of transportation to improve data gathering and technical assistance for local government on safety as well and tracking of traffic crashes and other issues related to transportation safety; and

BE IT FURTHER RESOLVED that NLC encourages the USDOT to update design standards and manuals, such as the Manual on Uniform Traffic Control Devices (MUTCD), and guidelines for road speeds with a focus to put safety first for all users and shift away from constructs like level-of-service in lieu of improved performance standards; and

BE IT FURTHER RESOLVED that given the inequitable impacts to disadvantaged communities of unsafe roadway design and lack of access to safe and connected networks for walking and bicycling, achieving equity in safety should be a priority to repair the disparity in access to safe transportation options; and

BE IT FURTHER RESOLVED that public education is not achieved through advertising alone so we urge the use of more effective education strategies with USDOT resources such as demonstration projects, tactical urbanism projects, local community engagement, local road safety audits, and other effective strategies to address safety in our nation.
Proposed Policy Amendments and Resolutions of the Public Safety and Crime Prevention Federal Advocacy Committee

PSCP
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 at nlc.org/national-municipal-policy

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Policy:

- **Section 6.01 – Crime Prevention**
  - O. Law Enforcement Training and Accountability
    - 1. Problem Statement
    - 2. Goals
  - P. Qualified Immunity for Law Enforcement Officers

- **Section 6.02 – Public Safety**
  - C. Public Safety Technology and Intelligence
    - 6. Less-lethal Technology
  - E. Mental Health and Public Safety
    - 1. First Responder PTSD
  - F. Medical and Adult-use of Cannabis

- **Section 6.03 – Homeland Security, Disaster Preparedness and Response**
  - K. Disaster Insurance
    - 1. National Flood Insurance Program
    - 2. Other Natural Disaster Insurance
    - 3. Mitigation
    - 4. Disaster Mapping
Section 6.01 – Crime Prevention

O. Law Enforcement Training and Accountability

1. Problem Statement

The police officer-involved killings of Black people and people of color continue to expose racially divisive issues in the relationships between local police and the communities they are sworn to protect and serve, especially in communities of color. NLC believes that trust between law enforcement officers and the people they serve and protect is essential to a municipality’s stability, the integrity of our criminal justice system, and the safe and effective delivery of policing services.

When governing a municipality, nothing is more important for local officials than protecting the public’s safety. In our civil society, local elected officials are responsible for managing a municipality’s public safety programs, including its police department. The goal of managing law enforcement efforts by municipal governments must be to provide a safe, healthy environment in which all residents can live free from violence, fear, harassment, discrimination, and intimidation.

Unfortunately, our country has a long history of disparate treatment of Black, Indigenous, Latino, and Asian Americans, especially Black and Latino people in our criminal justice system. The excessive use of force by law enforcement has shown that discriminatory enforcement of criminal laws has a corrosive effect that undermines the community’s confidence in law enforcement and interferes with our efforts to keep all members of the community safe.

2. Goals

Local elected leaders must hold law enforcement officials accountable for unjustified, unnecessary actions that result in an abuse of power. Holding municipal employees, including law enforcement officers, accountable is the primary responsibility of local government officials. However, some state laws and labor union contracts limit the ability of local governments to hold law enforcement officers accountable.

Local elected officials should work closely with their municipality’s law enforcement executives and residents to ensure police officers have the support, resources, and training they need to serve their communities with honor, integrity, moral character, and courage.

NLC believes the federal government should provide financial and technical assistance to local governments to help them implement policies that would:

- ensure the law enforcement agency complies with the U.S. Department of Justice’s Use of Force Continuum;
- prohibit maneuvers such as chokeholds that are intended to limit a person’s ability to breathe or restrict a person’s blood flow;
- authorize the use of “lethal” or “less lethal” force when the officer has probable cause to believe that the person has committed or intends to commit a felony involving serious
bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to the officer or another if the subject is not immediately apprehended;

- require officers to use de-escalation techniques when there is no imminent danger to life and property;
- require other officers that are at the scene of the incident to intervene and stop the use of force by the officer(s), including using their arresting authority, if they believe the actions are unwarranted, unnecessary, or are an abuse of power by the officer(s);
- ensure the law enforcement agency can log all use of lethal or less lethal force by officers to a national database that is searchable and available to the public;
- require officers who use force when it is not necessary to be relieved of duty;
- require officers equipped with body-worn cameras to make sure the cameras are in recording mode anytime the officer is engaged in a potential incident that might require the use of force;
- prohibit officers from restricting witnesses to video record the use of force by an officer(s);
- ensure the public can call 9-1-1 or use an online reporting system when they believe an officer’s use of force is unwarranted or is in violation of an individual’s civil rights;
- ensure law enforcement officers and other public safety employees are provided whistleblower protections when they report an officer use of force violation; and
- require that all lethal and less lethal use of force actions be thoroughly investigated to ensure the incident warranted the use of force; and
- requiring law enforcement executives to take immediate disciplinary action against an officer who used lethal or less lethal force if it is determined that the use of force was unwarranted, unnecessary, excessive, or was an abuse of power.

NLC supports federal efforts to strengthen the local government’s ability to hold law enforcement officers accountable for discrimination, criminal misconduct, or excessive use of force violations. In cases where it has been determined that the actions of a law enforcement officer or officers discriminated against an individual’s civil rights, resulted in criminal misconduct, or violated the law enforcement agency’s use of force policies, the local government should have full authority to terminate the employment of a law enforcement officer or officers in accordance with established due process rules and principles to safeguard against wrongful termination.

NLC calls on Congress to:

- provide additional funding for the community-oriented policing grant program to help local law enforcement agencies implement and improve racial bias and de-escalation training; and

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1 An immediate, or imminent threat can be described as danger from an individual whose apparent intent is to inflict serious bodily injury or death and the individual has the ability and opportunity to realize this intention. (source: https://www.theiACP.org/sites/default/files/2020-07/National_Consensus_Policy_On_Use_Of_Force%2007102020%20v3.pdf)
prioritize the awarding of the above funding to target municipalities that have repeatedly
been cited for lethal or less lethal use of force violations, civil rights violations, or abuse
of power by officers; and
provide additional federal funding and technical assistance to local governments to help
administer mental health and wellness services to law enforcement officers; and
establish a National Database of Decertified Officers that ONLY law enforcement agencies
and state and local governments can access to vet officers who have been dismissed for
such issues as unnecessary or excessive use of force, abuse of power, racial discrimination,
and violation of individual’s civil rights; and
provide technical and grant assistance to local governments to establish transparent civilian
oversight boards to investigate officer use of force violations.

P. Qualified Immunity for Law Enforcement Officers

Qualified immunity is a legal doctrine established by the U.S. Supreme Court that grants
government officials, including municipal law enforcement officers, immunity from money
damages for civil rights violations as long as the official did not violate a "clearly established
statutory or constitutional rights of which a reasonable person would have known. While NLC
opposes federal legislation that would eliminate qualified immunity for law enforcement officers,
NLC does believe that Congress and the courts should consider changes to the doctrine of qualified
immunity for law enforcement officers to ensure greater accountability. NLC supports federal
efforts to strengthen local government’s ability to hold law enforcement officers accountable for
discrimination, criminal misconduct, or excessive use of force violation.
Section 6.02 – Public Safety

C. Public Safety Technology and Intelligence

6. Less-lethal Technology

Currently, less-lethal projectile devices for law enforcement are defined as a “firearm” under the Gun Control Act (GCA) of 1968, since there is no federal definition for less-lethal technology. The development of more effective, less-lethal projectile devices that can be used in lieu of lethal force are being stifled by the arbitrary application of the GCA.

The National League of Cities supports the Federal adoption of a definition for less-lethal projectile devices that would not classify them as firearm. NLC urges the federal government to support industry-wide research and development into less-lethal technology, better de-escalation training, and to support efforts to reduce fatal officer-involved shootings.

E. Mental Health and Public Safety (Incorporated Resolution)

1. First Responder PTSD

First responders charged with protecting life and property may experience a broad range of health and mental wellness consequences due to work-related exposures to traumatic incidents that include violent acts, death, and destruction. These “first responders” include municipal law enforcement, fire, and emergency medical employees who are responsible for the protection and preservation of life and property, and municipal emergency responders and public safety telecommunicators and dispatchers that provide immediate support services during a traumatic incident that causes physical, emotional, or psychological harm to themselves or others. Constant exposure to traumatic incidents involving death, dismemberment, abuse, violence, and destruction may exert a psychological toll on first responders, resulting in post-traumatic stress disorder (PTSD), substance abuse, depression, and even suicide.

Establishing robust prevention and early intervention systems that include crisis hotlines, routine mental health checks, and peer and family support programs can be critical components of first responder mental health and wellness programs, provided they are appropriately researched and resourced.

While first responders may have access to support services to help reduce the risk of post-traumatic stress, studies have shown that they are less likely to seek because they are concerned about how they would be viewed at work if they had sought support. Studies have shown that concerns over the stigma and scrutiny from others about contemplating or attempting suicide is one of the primary reasons that prevents first responders from seeking help. When first responders know and recognize the indicators or warning signs of an impending crisis and have the skills to talk to someone with mental illness, they are more likely to be comfortable confronting or breaking down the stigma about saying something to a peer or recognizing the warning signs for a self-referral.
NLC urges Congress to establish a federal program, similar to the Department of Veterans Affairs National Center for PTSD program, within the Department of Health and Human Services that would:

- develop resources and training programs for community-based clinicians who interact with first responders and their families to help them better understand the unique risks facing their clients and what health and wellness programs may be available to them as members of the first responder community
- provide technical assistance to support the development of model policies and implementation guidance for public safety agencies to make substantial efforts to reduce the first responder PTSD and suicide
- establish a national crisis hotline for first responders
- conduct research to determine the efficacy of regular mental health checks, establish which approaches are most effective, and provide resources that move public safety agencies toward best practices to reduce mental health issues among first responders
- establish remote access or regional mental health check programs to help first responders in small cities, towns and villages
- assist local public safety agencies in implementing peer support programs to ensure all first responders have access to this important wellness service

Congress should also improve the legislative privacy protections for first responders seeking assistance from peer crisis lines and other peer-support programs.

2. Resident Impacted by Crime and Emergency

Major criminal incidents and emergencies have a significant impact on the psyche of citizens and first responders alike. Immediate support after traumatic incidents can ensure that witnesses provide first responders with more lucid descriptions of the event and prevent significant long-term mental health concerns. First responders to traumatic events also require psychological support. In both cases, psychological conditions, post-traumatic stress disorder, or substance abuse may develop or worsen if not addressed.

Psychological first aid, crisis counseling, and response worker support are all key to mitigating these issues. The federal government should assist with resources and the coordination of non-profit entities and state and local governments to ensure a continuum of care is available to victims of crimes and disasters—particularly after major emergencies and incidents. These efforts must include awareness and education of access to behavioral health treatment to prevent negative effects following a devastating event.

F. Medical and Adult-use of Cannabis (Incorporated Resolution)

Since 1996, a significant majority of states have legalized the medical use of cannabis and an increasing number of states, and the District of Columbia have or are considering legalizing the adult use of cannabis.
To allow for greater regulation of the growing cannabis industry, the federal government should consider rescheduling cannabis by removing it from Schedule I substances under the Controlled Substances Act. After rescheduling cannabis, the U.S. Department of Justice’s Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Drug Enforcement Administration, and the United States Department of Health and Human Services Food and Drug Administration should establish federal regulations for the manufacturing, distribution and sale of legal medical and adult-use cannabis.

As states legalize the medical and adult recreational use of cannabis, Congress must also ensure local governments can establish laws and regulations on the manufacturing, distribution, and sale of medical and adult-use cannabis within their jurisdiction.

States and local governments that collect tax revenues from legalized medical and adult-use cannabis should also be able to use the funding for local public safety programs, drug treatment and mental health centers, housing programs, and after-school programs.
Section 6.03 – Homeland Security, Disaster Preparedness and Response

K. Disaster Insurance

The increase in floods, wildfires, earthquakes and other natural disasters makes it more complex and expensive for homeowners and businesses to purchase private insurance to recover after a natural disaster hits a community. Private insurance for natural disasters such as wildfires and earthquakes is quickly becoming unaffordable or unavailable, significantly impacting local real estate markets and the economy.

1. National Flood Insurance Program
   - 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.
   - The NFIP provides affordable flood insurance to property owners by encouraging local governments to adopt and enforce floodplain and water management regulations, best practices, and techniques.
   - These mitigation efforts reduce and prevent flooding on new and improved structures, thereby saving lives and reducing injuries, reducing economic losses, maintaining and protecting critical infrastructure, and reducing the liability borne by local governments and elected officials.
   - Congress must provide a long-term reauthorization of the NFIP to keep flood insurance rates affordable for primary, non-primary, and business properties while balancing the program’s fiscal solvency.

2. Other Natural Disaster Insurances
   Congress needs to ensure that the federal government can guarantee property owners have access to affordable insurance rates to cover losses from wildfires, earthquakes, tornadoes, and other natural disasters.

3. Mitigation
   The federal government should work with state and local governments, the insurance industry, and other stakeholders to develop an incentive-based disaster insurance and mitigation system that would encourage property owners to retrofit existing structures to reduce future losses from natural disasters. The federal government should also encourage lending institutions to incorporate mitigation provisions as conditions for loans.

4. Disaster Mapping
   For local governments to help their communities and homeowners adequately prepare for risk, Congress should provide additional resources to FEMA to utilize the best technology and methods available to improve the mapping process, including seeking input from local government officials before approving any flood, wildfire or disaster-related map that could impact local zoning rules.
NLC Resolutions are annual statements of position that sunset at the end of the calendar year unless action is taken. The committee must review each of the 2022 resolutions that originated in the PSCP Committee to determine recommendations for 2023. 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 PSCP resolutions that were approved for 2022 at City Summit with recommendations for 2023 are:

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<tr>
<th>Resolution</th>
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<tr>
<td>NLC RESOLUTION 2022-39: In Support of Legislation to Reauthorize the National Flood Insurance Program (NFIP) and to Ensure Property Owners are Able to Afford Insurance for Other Natural Disasters Such as Wildland Fires and Earthquakes</td>
<td>Expire, Incorporate into Standing Policy – See Section 6.03.K</td>
</tr>
<tr>
<td>NLC RESOLUTION 2022-40: In Support of Federal Efforts to Ensure State and Local Governments Have the Authority to Regulate the Manufacturing, Distribution and Sale of Medical and Adult-Use Cannabis</td>
<td>Expire, Incorporate into Standing Policy – See Section 6.02.F</td>
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<td>NLC RESOLUTION 2022-41: In Support of Federal Efforts to Prevent and Treat First Responder Post-Traumatic Stress Disorder (PTSD)</td>
<td>Expire, Incorporate into Standing Policy – See Section 6.02.E</td>
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<tr>
<td>NLC RESOLUTION 2022-43: In Support of Federal Efforts to Recruit and Retain a Diverse Public Safety Workforce</td>
<td>Renew with amendments</td>
</tr>
<tr>
<td>Resolution</td>
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<tr>
<td><strong>NEW PSCP RESOLUTION 1</strong>: Urging the Federal Government to Provide Direct Funding and Assistance to Cities, Towns, and Villages to Support Violence Prevention Programs</td>
<td>Adopt</td>
</tr>
<tr>
<td><strong>NEW PSCP RESOLUTION 2</strong>: Local Governments Need Direct and Sustainable Federal Funding to Help Residents Who Call the 988 Suicide &amp; Crisis Lifeline in Time of Crises</td>
<td>Adopt</td>
</tr>
<tr>
<td><strong>NEW PSCP RESOLUTION 3</strong>: In Support of Federal, State and Local Efforts to Stop the Illegal Trafficking of Fentanyl</td>
<td>Pending</td>
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NLC RESOLUTION 2022-43

IN SUPPORT OF FEDERAL EFFORTS TO RECRUIT AND RETAIN A DIVERSE
PUBLIC SAFETY WORKFORCE

PSCP Committee Recommendation: Renew with edits

WHEREAS, municipalities across the country are having a difficult time recruiting and
retaining qualified and racially diverse public safety employees; and

WHEREAS, the difficulty in recruiting and retaining public safety employees includes sworn
and unsworn law enforcement officers, volunteer and paid firefighters, emergency medical
technicians and paramedics, social workers and crises intervention specialists, 9-1-1 call takers,
dispatchers, and public safety communications technicians; and

WHEREAS, the reasons why individuals are less likely to seek or stay in a career in public
safety may include increased risk of injury or death, risk of civil liability or criminal conviction,
lack of political and public support, insufficient income for the level of personal risk, risk of
potential for post-traumatic stress disorder (PTSD) or other mental and physical issues resulting
from in the line of duty; and

WHEREAS, lack of racial, ethnic, and gender diversity in the public safety workforce can also
make it difficult to recruit women and minorities; and

WHEREAS, recruiting, training, and retaining the next generation of public safety personnel
will require considerable local government resources; and

WHEREAS, many municipalities across America, especially small to medium-size cities, towns
and villages, lack sufficient resources to recruit, train, and retain qualified public safety
personnel to keep their communities safe.

NOW THEREFORE BE IT RESOLVED, the National League of Cities (NLC) urges
Congress and the Administration to:

- Provide technical and financial support to local governments to recruit, train and retain a
  more racially and gender diverse public safety workforce.

- Provide additional funding for local government to establish co-responder programs.

- Provide additional funding for local governments to hire recruiters to help recruit a
  diverse municipal public safety workforce.

- Conduct research on the feasibility of employing unarmed responders for mental health
  and substance use calls for help.

- Provide technical assistance to local governments to establish violence interrupter
  programs.

- Establish a national ad campaign to help recruit more women and minorities in the public
  safety workforce.

- Provide technical assistance to local governments to improve mental health and wellness
  programs for their public safety employees.
Increase funding for the COPS hiring grants and allow the funding to be used for hiring co-responders and crisis intervention teams.
NEW PSCP RESOLUTION

URGING THE FEDERAL GOVERNMENT TO PROVIDE DIRECT FUNDING AND ASSISTANCE TO CITIES, TOWNS, AND VILLAGES TO SUPPORT VIOLENCE PREVENTION PROGRAMS

PSCP Committee Recommendation: Adopt

WHEREAS, the rise in violent crime, including gun violence, in communities across the country is putting a considerable strain on local government resources; and

WHEREAS, local governments have leveraged federal funding through the American Rescue Plan Act, and other federal grant programs, but the needs of local governments when addressing violent crime are not met by these funds; and

WHEREAS, the residents in cities, towns, and villages believe local elected officials have the primary responsibility to deal with the violence in their communities; and

WHEREAS, local leaders are looking at recruiting, hiring, training, and retaining a municipal public safety workforce that is bigger than just law enforcement officers, firefighters, and emergency medical services to address the rise in violent crime; and

WHEREAS, local leaders recognize the importance of coordinated mental health services in violence prevention, taking on greater responsibility in providing behavioral health services to all their residents experiencing economic, social, mental health, and substance abuse crises, but are restricted by the lack of sufficient funds made available to cities, towns, and villages for this purpose; and

WHEREAS, municipal governments have little or no control over the adjudication of those committing acts of violence and rely on federal, state, and county criminal courts to ensure that they are adequately charged and processed. However, these courts are experiencing unprecedented backlogs that are causing those that are committing acts of violence to be processed through the system slowly and at times released to the community; and

WHEREAS, local government officials cannot rely solely on policing data to get a comprehensive picture of what factors are causing the rise in violence in their communities; and

WHEREAS, the partisan and divisive national political debate over the causes of violence in cities is making it harder for local officials to effectively communicate to their residents on how they are addressing the violence; and
WHEREAS, relaxed state and federal gun laws are increasing the illegal trafficking of guns to criminals in cities.

NOW THEREFORE BE IT RESOLVED the National League of Cities (NLC) urges Congress to ensure local governments can directly apply for and receive federal funding to help recruit, hire, train and retain a more racially and gender diverse violence prevention workforce that includes:

- accredited and properly vetted law enforcement officers
- crisis intervention teams
- mental health and substance abuse co-responders
- violence interrupters
- alternative or unarmed responders that can respond to non-violent and non-criminal incidents to reduce the overburden on sworn law enforcement officers
- credible messengers and mentors
- mental health call takers in 9-1-1 centers to appropriately triage mental health calls

BE IT FURTHER RESOLVED NLC urges the federal government to provide technical assistance to local governments to establish:

- co-responder programs
- community violence interventions including violence interruption programs
- crises intervention teams
- alternative or unarmed responder programs
- credible messenger/mentor programs

BE IT FURTHER RESOLVED NLC urges Congress to provide additional funding to address the backlog of criminal cases in the federal, state, and county courts to ensure those committing acts of violence are not released back to the communities before they are fully adjudicated for their crimes; and

BE IT FURTHER RESOLVED NLC urges Congress to provide technical assistance to local governments to develop new analytical models that don’t rely solely on law enforcement data to identify and address the root causes of violence in their communities; and

BE IT FURTHER RESOLVED Congress must provide increased funding in the annual federal budget to help federal, state, and local law enforcement agencies stop the illegal trafficking of guns and weapons into cities, hold straw purchasers criminally liable, and permanently shut down “bad apple” gun dealers.
NEW PSCP RESOLUTION 2

LOCAL GOVERNMENTS NEED DIRECT AND SUSTAINABLE FEDERAL FUNDING TO HELP RESIDENTS WHO CALL THE 988 SUICIDE & CRISIS LIFELINE IN TIMES OF CRISIS

PSCP Committee Recommendation: Adopt

WHEREAS, in 2020, Congress designated the new 988 Suicide & Crisis Lifeline, formerly known as the National Suicide Prevention Lifeline, for reaching trained crisis counselors who can help with suicide, mental health, and substance use-related crises, and the number went live nationally on July 16, 2022; and

WHEREAS, the new 3-digit 988 Suicide & Crisis Lifeline is intended to be a network of state and local call centers supported by the U.S. Health and Human Services Department (HHS) through the Substance Abuse and Mental Health Services Administration (SAMHSA); and

WHEREAS, the Biden-Harris Administration increased federal investments in the 988 Suicide & Crisis Lifeline from $24 million to $432 million -- to scale up crisis centers and backup center capacity and to provide special services, including a sub-network for Spanish language speakers; and

WHEREAS, the $432 million included $105 million in grant funding to states and territories, provided by the American Rescue Plan, to improve response rates, increase capacity to meet future demand, and ensure calls initiated in their states or territories are first routed to local, regional, or state crisis call centers; and

WHEREAS, the 988 Suicide & Crisis Lifeline was established to improve access to crisis services to meet our country’s growing suicide and mental health-related crisis care needs.

WHEREAS, the 988 Suicide & Crisis Lifeline is intended to provide easier access to the national Lifeline network and related crisis resources, which are distinct from the public safety purposes of 911 (where the focus is on dispatching Emergency Medical Services, fire, and police as needed); and

WHEREAS, crisis care services do not exist in all areas of the country, especially in racially and economically disadvantaged communities and rural cities, towns, and villages; and

NOW THEREFORE BE IT RESOLVED NLC is concerned that currently, there isn’t sufficient federal and state funding to quickly build out crisis care services in all areas of the country to help people that call 988, and
BE IT FURTHER RESOLVED NLC urges Congress to ensure that, in addition to the funding provided to the states, there will be sustained, direct federal support to local governments to quickly expand crisis care systems to help racially and economically disadvantaged communities and rural cities, towns, and villages;

BE IT FURTHER RESOLVED Congress must also provide direct funding to local governments to create crisis intervention teams, co-responders, and alternative unarmed behavioral health response programs to help people that call the 988 Suicide & Crisis Lifeline in their communities.
NEW PSCP RESOLUTION 3

IN SUPPORT OF FEDERAL, STATE AND LOCAL EFFORTS TO STOP THE
ILLEGAL TRAFFICKING OF FENTANYL

PSCP Committee Recommendation: Pending

WHEREAS drug traffickers are mass-producing fake or counterfeit pills and falsely marketing
them as legitimate prescription pills to deceive the people of the United States; and

WHEREAS many fake or counterfeit pills are made to look like prescription name-brand
opioids or stimulants; and

WHEREAS drug traffickers are using fake or counterfeit pills to exploit the opioid crisis and
prescription drug misuse; and

WHEREAS the Drug Enforcement Agency (referred to in this preamble as the “DEA”) has
observed a dramatic rise in the number of counterfeit pills containing not less than 2 mg of
fentanyl, which is considered a deadly dose; and

WHEREAS 4 out of every 10 pills with fentanyl tested by the DEA contain a potentially lethal
dose; and

WHEREAS counterfeit pills may also contain fentanyl-related substances and
methamphetamine; and

WHEREAS the number of counterfeit pills with fentanyl seized by law enforcement agencies
has increased by nearly 502 percent since 2019; and

WHEREAS more than 9,500,000 counterfeit pills were seized within the last year, which
exceeds the total number of seizures for the previous 2 years combined; and

WHEREAS fake or counterfeit pills have been identified in all 50 States and the District of
Columbia; and

WHEREAS illicit fentanyl has also been detected in street drugs such as heroin and cocaine;
and

WHEREAS for the 12-month period ending in October 2021, more than 105,000 individuals in
the United States died of drug-induced deaths, and 69,000 of those deaths involved illicit
fentanyl; and
WHEREAS over the last 20 years, drug-induced deaths among individuals aged 15 to 35 has increased 6-fold, largely driven by the increase in illicit fentanyl drugs; and

WHEREAS for the 12-month period ending in April 2021, the leading cause of death for individuals in the United States aged 18 to 45 was illicit fentanyl; and

WHEREAS fake counterfeit pills are easily accessible and often sold on social media and e-commerce platforms, making them accessible to teens and youth; and

WHEREAS illicit fentanyl is involved in more deaths of youths than all other drug types combined; and

WHEREAS, in 2020, drug overdose and poisoning deaths for individuals aged 14 to 18 grew by 94 percent, which was more than 3 times as fast as the national rate and faster than any other 5-year age group; and

WHEREAS, in 2020, fentanyl involvement in drug overdose and poisoning deaths for individuals aged 14 to 18 grew by 169 percent, which was more than 3 times as fast as the national rate and faster than any other 5-year age group; and

WHEREAS, in 2020, there were 56,516 reported overdose deaths due to synthetic opioids.

NOW, THEREFORE, BE IT RESOLVED, NLC urges Congress to pass legislation to classify fentanyl analogs under Schedule I of the Controlled Substances Act (CSA) due to the high potential for abuse; and

BE IT FURTHER RESOLVED, that NLC calls on Congress to provide federal, state and local law enforcement additional resources and technical assistance needed to address the substance addiction crisis in America’s cities, towns and villages.
Proposed Policy Amendments and Resolutions of the

Information Technology and Communications

Federal Advocacy Committee

ITC
Proposed Policy 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 at nlc.org/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.

Policy:

- **Section 7.00 Economic Opportunity and Innovation**
  - B. Access, Adoption, Affordability, and Symmetry of Broadband

- **Section 7.03 Consumer Protection**
  - B. Truth in Advertising
  - E. Cybersecurity
  - G. Emerging Technologies
Section 7.00 Economic Opportunity and Innovation

B. Access, Adoption, Affordability, and Symmetry of Broadband

Broadband access and adoption help promote economic development and social equity while enhancing public health, public safety, and educational opportunities for Americans around the country. Therefore, the Federal government should ensure that broadband access is universal, affordable, and addresses the nation’s digital equity issues. The Federal government should also ensure that future deployments are developed so as not to decrease digital equity.

1. Access
NLC supports action by the federal government to provide matching grants, technology grants, tax credits, subsidies and other types of aid that would increase broadband deployment and affordability. NLC also supports sustained funding of programs such as eRate, ReConnect, and other programs that support the buildout of broadband infrastructure. NLC urges the federal government to ensure that these and other broadband grant programs are accessible to all communities, whether large or small, rural or urban, as well as municipal broadband network owners and operators.

2. Adoption
Understanding that access alone is not enough to encourage adoption, NLC also supports proposals that would bridge the digital divide and develop programs that would create opportunities to increase broadband adoption, including funding for digital navigation and digital equity programs within cities.

3. Affordability
Federal policies should be designed to maximize the availability of affordable and competitively priced services throughout the country. NLC urges the federal government to make permanent and sustainably fund the Affordable Connectivity Program, to provide households in need with a reliable support for home broadband service.

4. Upload/Download Symmetry and Network Performance
Recognizing that broadband download capability is critical for access to content, upload speed is similarly critical for economic development and labor market participation. Federal definitions of "broadband service" and programs to enhance access, adoption, and affordability should also seek to encourage upload/download bandwidth symmetry, minimize latency, and maximize network resilience, redundancy, and uptime.

Section 7.03 Consumer Protection

B. Truth in Advertising
NLC supports federal proposals which encourage regulators to develop and enforce strict guidelines to govern advertising and public disclosure of broadband services.
Of special interest should be:

- Broadband providers currently use download speed as their primary flagship, while minimizing the disclosure of upload speed, which is the most variable component of current broadband delivery technologies. Providers should be required to advertise upload/download speeds on an equal basis.
- Providers heavily advertise their download speeds as rated inside their own networks, without any common measurement indexes that would allow consumers a basis for fair comparison of products between providers. Providers should be required to ensure all broadband advertising that includes bandwidth claims to use a common system for speed measurement across the entire Internet.
- Providers are not currently required to report other network metrics, such as latency, resilience, resolution metrics, or uptime/downtime performance. Providers should be required to disclose these metrics regarding the reliability of their service.
- Providers currently contract consumers to multi-year agreements with exit costs that are not indicative of the installation costs or associated discounts for the services provided. Providers should be required to disclose/contrast termination fees in all advertising that ‘headlines’ a discounted rate based on said contractual agreement.
- Providers currently contract groups of consumers to lengthy multiyear exclusive contracts to pre-empt the expansion of city/municipality owned networks. To counter this, there should be support for the expansion of municipal broadband by discouraging or legislating against these practices.
- Providers currently ‘package’ other services with their broadband services to force market these products to consumers that have limited/no options in the broadband market. The use of ‘slam packaging’ in markets with exclusive/limited broadband service options should be banned.
- Providers currently advertise speed and availability to markets where the service and speed are unavailable, or only available to a small percentage of the citizens receiving the advertising. NLC encourages the federal government to provide oversight of these practices, particularly for participants in the Affordable Connectivity Program.

E. Cybersecurity

NLC supports federal efforts in cybersecurity related to national security, protection of sensitive information and intellectual property, and the availability and continuity of infrastructure. The increasing presence of the Internet of Things throughout cities and the increased attempts to interfere with election processes presents an increased threat to city residents and necessitates increased federal action. Another recognized risk is the sharing of data that may be hosted with software companies that provide technology solutions or services to local governments and the government data may be subject to a loss or breach through an attack on the private Localcompany. Local governments are responsible for the protection of large amounts of personally identifiable data, the breach of which could lead to criminal activity or unauthorized...
use. NLC additionally supports federal efforts to provide increased resources and technical
assistance to local governments for the protection of government systems, data, transactional
databases, enterprise files and critical government functions. NLC opposes the imposition of
unfunded mandates on local governments and supports additional grant funding resources for
localities to address stark cybersecurity workforce and resource needs. (See related policy under
PSCP Section 6.03(I) Protect Against and Respond to Cyber Threats.)

G. Emerging Technologies

The rapid evolution of technology, such as the development of blockchain, digital currency, and
autonomous vehicles has provided cities, towns and villages with unprecedented opportunities to
explore alternative methods of traditional service delivery and operation modernization.
Innovation in local government and support for these emerging technologies can improve the
way municipalities work and interact with the public.
Adopting innovative approaches to local administration may present technical, regulatory,
implementation, financial or intergovernmental challenges. NLC urges the federal government to
act as a convener of best practices, cut federal agency red tape, and provide aid to support
advancing local innovation in the use of emerging technologies.

NLC opposes federal preemption of local decisions regarding the use of emerging technologies
in their own communities. As incubators of innovation and the level of government closest to the
people, cities, towns and villages must retain the authority to make the choices that best serve
constituents and protect local public safety, privacy, efficiency, administrative, and other needs,
particularly as new technologies and their applications evolve over time. Local leaders must also
be empowered with the federal tools and abilities to safely and effectively police the use
of emerging technologies in their communities as needed. (See related policy under TIS Section
5.02(E) Intelligent Transportation Systems and 5.04(F) Unmanned Aircraft Systems.)
NLC Resolutions are annual statements of position that sunset at the end of the calendar year unless action is taken. The committee must review each of the 2022 resolutions that originated in the ITC Committee to determine recommendations for 2023. 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 ITC resolutions that were approved for 2022 at City Summit with recommendations for 2023 are:

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<td>Renew with edits</td>
</tr>
<tr>
<td><strong>NLC RESOLUTION 2022-46:</strong> Federal Investment in Broadband Access: A Call for Universal Availability, Affordability and World-Class Quality</td>
<td>Renew with edits</td>
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<tr>
<td><strong>NLC RESOLUTION 2022-47:</strong> Local Government Support for Fairness and Truth in Advertising for Internet Service Providers</td>
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<td><strong>NLC RESOLUTION 2022-48:</strong> Preserving Local Control of Broadband Infrastructure Siting</td>
<td>Renew with edits</td>
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<tr>
<td><strong>NLC RESOLUTION 2022-49:</strong> Calling for Updated Federal Safety Standards for Radiofrequency Emissions of Wireless Facilities</td>
<td>Renew with edits</td>
</tr>
<tr>
<td><strong>NLC RESOLUTION 2022-50:</strong> In Support of Municipal Data Ownership and Protection</td>
<td>Renew with edits</td>
</tr>
<tr>
<td><strong>NLC RESOLUTION 2022-51:</strong> In Support of Digital Equity for American Communities</td>
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NLC RESOLUTION 2022-45

LOCAL GOVERNMENT SUPPORT OF COMMUNITY/MUNICIPAL BROADBAND NETWORKS

ITC Committee Recommendation: Renew with edits

WHEREAS, the universal availability of affordable broadband access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks are an essential option for education, healthcare, market competition, consumer choice, economic development, and universal, affordable Internet access nationwide; and

WHEREAS, historically, local governments have ensured access to essential services and utilities by banding together to provide those services and utilities 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; public needs; and

WHEREAS, local governments may be able to build and operate broadband infrastructure to serve the public interest; and

WHEREAS, according to the Federal Communications Commission, half of most American homes only have two options of Internet service providers for basic broadband and for faster speeds, a majority of households only have one choice, or none at all; and

WHEREAS, publicly owned broadband infrastructure, including open-access and conduit networks, has served an important role in increasing broadband market competition among private providers by reducing the cost of entry to those communities, particularly for smaller broadband providers; and

WHEREAS, the economic health of municipalities depends on public and private investment to connect their communities; and

WHEREAS, municipal governments consider broadband to be a critical form of infrastructure, and more than 900 communities have therefore made significant investments in publicly-owned broadband infrastructure; 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, a majority of American consumers, across the political spectrum, feel municipal broadband services should be allowed to help ensure that all Americans have equal access to the Internet; and

WHEREAS, federal and state broadband infrastructure funds will be unnecessarily limited in effectiveness by the number of states with anticompetitive, preemptive laws in place by prohibiting communities from making the best choice for their own connectivity needs; 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 and/or infrastructure 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); 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 preserve the authority of local governments to act in the interest of their citizens by constructing, owning and operating broadband infrastructure, directly offering high speed Internet and other communications services, and/or participating in public-private partnerships for the purposes of offering competitive broadband and communications services; and

BE IT FURTHER RESOLVED that in order to maximize the value of federal grant expenditures, federal agencies should protect and prioritize access to federal funding sources for municipal broadband through key federal infrastructure programs, particularly the Broadband Equity, Access and Deployment (BEAD) grant program; and

BE IT FURTHER RESOLVED that Congress should preempt state laws that restrict municipalities from providing community broadband networks and further ensure that no new broadband legislation should preempt the authority of local governments to conduct their own broadband planning; engage in broadband infrastructure construction, ownership, or operation; collaborate with neighboring jurisdictions; govern the placement and deployment of wireless or other communications infrastructure in their communities; or impose consumer protection or buildout requirements on broadband providers in their jurisdictions; and

BE IT FURTHER RESOLVED that NLC calls on Congress to pass the Community Broadband Act (H.R. 1631/S. 1460) to supersede state preemption and enable the provision of municipal broadband in every state; and

BE IT FURTHER RESOLVED that NLC calls on state legislatures to overturn or eliminate preemptive state laws and ensure that local governments are fully able to participate in building a broadband future.
NLC RESOLUTION 2022-46

FEDERAL INVESTMENT IN BROADBAND ACCESS: A CALL FOR UNIVERSAL AVAILABILITY, AFFORDABILITY AND WORLD-CLASS QUALITY

ITC Committee Recommendation: Renew with edits

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, equity, and survival of communities across the United States; and

WHEREAS, despite the findings of the Federal Communications Commission’s (FCC) Fourteenth Broadband Deployment Report that 18.2514.5 million Americans lacked access to fixed terrestrial broadband networks, the FCC concludes that “broadband is being deployed in a reasonable and timely fashion;” and

WHEREAS, there is a disparity between providers’ reporting of advertised speeds and actual delivered speeds that has been proven through speed tests in a number of states and municipalities; and

WHEREAS, the numbers of individuals with access to broadband is overreported by the FCC and inconsistent with the U. S. Census American Community Survey’s findings; and

WHEREAS, Congress has recognized this disparity between federal data and on-the-ground experience through passage of the Broadband DATA Act of 2020, which directed the FCC to improve its data collection process and map granularity, and to create as well as creating a challenge process for states, local governments, and consumers and public interest groups to correct faulty data; and

WHEREAS, the success of broadband infrastructure programs authorized by the Infrastructure Investment and Jobs Act of 2021 relies upon the accuracy of these maps, as many programs are required to use FCC map data to prioritize or distribute broadband grant funds; and

WHEREAS, the federal current FCC standard for broadband (25 Megabits per second (Mbps) download and 3 Mbps upload), which has been in effect since 2015, is insufficient for multiple household members to simultaneously access vital bandwidth-intensive services such as video chat or VPN simultaneously; and

WHEREAS, with the proliferation of 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, affordable broadband service can vary
dramatically from one neighborhood to another and between single family and multifamily
homes, 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 households with children in school currently lack a broadband connection,
while the majority of teachers assign homework that requires broadband leaving millions of
students behind in modern education roughly a quarter reported challenges accessing broadband
at home to complete schoolwork, or were forced to use a cellphone to do schoolwork during the
COVID-19 pandemic leaving millions of students behind in modern education; and

WHEREAS, current availability and adoption is insufficient to meet present and future needs.

NOW, THEREFORE, BE IT RESOLVED that NLC asks the federal government to recognize
and work through public-private partnerships, municipal broadband providers and
municipalities to achieve the goals of equitable broadband access by providing:

- Affordable and competitively priced broadband access; and
- Appropriate standards for symmetrical broadband speed, reliability, and connectivity that
  allow America to compete in the global economy and open more opportunities to deliver
  robust services more economically and universally;
- Granular, accurate data on broadband availability, affordability, and adoption available to
  local officials to assist in planning and local investments; and
- Funding, including federal, state and local dollars, such as that proposed included in the
  Digital Equity Act and the Affordable Connectivity Program, to support digital inclusion
  programs and home broadband adoption throughout the United States.

BE IT FURTHER RESOLVED that NLC urges the federal government to include and to
incorporate federal investment in broadband in any federal infrastructure proposal, to strengthen
the nation’s infrastructure network while promoting economic development and social equity in
our communities; and

BE IT FURTHER RESOLVED that NLC urges the federal government to continue to
incorporate an effective challenge process for local governments to use in the grant application
and award process and in general correction of faulty data or discrepancy with the federal
broadband maps.

6 Brookings Metropolitan Policy Program, “Broadband subscriptions are up, but too many households are still
7 Pew Research Center, “What we know about online learning and the homework gap amid the pandemic,” October
1, 2021.
BE IT FURTHER RESOLVED that NLC supports the FCC revisiting the benchmarks for broadband speeds on a more frequent basis because of the evolving nature of technology and the needs of communities for faster and symmetrical speeds; and

BE IT FURTHER RESOLVED that Congress must work with state and local governments to fund broadband infrastructure at high performance standards that provides at least 100/20 Mbps service, and ideally 1 Gbps symmetrical service, without harmful data caps, to ensure that federal funds are spent only on broadband that will provide meaningful service for current and future essential applications; and

BE IT FURTHER RESOLVED that NLC encourages the FCC to close the “homework gap” in low-income households through the Affordable Connectivity Program, which supports of low-cost plans, including access provided by local governments, and subsidized access to computing devices; and

BE IT FURTHER RESOLVED that NLC opposes any efforts by the FCC to reverse modernization of the critically important E-Rate and Lifeline programs; and

BE IT FURTHER RESOLVED that NLC supports expansion of the U.S. Department of Agriculture’s Rural Utility Service Broadband program beyond loan guarantees to include grants, and an increased population threshold for eligible areas to at least 20,000 so that more areas may take advantage of this financingCommunity Connect and ReConnect broadband grant and loan programs and encourages the federal government to expand access to the programs for municipalities; and

BE IT FURTHER RESOLVED that NLC calls on federal agencies, including the FCC, U.S. Department of Commerce, U.S. Department of Agriculture, and others to harmonize and coordinate broadband grant programs, expand technical assistance, consider flexible matching fund requirements and the flexible designation of available funds (particularly allowing for the pledge of future funds as a funding source), ensure that both public and private partnership applications are eligible for programs, and simplify program application and compliance processes to ensure that municipalities, particularly smaller municipalities, are able to compete and participate in these opportunities; and

BE IT FURTHER RESOLVED that NLC calls on Congress to increase funding for Community Development Block Grants and Choice Neighborhood Grants, which allow local governments to fund broadband planning and deployment alongside affordable housing and neighborhood improvement projects; and

BE IT FURTHER RESOLVED that NLC calls on the U.S. Department of Housing and Urban Development to expand its ConnectHome program, to ensure that a growing number of HUD-assisted households and schoolchildren will have access to in-home broadband; and

BE IT FURTHER RESOLVED that NLC calls on Congress to remove state-imposed barriers to broadband investment, such as preemption of municipal broadband networks, broadband
networks provided by rural electric cooperatives, and middle mile broadband infrastructure built by investor-owned electric companies; and

**BE IT FURTHER RESOLVED** that NLC calls on Congress to reform and update federal transportation grant programs such as BUILD to ensure that placement of broadband infrastructure through policies such as “dig once” is prioritized in funded projects, and that physical structures that reduce the cost of broadband deployment by private companies such as dark fiber and conduit are eligible expenses in federal grant programs; and

**BE IT FURTHER RESOLVED** that NLC urges the federal government to take a leadership 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 symmetrical broadband access.
NLC RESOLUTION 2022-47

LOCAL GOVERNMENT SUPPORT FOR FAIRNESS AND TRUTH IN ADVERTISING FOR INTERNET SERVICE PROVIDERS

ITC Committee Recommendation: Renew with edits

WHEREAS, the universal availability of affordable, reliable high-speed Internet broadband access for all citizens is a national priority; and

WHEREAS, Internet access is a necessity for citizens to enable access to their workplaces, educational opportunities, telemedicine, social media, and community involvement; and

WHEREAS, the Federal Communications Commission’s standard for broadband (25Mbps download and 3 Mbps upload) is insufficient for multiple household members to simultaneously access vital bandwidth-intensive services such as video chat and/or VPN necessary for modern educational needs simultaneously; and

WHEREAS, advertising practices in the Internet/broadband industry are generally unmonitored; and

WHEREAS, broadband providers currently do not consistently advertise the speed consumers are likely to experience, but the highest possible speed consumers may experience, and do not consistently report make transparent issues such as high latency or network reliability and downtime; and

WHEREAS, some internet providers do not provide a transparent advertisement of their full program offerings, including eligibility information for customers through the Affordable Connectivity Program8 or through other subsidized internet or broadband programs on their websites, informational guides or in their advertisement’s; and

WHEREAS, some broadband providers currently advertise speed and availability, including the availability of next-generation mobile services, to markets where the service and speed are unavailable, or only available to a small percentage of the citizens receiving the advertising, violating basic concepts of truth in advertising; and

WHEREAS, Internet providers that do not meet the FCC standards for broadband use the term ‘broadband’ for their advertised service with no disclosure of their failure to meet the standard; and

WHEREAS, the need for equity in provider performance is demonstrated by the fact that providers do not always address network downtime outages in an equitable manner, and the FCC has appointed members to a new Digital Empowerment and Inclusion Working Group9 to

address “digital redlining” which speaks to inequities in network performance from a provider; and

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) supports the imposition of a standard for broadband measurement to be required in broadband advertising, allowing the public a fair basis for comparison when purchasing broadband services; and

BE IT FURTHER RESOLVED that this advertising standard should require providers to advertise upload/download speeds on an equal basis; and

BE IT FURTHER RESOLVED that this advertising standard should require providers to advertise only actual delivered speed and availability averages (50th percentile) for the area being advertised to; and

BE IT FURTHER RESOLVED that NLC urges the federal government to explore and enact timely regulations consistent with the requirements in the Infrastructure Investment and Jobs Act that promote fair and explicit advertising in the broadband industry, through the use of “Broadband Consumer Labels”\(^\text{10}\), such as a standardized “Broadband Nutrition Label,” which include standards based on measurements of broadband speed from a nationally available source and allows consumers to compare cost and service across providers; and

BE IT FURTHER RESOLVED that the “Broadband Nutrition Consumer Label” should include, at a minimum, items such as: the actual delivered upload and download speeds, all fees assessed, costs of any associated rental equipment or installation charges, network latency and downtime/outage reporting, data limits or speed throttling, and termination or cancellation costs.

NLC RESOLUTION 2022-48

PRESERVING LOCAL CONTROL OF BROADBAND INFRASTRUCTURE SITING

ITC Committee Recommendation: Renew with edits

WHEREAS, the Federal Communications Commission (FCC) has enacted regulations that substantially limit the traditionally-held authority of local governments over small cell wireless infrastructure and local governments’ ability to assess fair compensation to taxpayers for use of public property, subsidizing wireless providers’ development while undermining local efforts to expand equity and broadband access; and  

WHEREAS, the FCC has enacted regulations that challenge local land use authority to govern broadband infrastructure under the auspices of accelerating broadband infrastructure deployment; and

WHEREAS, cities have worked as active partners to site broadband infrastructure in their communities while protecting public safety, neighborhood character, and the integrity of existing infrastructure such as poles, streets, and sidewalks; and

WHEREAS, cities share the FCC’s goal of expanding broadband access to all Americans, no matter where they live; and

WHEREAS, cities have a duty to their taxpayers to protect and manage public property and public rights-of-way for the benefit of all users, and must balance the needs and interests of broadband providers with those of other users of the rights-of-way and residents by appropriately reviewing siting requests and assessing appropriate rent for use of public property; and

WHEREAS, NLC and numerous other organizations representing state and local governments, as well as hundreds of individual local governments, had to resort to litigation to protect the health, safety and welfare of residents; and

WHEREAS, in August 2020, the Ninth Circuit Court decided to largely uphold these preemptive regulations, and in June 2021 the Supreme Court declined to take up the case, reinforcing the need for Congress to provide an immediate lasting legislative remedy.

14 City of Portland v. USA, Case No. 18-72689, 9th Cir. 2020.
15 City of Portland v. USA, Case No. 20-1254, Supreme Court of the United States 2021.
NOW, THEREFORE, BE IT RESOLVED that NLC opposes efforts by the FCC and Congress to preempt municipal authority over all broadband infrastructure, wired or wireless, including small cell infrastructure; and

BE IT FURTHER RESOLVED that NLC calls on the FCC and Congress to protect local authority over their rights-of-way, municipal authority to protect neighborhood character and public safety, to require collocation, maintain control of aesthetic and undergrounding requirements, and existing authority to assess fair compensation for private use of public assets, including the rights-of-way and other public lands and facilities, which should not be limited to the cost of maintaining the rights of way; and

BE IT FURTHER RESOLVED that NLC calls on the FCC to overturn its 2018 small cell rulemaking and identify effective collaborative solutions and effective administrative practices for the siting of wireless infrastructure, including increased local representation on advisory committees, instead of implementing a one-size-fits-all preemptive regulatory approach; and

BE IT FURTHER RESOLVED that NLC calls on the FCC to favor specific technologies through regulation, or adopting regulations that further expand the digital divide by preempting local governance; and

BE IT FURTHER RESOLVED that NLC opposes any efforts by the FCC to implement the digital discrimination prevention provisions of the Infrastructure Investment and Jobs Act in a way that would limit or recommend limiting local authority over infrastructure siting or permitting, or otherwise limit the ability of local governments to exercise local control over franchises or rights of way management, which are critical tools for preventing digital discrimination; and

BE IT FURTHER RESOLVED that NLC supports legislation to overturn the FCC preemption of local authority and affirm the authority of local governments to determine usage of and appropriate fees for usage of local rights-of-way; and

BE IT FURTHER RESOLVED that NLC calls on the FCC to examine all best practices and potential obstacles to expanded broadband deployment and adoption, including obstacles created by federal or industry practices that stymie local and consumer efforts to expand broadband access.
NLC RESOLUTION 2022-49

CALLING FOR UPDATED FEDERAL SAFETY STANDARDS FOR
RADIOFREQUENCY EMISSIONS OF WIRELESS FACILITIES

ITC Committee Recommendation: Renew with edits

WHEREAS, increased usage of wireless communications services has resulted in greater
deployment of wireless communications facilities in cities; and

WHEREAS, Congress and the Federal Communications Commission (FCC) are considering
legislation and regulations, respectively, addressing the deployment of small wireless
communications infrastructure in public rights-of-way; and

WHEREAS, states and local governments throughout the United States are preempted by
Section 332(c)(7) of the Communications Act of 1934 from taking into consideration the health
effects of radio frequency emissions (RF) when regulating the placement of wireless facilities or
small wireless facilities with their jurisdictions; and

WHEREAS, Americans have expressed significant concerns with the health effects of RF
emissions associated with wireless facilities, particularly small wireless facilities placed in public
rights-of-way often in very close proximity to residents’ homes, places of work and where they
recreate; and

WHEREAS, there is limited public-facing information about the safety and health impacts of
RF emissions related to infrastructure, versus emissions from personal devices, making it
challenging for local governments to provide residents with timely, relevant information from
the federal government in response to their concerns; and

WHEREAS, cities and counties employ methods to avoid providing certain environmental
related services near residents with particular sensitivities; and

WHEREAS, the FCC is required by the National Environmental Policy Act of 1969, among
other things, to evaluate the effect of emissions from FCC-regulated transmitters on the quality
of the human environment; and

WHEREAS, the FCC adopted a proceeding in 2013 to reassess RF exposure limits; and

WHEREAS, numerous states, local governments and tribes have urged the FCC to revisit and to
update FCC standards for RF emissions, with input and support from other federal agencies,
including the Environmental Protection Agency and the Food and Drug Administration; and

16 Federal Communications Commission, Reassessment of Federal Communications Commission Radiofrequency
Exposure Limits and Policies; Proposed Changes in the Commission's Rules Regarding Human Exposure to
Radiofrequency Electromagnetic Fields, First Report and Order, Further Notice of Proposed Rulemaking and Notice
WHEREAS, NLC, the National Association of Counties (NACo), National Association of Telecommunications Officers and Advisors (NATOA) the U.S. Conference of Mayors (USCM), and the National Association of Towns and Townships (NATaT) on behalf of their respective constituencies, jointly submitted comments urging that the FCC take action to perform a comprehensive review of RF emission standards and guidance for local government officials, particularly with respect to small wireless technologies;¹⁷ and

WHEREAS, the FCC closed its RF exposure docket in 2019, reaffirming the safety of personal RF-emitting devices such as cell phones, but declining to address the safety of small wireless infrastructure or to provide local governments with updated resources and guidance on assessing the safety of small wireless structures in their communities or addressing the rising tide of questions and concerns from residents about their safety;¹⁸ and

WHEREAS, in 2021, the DC Circuit Court of Appeals remanded this decision, finding that the FCC decision failed to meet Administrative Procedure Act and National Environmental Policy Act requirements.¹⁹

WHEREAS, public concern about 5G and RF emissions has increased exponentially in the wake of this agency inaction, making it more difficult for local governments and wireless providers to site small wireless facilities in communities and leading to vandalism or destruction of structures and threats to telecommunications workers’ safety; and

NOW, THEREFORE, BE IT RESOLVED that NLC urges the federal government to update antiquated standards and to perform a comprehensive review of the standards for RF emissions, particularly in light of the deployment of small wireless technologies in public rights-of-way in close proximity to residents’ homes, schools, workplaces, and places of recreation; and

BE IT FURTHER RESOLVED that the federal government should continuously update and refresh these standards, based on changes in technology, spectrum usage, device usage, and infrastructure deployment, to ensure that standards are recent enough to maintain public confidence; and

BE IT FURTHER RESOLVED that NLC calls on the FCC to develop an updated resource for local governments’ use in education for residents about these updated RF emissions standards and the safety of commonly deployed wireless equipment, particularly small cell wireless equipment and 5G deployment.

¹⁹ Environmental Health Trust, et. al., v. FCC, Case No. 20-1025, DC Cir. 2021.
NLC RESOLUTION 2022-50

IN SUPPORT OF MUNICIPAL DATA OWNERSHIP AND PROTECTION

ITC Committee Recommendation: Renew with edits

WHEREAS, municipalities require personally identifiable information to provide essential services to residents, such as bill payment, library services, transit, public planning, and public health; and

WHEREAS, municipal governments have a responsibility to protect residents’ personal and financial data, of which they are stewards; and

WHEREAS, most municipalities are reliant upon products and services to carry out critical municipal functions, which necessitates the transmission and storage of data regarding residents’ finances, identification, travel information, or other sensitive data; and

WHEREAS, residents have a reasonable expectation of privacy in many transactions with their governments and do not expect their data to be shared with third parties except as necessary to perform municipal functions; and

WHEREAS, there is no current federal data privacy law governing the ownership and protection of data by residents or by municipalities on behalf of residents; and

WHEREAS, under current law contractors providing these essential products and services may require that this data become the property of the company, not the municipality, allowing companies to either monetize residents’ data directly or indirectly by requiring municipalities to purchase it back for local use; and

WHEREAS, local governments have become particularly attractive targets for bad actors, with two-thirds almost half of all ransomware attacks targeted at local governments, and most local information technology officers report insufficient budgetary resources to adequately protect local government networks.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities calls on the federal government to establish data privacy principles that prevent the abuse of municipal data by third parties or companies providing products and services to local governments; and

BE IT FURTHER RESOLVED that the federal government should institute, expand and promote basic cybersecurity requirements for companies and governments to ensure that residents’ data is appropriately protected from breach or theft; and

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BE IT FURTHER RESOLVED that the federal government should establish robust, dedicated
grant and technical assistance programs to assist municipalities of all sizes in preventing,
preparing for, and recovering from cyberattacks; and

BE IT FURTHER RESOLVED that the federal government should acknowledge the resource
limitations facing municipalities and not impose new unfunded mandates around cybersecurity;
and

BE IT FURTHER RESOLVED that federal data privacy policy should require companies to
enable municipalities to export their data on demand, and should not require municipalities to
pay again to access or export their own data; and

BE IT FURTHER RESOLVED that federal privacy principles should not impinge on the
ability of municipal governments to collect and use data to complete critical government
functions, such as transportation service, utility operation, public safety, and providing equitable
access to these services.
NLC RESOLUTION 2022-51

IN SUPPORT OF DIGITAL EQUITY FOR AMERICAN COMMUNITIES

ITC Committee Recommendation: Renew with edits

WHEREAS, access to fast, affordable broadband and devices in the United States is not evenly distributed across geographic, racial, or socioeconomic lines, disproportionately harming rural communities, low-income communities, and communities of color; and

WHEREAS, 18 million households in America lack broadband access, including 14 million households in urban areas and 4 million households in rural areas, reflecting an enormous un- and underserved urban and suburban population; and

WHEREAS, while 80.2% of households with incomes above $100,000 use broadband at home, only 50.7% of households with incomes below $25,000 do;22 and

WHEREAS, household broadband access lags for communities of color, with 82.77% of white residents having in-home broadband service, while only 77.67% of Black and Hispanic residents do;23 and only 67% of tribal lands in the Continental U.S. have access to broadband internet24, and white residents have only a 12% dependency on smartphones for access to the Internet, versus 17% Black residents and 25% Hispanic residents solely relying on smartphones, twice as many Black and Hispanic residents as white reporting relying solely on smartphones for access to the Internet;25 and

WHEREAS, at least 83.3 million Americans can only access broadband through a single provider, with 47 million of those in a monopoly market for a single cable company, while another 33 million can only access broadband through a single DSL provider, leaving many with little or no market or regulatory downward pressure on pricing;26 and

WHEREAS, federal broadband policy has increasingly targeted federal dollars solely to building infrastructure in unserved rural areas, neglecting communities with inadequate or decaying telecommunications infrastructure and ignoring the impact of affordability on broadband access, disproportionately disadvantaging communities of color;27 and

WHEREAS, no dedicated federal subsidy for household broadband exists, while the Lifeline combined phone and broadband program has been weakened through federal policy changes and faces an uncertain financial future due to the current funding structure for the Universal Service Fund and its reliance on landline phone bill surcharges; and

WHEREAS, the number of individuals with access to broadband is overreported by the FCC and inconsistent with the U.S. Census American Community Survey’s findings, and particularly fails to reflect limited broadband access in multifamily housing; and

WHEREAS, Congress has recognized this disparity between federal data and on-the-ground experience through passage of the Broadband DATA Act of 2020, which directs the FCC to improve its data collection process and map granularity, as well as creating a challenge process for states, local governments, and consumers and public interest groups to correct faulty data; and

WHEREAS, the success of broadband infrastructure programs authorized by the Infrastructure Investment and Jobs Act of 2021 relies upon the accuracy of these maps, as many programs are required to use FCC map data to prioritize or distribute broadband grant funds; and

WHEREAS, while mapping improvements will help to improve the accuracy of federal broadband access measurements, the Federal Communications Commission does not track broadband adoption or affordability in its annual assessment of broadband access.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities calls on the federal government to make holistic reforms to federal broadband policy that promote digital equity and empower local governments to engage in digital inclusion work within their own communities; and

BE IT FURTHER RESOLVED that Congress should enact legislation that NLC applauds the inclusion of digital equity as part of the Infrastructure Investment and Jobs Act, including the Digital Equity Act to fund and support digital inclusion programs and planning within communities, such as the Digital Equity Act; and

BE IT FURTHER RESOLVED that NLC calls on the Federal Communications Commission, National Telecommunications Commission, and other agencies to prioritize access to digital equity funding for municipal governments; and

BE IT FURTHER RESOLVED that NLC supports the establishment of the short-term Emergency Broadband Benefit and making permanent the Infrastructure Investment and Jobs Act’s Affordable Connectivity Program and calls on Congress to establish a permanent, dedicated and sustainably funded federal broadband benefit, to ensure that low-income households are not barred from full participation in work, education, and civic life due to broadband subscription prices, and to continue to revisit the program usership and provide necessary flexibility in the ACP requirements to reach all intended beneficiaries; and
BE IT FURTHER RESOLVED that broadband reporting programs, such as the FCC’s annual broadband deployment report, broadband infrastructure programs, such as the Connect America Fund or the U.S. Department of Agriculture’s Rural Utilities Service funds, should assess affordability when determining whether residents have access to home broadband; and

BE IT FURTHER RESOLVED that broadband infrastructure programs should not be limited to rural communities, and should incorporate suburban and urban communities, many of which have been subjected to decades of disinvestment, monopolization, and digital redlining; and

BE IT FURTHER RESOLVED that the U.S. Treasury should allow digital inclusion as an eligible community support service under the requirements of the Community Reinvestment Act, ensuring that low to moderate income communities do not go unbanked due to lack of broadband access or low digital literacy; and

BE IT FURTHER RESOLVED that Congress and federal agencies should affirmatively uphold and protect the authority of local governments to control their agreements with the cable, wireline, and wireless telecommunications companies operating in their jurisdictions, to ensure their appropriate usage of public resources such as municipal rights-of-way, promote digital equity, and adequate investment in and contribution to the community; and

BE IT FURTHER RESOLVED that Congress and federal agencies should remove barriers to cooperative and municipal investment in and provision of broadband service, to ensure local governments are empowered to close gaps in communities with inadequate or unaffordable broadband service.