

2023 Proposed National Municipal Policy Table of Contents

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Proposed Policy Amendments and Resolutions of the

**Finance, Administration and
Intergovernmental Relations
Federal Advocacy Committee**

FAIR

Proposed FAIR 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 1.03 Intergovernmental Relations**
 - O. Tribes and Trust Land

1 **Section 1.03 Intergovernmental Relations**

2
3 ~~**O. Tribes and Trust Land**~~

4 ~~NLC recognizes and appreciates that Native American tribes are independent~~
5 ~~governments and should be partners in developing policy.~~

6
7 ~~In order that all lands can be uniformly regulated and taxed under municipal laws, lands acquired~~
8 ~~by Native American tribes and individuals shall be given corporate, not federal trust, property~~
9 ~~status through negotiation or statutory change. Nothing in this policy should be construed as~~
10 ~~affecting lands currently in trust.~~

Proposed FAIR Resolutions

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 2023 resolutions that originated in the FAIR Committee to determine recommendations for 2024. 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 2023 at City Summit with recommendations for 2024 are:

Resolution	FAIR Committee Recommendation
NLC RESOLUTION 2023-1: Calling to Resolve the Conflict Between State and Federal Cannabis Laws	Expire
NLC RESOLUTION 2023-2: Support for Reforming the Earned Income Tax Credit for Childless Workers	Expire
NLC RESOLUTION 2023-3: Exempts from Taxation Income from Loan Modification, Forgiveness or Cancellation for Small Businesses	Expire
NLC RESOLUTION 2023-4: Calling to Preserve and Enhance Voting by Mail	Renew with edits
NLC RESOLUTION 2023-5: Support for the John Lewis Voting Rights Advancement Act	Renew
NLC RESOLUTION 2023-6: Support for Reforms of Opportunity Zones	Renew
NLC RESOLUTION 2023-7: Calling for a More Robust Low-Income Housing Tax Credit to Help Ease the Nation's Housing Crisis	Renew with edits
NEW FAIR RESOLUTION 1: Support for Voter Protections and Promoting Access to the Ballot Box	Adopt

NLC RESOLUTION 2023-1

CALLING TO RESOLVE THE CONFLICT BETWEEN STATE AND FEDERAL
CANNABIS LAWS

FAIR Committee Recommendation: Expire

~~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 2023-2

SUPPORT FOR REFORMING THE EARNED INCOME TAX CREDIT FOR
CHILDLESS WORKERS

FAIR Committee Recommendation: Expire

~~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 through 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 2023-3

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

FAIR Committee Recommendation: Expire

~~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 its 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.—~~

1 NLC RESOLUTION 2023-4

2
3 CALLING TO PRESERVE AND ENHANCE VOTING BY MAIL

4
5 FAIR Committee Recommendation: Renew with Edits

6
7 WHEREAS, voting is a constitutionally protected right; and

8
9 WHEREAS, all governments, especially state and local, must ensure an accessible, safe, and
10 secure method of voting for all citizens; and

11
12 WHEREAS, measures are taken to ensure electoral integrity and prevent fraud when votes are
13 cast by mail; and

14
15 WHEREAS, use of the terms “voting by mail” and “absentee voting” varies from state to state,
16 “voting by mail” is assumed to mean any ballot sent through the mail, including by absentee
17 voting; and

18
19 WHEREAS, all states allow voting by mail in certain circumstances; and

20
21 WHEREAS, nearly two-thirds of Americans say the option to vote early or absentee should be
22 available to any voter without requiring a documented reason; and

23
24 WHEREAS, in the 20 years prior to 2016, the percentage of voters casting ballots in person on
25 Election Day has gradually declined, falling from 89% in 1996 to 60% in 2016; and

26
27 WHEREAS, due to the pandemic, the number of voters casting ballots by mail rose to 43% in
28 2020; and

29
30 WHEREAS, one-third of all ballots cast in the 2022 election were cast by mail; and,

31
32 WHEREAS, among voters who were registered but did not vote in the 2022 election, the most
33 common answer given for not voting was, “Too busy, conflicting with school or work,”; and

34
35 WHEREAS, five states currently supply an absentee ballot to every registered voter, including
36 Oregon, Washington, Colorado, Hawaii, and Utah. As a COVID-19 related measure, California,
37 Nevada, New Jersey, Vermont, Montana, and the District of Columbia mailed ballots to all
38 registered voters during the 2020 election cycle; and

39
40 WHEREAS, COVID-19 has pushed states to expand options for voting by mail due to limited
41 election facilities and poll workers, increased sanitation costs, and the need to ensure all citizens
42 have equal access to exercise their right to vote.

43
44 NOW, THEREFORE, BE IT RESOLVED that while it takes no stance on individual state
45 election laws, the National League of Cities supports federal efforts that preserve and enhance
46 systems that allow for accessible, safe and secure vote by mail options.

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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 restricts 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.

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NLC RESOLUTION 2023-7

SUPPORT FOR HOUSING FINANCE LEGISLATION

FAIR Committee Recommendation: Renew with Edits

~~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; and—~~

~~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 an 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.—~~

WHEREAS, housing is less affordable now than it has been in 15 years; and

WHEREAS, home prices rose 18.8 percent and rent climbed 17.6 percent in 2021; and

WHEREAS, in 2021 about half of Americans (49 percent) called the availability of affordable housing in their local community a major problem. That is more than cited drug addiction (35 percent), COVID-19 economic and health impacts (34 percent and 26 percent), and crime (22 percent), according to Pew Research; and

WHEREAS, housing is the single largest cost the average household faces; and

WHEREAS, housing costs are not just a casualty of inflation, but also a driver of inflation. Home prices rose 11 percent in 2020, when overall inflation was 1.4 percent; and

WHEREAS, the name Low Income Housing Tax Credit is not reflective of the city residents who live in these units and can be seen as derogatory toward the residents who reside in these units; and

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities will advocate for bills in Congress that seek to alleviate the housing crisis in America by creating better financing options for the developers and the cities in which they are building.

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SUPPORT FOR VOTER PROTECTIONS AND PROMOTING ACCESS TO THE BALLOT BOX

FAIR Committee Recommendation: Adopt

WHEREAS, Twenty states and the District of Columbia currently have automatic voter registration policies, covering over a third of Americans, and;

WHEREAS, automatic voter registration has a direct correlation to an increase in registered voters in the cities, states, and territories in which it has been enacted, and;

WHEREAS, the State of Georgia saw a 93.7 percent increase in voter registration rates between 2016 and 2017 after the implementation of automatic voter registration in 2016, and;

WHEREAS, in the District of Columbia during the 2018 general election, the turnout rate for voters who were automatically registered to vote was higher than the overall turnout rate, and;

WHEREAS, after three years after the implementation of automatic voter registration in Oregon, 90% of eligible voters were registered to vote, and;

WHEREAS, 65% of Americans support automatically registering all eligible citizens to vote,
and;

WHEREAS, two bills have been introduced in the 118th Congress, H.R. 156, Restoring Faith in Elections Act, and H.R. 1439, Vote At Home Act, which both call for the implementation of automatic voter registration programs, and;

WHEREAS, the six states with the highest voter turnout in the 2016 general election all had same-day voter registration, and;

WHEREAS, sixteen states and the District of Columbia offer Election Day registration, and;

WHEREAS, states with same-day voter registration see a voter turnout rate 3 to 7% higher than states without, and;

WHEREAS, same-day voter registration has been shown to significantly increase voter turnout among Black and Latinx voters in states where it has been implemented, and;

WHEREAS, same-day voter registration has been shown to significantly increase voter turnout among voters aged 18-24 in states where it has been implemented, and;

WHEREAS, 64% of Americans support same-day voter registration, and;

45
46 WHEREAS, early voting has many key benefits, including reduced stress on the voting system
47 on Election Day, improved poll worker performance, early identification of voting system
48 glitches and registration errors, greater access to voting, and increased voter satisfaction, and;

49
50 WHEREAS, states that have restricted access to early in-person voting have seen decreased
51 turnout, especially among African American voters, and;

52
53 WHEREAS, 41% of registered voters planned to vote early in the 2022 general election, up
54 from 34% in the 2018 midterms, and;

55
56 WHEREAS, early voting is most popular among voters over the age of 65, and;

57
58 WHEREAS, as city leaders we believe that everyone should have access to the ballot box, and;

59
60 NOW, THEREFORE, BE IT RESOLVED that the National League of Cities believes in
61 protecting the vote for all Americans and will diligently work to ensure burdensome voting
62 restrictions are not imposed on cities and their residents.

*Proposed Policy Amendments and Resolutions
of the*

**Energy, Environment and Natural
Resources
Federal Advocacy Committee**

EENR

Proposed EENR Policy Amendments

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Please note:

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- Proposed language for deletion is struck out; and
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Policy:

- Section 2.02 Energy
 - F. Electricity
 - 1. Infrastructure
- Section 2.05 Water Quality and Supply

Section 2.02 Energy

F. Electricity

1. Infrastructure

NLC supports federal incentives for all generators and owners and operators of transmission systems ~~grid owners to create~~ develop and expand new grid infrastructure; consistent with ~~current~~ environmental regulations and laws and reduction of greenhouse gas emissions. To ensure that the nation has an adequate and reliable national transmission grid, the federal government should coordinate with state and local governments. NLC opposes any attempts to preempt local authority in siting energy producing facilities or transmission ~~grid~~ systems.

Section 2.05 Water Quality and Supply

C. Local Control

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. 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 EENR Resolutions

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 2023 resolutions that originated in the EENR Committee to determine recommendations for 2024. 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 2023 at the City Summit with recommendations for 2024 are:

Resolution	EENR Committee Recommendation
NLC RESOLUTION 2023-8: Supporting Local PACE Programs	Renew with edits
NLC RESOLUTION 2023-9: Supporting and Advancing Resilient Communities to Prepare for Changing Climate and Extreme Weather Events	Renew with edits
NLC RESOLUTION 2023-10: Supporting Urgent Action to Reduce Carbon Emissions and Mitigate the Effects of Climate Change	Renew with edits
NLC RESOLUTION 2023-11: Addressing Lead Contamination and Calling for Nationwide Federal Support for Water Infrastructure	Renew with edits
NLC RESOLUTION 2023-12: Increase Federal Investment in Water Infrastructure	Renew with edits
NLC RESOLUTION 2023-13: Support for Integrated Planning and New Affordability Consideration for Water	Renew with edits
NLC RESOLUTION 2023-14: Calling on the Federal Government to Take Action to Address PFAS Contamination	Renew with edits

Proposed EENR Policy Amendments

NLC RESOLUTION 2023-15: Improve the Benefit-Cost Analysis for Federally Funded Flood Control Projects and Supporting Beneficial Reuse of Dredged Material	Renew with edits
NLC RESOLUTION 2023-16: Increase Funding for Border Water Infrastructure Projects	Renew with edits
NLC RESOLUTION 2023-17: Supporting Local Control of Water Infrastructure Projects	Expire – Incorporate into Policy (create new Section under 2.05 Water Quality and Supply; C. Local Control)
NEW EENR RESOLUTION 1: Support for Outdoor Recreation Legacy Partnership Program and the Outdoors for All Act	Adopt

1 NLC RESOLUTION 2023-8

2
3 SUPPORTING LOCAL PACE PROGRAMS

4
5 EENR Committee Recommendation: Renew with edits

6
7 **WHEREAS**, utility bills represent a major part of operating costs for home and business owners;
8 and
9

10 **WHEREAS**, the building sector accounts for 39 percent of the nation’s energy use, 72 percent of
11 its electricity use, one third of all global greenhouse gas emissions and represents the single
12 largest, most accessible opportunity for deep emission cuts in the United States; and
13

14 **WHEREAS**, investing in cost-effective energy efficiency and renewable energy improvements
15 to homes and businesses can save energy, cut utility bills up to \$140 billion per year, create
16 thousands of local jobs, reduce reliance on fossil fuels, and dramatically reduce greenhouse gas
17 emissions; and
18

19 **WHEREAS**, a 2013 study that found default risks are on average 32 percent lower in energy
20 efficient homes and recommends that the lower risks associated with energy efficiency should be
21 taken into consideration when underwriting mortgages;¹ and
22

23 **WHEREAS**, Property Assessed Clean Energy (PACE) financing programs are an innovative
24 local government solution to help property owners finance energy efficiency and renewable
25 energy improvements – such as energy efficient HVAC systems, upgraded insulation, new
26 windows, solar installations, etc. – to their homes and businesses; and
27

28 **WHEREAS**, PACE programs can also be used for other types of projects that provide public and
29 community benefits, such as improving community resilience to hurricanes and wildfires and
30 managing stormwater and tidal flooding; and
31

32 **WHEREAS**, the PACE program removes many of the barriers of energy efficiency and
33 renewable energy retrofits that otherwise exist for residential homeowners and businesses,
34 particularly the high upfront cost of making such an investment and the long-term ability to reap
35 the benefits of cost savings; and
36

37 **WHEREAS**, 38 states plus the District of Columbia have passed laws enabling local
38 governments to develop PACE programs; and

¹ *Home Energy Efficiency and Mortgage Risk*, UNC Center for Community Capital and Institute for Market Transformation, (March 2013), available at: <http://www.imt.org/resources/detail/home-energy-efficiency-and-mortgage-risks>

39
40 **WHEREAS**, locally-administered PACE programs are an exercise of the traditional authority of
41 local governments to utilize the tax code for public benefit; and
42

43 **WHEREAS**, PACE programs help local governments meet a core obligation to their citizens to
44 maintain housing stock and improve housing opportunities for all citizens; and
45

46 **WHEREAS**, the PACE program is an achievement of the intergovernmental partnership to
47 realize national policy goals, namely, reducing energy consumption, that will positively impact
48 the fiscal conditions of every level of government; and
49

50 **WHEREAS**, PACE holds the potential to unlock private capital and jumpstart economic growth
51 backed by the marketplace certainty of the federal government; and
52

53 **WHEREAS**, in communities that have enabled PACE, investments have had significant effects
54 on local job creation and economic activity, energy savings and carbon abatement. Over the
55 lifetime of the measures installed to date, estimates show that those PACE projects will result in
56 \$19-21.6 billion in economic impact, 17052,000 job-years created, 144 million metric tons CO2
57 emissions avoided and 36-50 billion kWh energy saved;² and
58

59 **WHEREAS**, despite PACE's great promise, in July 2010 the Federal Housing Finance Agency
60 (FHFA), as conservator of the government-sponsored enterprises (GSEs) following the 2008
61 financial crisis, issued guidance that directed the GSEs not to purchase mortgages with a PACE
62 assessment, which immediately slowed the advancement of PACE residential programs across
63 the country; and
64

65 **WHEREAS**, despite the FHFA directive, many commercial and a few residential PACE
66 programs are operating or are in development in hundreds of municipalities across the country;
67 and
68

69 **WHEREAS**, in 2010 the U.S. Department of Energy dedicated \$150 million to assist in the
70 development of local PACE programs and in 2016 issued Best Practice Guidelines for
71 Residential PACE Financing Programs to help state and local governments develop and
72 implement programs and recommended protections that PACE programs should put in place for
73 consumers and lenders;³ and

² *A PACE Enabled World* PACE Market Data, PACENation, (Jan. 2022), available at:
<https://www.pacenation.org/pace-market-data/> <https://paceenabledworld.pacenation.org/#top>

³ *Best Practice Guidelines for Residential PACE Financing Programs*, U.S. Department of Energy, (Nov. 18, 2016),
Available at: <https://energy.gov/eere/slsc/downloads/updated-guidelines-residential-pace-financing-programs>

74
75 **WHEREAS**, in July 2016, the U.S. Department of Housing and Urban Development released
76 guidance allowing the Federal Housing Administration to insure mortgages on properties that
77 include PACE assessments,⁴ which has since been withdrawn; and
78

79 **WHEREAS**, in 2018, Congress passed the Economic Growth, Regulatory Relief, and Consumer
80 Protection Act banking reform bill that recognizes PACE as a tax assessment and directs the
81 Consumer Financial Protection Bureau (CFPB) to develop rules in consultation with state and
82 local governments that ensure consumers have the ability to pay their residential PACE financing
83 obligations.
84

85 **NOW, THEREFORE, BE IT RESOLVED** that locally-administered PACE programs
86 operating in accord with state and federal guidelines are a safe and sound investment of public
87 and private funds; and
88

89 **BE IT FURTHER RESOLVED** that locally-administered PACE programs represent an
90 essential contribution of local governments to reduce greenhouse gas emissions and promote
91 renewable energy; and
92

93 **BE IT FURTHER RESOLVED** that the National League of Cities (NLC) urges FHFA to
94 reconsider the 2010 guidance that prohibits government-sponsored entities from purchasing
95 mortgages with a PACE assessment and to work with local governments seeking to establish
96 PACE programs that benefit from the same senior lien status of all other projects that are funded
97 through municipal assessments that improve private property and meet public policy objectives;
98 and
99

100 **BE IT FURTHER RESOLVED** that NLC urges the CFPB to work with local governments to
101 adopt regulations that clearly reaffirms the right of state and local governments to exercise liens
102 or assess special taxes or other property obligations to protect and improve housing stock for the
103 public good, including energy efficiency improvements, and establishes underwriting standards
104 that are consistent with guidelines issued by the U.S. Department of Energy for PACE financing
105 programs or by implementing any other appropriate measure.

⁴ “FHA to Insure Mortgages on Certain Properties with PACE Assessments,” U.S. Department of Housing and Urban Development, (July 19, 2016), *available at*:
https://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2016/HUDNo_16-110

NLC RESOLUTION 2023-9

**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 bring 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 events;² 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,

¹ National Climate Assessment (Volume I, 2017; Volume II, 2018), available at: <https://nca2018.globalchange.gov/>

² Report on Effects of a Changing Climate to the Department of Defense, Office of the Under Secretary of Defense for Acquisition and Sustainment (Jan. 2019), available at: https://partner-mco-archive.s3.amazonaws.com/client_files/1547826612.pdf

³ “Special Report on Global Warming of 1.5°C,” Intergovernmental Panel on Climate Change, (Oct. 2018), available at: <https://www.ipcc.ch/sr15/>

Black, Indigenous and People of Color (BIPOC), and other vulnerable and underrepresented populations that are most affected and least able to prepare, respond or recover; 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, 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 ~~and~~ 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 ~~323-360~~ separate billion-dollar-plus weather and climate disasters since 1980, including ~~22 in 2020 and 20 in 2021~~ and 18 in 2022, with a cumulative cost exceeding ~~\$2.495-570~~ trillion (CPI-adjusted) and a total death toll of ~~15,985-347~~;⁴ and

WHEREAS, 2020 set a new annual record with 22 billion-dollar-plus weather or climate events, shattering the previous record of 16 events in 2011 and 2017;⁵ and

WHEREAS, in 2005 Hurricane Katrina led to 1,833 deaths and more than ~~\$167.5-195~~ 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 ~~\$73.585.9~~ billion in damages (CPI-adjusted), and a subsequent \$60.4 billion in supplemental disaster assistance;⁶ and

WHEREAS, in 2017 three Category 4 hurricanes—Harvey, Irma and Maria—made landfall in Texas, Florida and Puerto Rico, respectively totaling more than ~~\$275-348~~ billion (CPI-adjusted) in damages and a death toll of 3,167, including 2,981 in Puerto Rico from Hurricane Maria;⁷ and

WHEREAS, in ~~2022~~ 2019 historic flooding brought devastating damage to eastern Kentucky and eastern Missouri homes, businesses and infrastructure ~~hit the Midwest and southern plains significantly affecting agriculture, roads, bridges, levees, dams and other infrastructure, assets~~

⁴ National Climate Data Center, National Oceanic and Atmospheric Administration, *available at*: [https://www.ncei.noaa.gov/access/billions/events/US/1980-2022?disasters\[\]=all-disasters](https://www.ncei.noaa.gov/access/billions/events/US/1980-2022?disasters[]=all-disasters) ~~<https://www.ncei.noaa.gov/access/billions/events/US/1980-2021>~~

⁵ “Billion-Dollar Weather and Climate Disasters: Overview,” National Climate Data Center, National Oceanic and Atmospheric Administration, *available at*: <https://www.ncdc.noaa.gov/billions/overview>

⁶ National Climate Data Center, National Oceanic and Atmospheric Administration, *available at*: <https://www.ncdc.noaa.gov/billions/events/US/1980-2018>

⁷ National Climate Data Center, National Oceanic and Atmospheric Administration, *available at*: <https://www.ncdc.noaa.gov/billions/events/US/1980-2018>

and industries, resulting in 4242 deaths and \$1.520.3 billion (CPI-adjusted) in economic costs;⁸
and

~~WHEREAS, 2020 set 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 was the
sixth consecutive year (2015–2020) in which 10 or more billion dollar weather and climate
disaster events have impacted the United States;⁹ 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,¹⁰ the costs of putting out
wildfires has increased dramatically, from \$65142 million in 1985 to nearly \$4.43.5 billion in
20224¹¹ (2022+ dollars),¹² and the economic losses associated with wildfire continues to grow,
with the 2018 western wildfires costing over \$24.529.3 billion (CPI-adjusted)¹³ and the 2020
western wildfires, the most active fire season on record, costing over \$16.619.4 billion (CPI-
adjusted);¹⁴ and

WHEREAS, Congress approved over \$69 billion in disaster relief in FY21;¹⁵
and

WHEREAS, several insurance companies have doubled existing premiums, cancelled
homeowner policies or stopped offering new policies in some states because of rising costs and
losses from extreme weather events such as hurricanes and wildfires, which impacts the ability
of residents and local governments to recover and rebuild from disasters and increases insurance
costs for residents and businesses; and

⁸ National Climate Data Center, National Oceanic and Atmospheric Administration, *available at:*
[https://www.ncei.noaa.gov/access/billions/events/US/2020-2023?disasters\[\]=flooding](https://www.ncei.noaa.gov/access/billions/events/US/2020-2023?disasters[]=flooding)<https://www.ncei.noaa.gov/access/billions/events/US/2019>

⁹ ~~“Billion Dollar Weather and Climate Disasters: Overview,” National Climate Data Center, National Oceanic and Atmospheric Administration, *available at:* <https://www.ncei.noaa.gov/billions/overview>~~

¹⁰ Infographic: Western Wildfires and Climate Change, Union of Concerned Scientists, *available at:*
http://www.ucsusa.org/global_warming/science_and_impacts/impacts/infographic-wildfires-climate-change.html

¹¹ Federal Firefighting Costs (Suppression Only), National Interagency Fire Center, *available at:*
<https://www.nifc.gov/fire-information/statistics/suppression-costs>

¹² CPI Inflation Calculator, Bureau of Labor Statistics, U.S. Department of Labor, *available at:*
http://www.bls.gov/data/inflation_calculator.htm

¹³ ~~“Assessing the U.S. Climate in 2018,” National Centers for Environmental Information, National Oceanic and Atmospheric Administration, *available at:* <https://www.ncei.noaa.gov/news/national-climate-201812>~~

¹⁴ “Billion-Dollar Weather and Climate Disasters,” National Climate Data Center, National Oceanic and Atmospheric Administration, *available at:*
<https://www.ncei.noaa.gov/access/billions/events/US/2020>[https://www.ncei.noaa.gov/access/billions/events/US/2018-2023?disasters\[\]=wildfire](https://www.ncei.noaa.gov/access/billions/events/US/2018-2023?disasters[]=wildfire)

¹⁵ The Disaster Relief Fund: Overview and Issues, Congressional Research Service (Nov. 13, 2020Jan. 20, 2022), *available at:*
<https://crsreports.congress.gov/product/pdf/R/R45484><https://fas.org/spp/crs/homesec/R45484.pdf>

WHEREAS, ~~2022 was the sixth warmest year on record, behind 2016 (warmest), 2020 (was the second warmest), year on record behind 2016 (warmest), followed by 2019 (third warmest), 2015 (fourth warmest), and 2017 (fifth warmest)-and 2021 (sixth warmest)~~¹⁶ and it is estimated that 2023 is virtually certain to rank among the five warmest years on record,¹⁷¹⁸ 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.

¹⁶ National Oceanic and Atmospheric Administration (Jan. 12, 2023), *available at*: <https://www.noaa.gov/news/2022-was-worlds-6th-warmest-year-on-record>

¹⁷ “Record Shattering: Earth had its hottest July in 174 years,” National Oceanic and Atmospheric Administration (Aug. 14, 2023), *available at*: <https://www.noaa.gov/news/record-shattering-earth-had-its-hottest-july-in-174-years>

¹⁸ National Oceanic and Atmospheric Administration (Jan. 12, 2023), *available at*: <https://www.noaa.gov/news/2022-was-worlds-6th-warmest-year-on-record><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 supports federal incentives for all generators and owners and operators of transmission systems to develop and expand grid infrastructure, consistent with current environmental regulations and laws and including a short- and long-term assessment of greenhouse gas emissions, so the nation's national transmission grid remains reliable and resilient; 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~~are disproportionately impacted by the effects of climate change and COVID-19.

NLC RESOLUTION 2023-10

**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~~are 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 household;³ and

WHEREAS, according to the American Lung Association’s 2023~~22~~ State of the Air report, ~~more than 40~~ nearly 36 percent or 119.637 million people live in counties-communities with unhealthy levels of ozone and particle pollutionair, which is especially concerning as research shows that ~~people with long-term exposure to air pollution are more likely to die from COVID-19;~~⁴ 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

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

¹ National Climate Assessment (Volume I, 2017; Volume II, 2018), available at: <https://nca2018.globalchange.gov/>

² “Special Report on Global Warming of 1.5°C,” Intergovernmental Panel on Climate Change, (Oct. 2018), available at: <https://www.ipcc.ch/sr15/>

³ Energy Burden Report, American Council for an Energy-Efficient Economy (2020), available at: <https://www.aceee.org/energy-burden>

⁴ “State of the Air,” American Lung Association (2022+), available at: <https://www.lung.org/research/sota/key-findings>

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, 287 percent of 2021~~0~~ greenhouse gas emissions, in the United States;⁵ and

WHEREAS, buildings account for nearly 40 percent of the nation’s energy consumption⁶ and more than 70 percent of its electricity use,⁷ and electricity production represents the second largest share of greenhouse gas emissions, 245 percent of 2021~~0~~ greenhouse gas emissions, in the United States;⁸ and

WHEREAS, indoor and outdoor lighting account for 5 percent of electricity consumed in the nation,⁹ 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

⁵ ~~Source~~ Overview of Greenhouse Gas Emissions, U.S. Environmental Protection Agency, *available at:* <https://www.epa.gov/ghgemissions/overview-greenhouse-gases>~~https://www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions~~

⁶ U.S. Energy Information Administration, *available at:* <http://www.eia.gov/tools/faqs/faq.cfm?id=86&t=1>

⁷ Environmental and Energy Study Institute, Buildings and Climate Change, *available at:* <http://www.eesi.org/files/climate.pdf>

⁸ ~~Source~~ Overview of Greenhouse Gas Emissions, U.S. Environmental Protection Agency, *available at:* <https://www.epa.gov/ghgemissions/overview-greenhouse-gases>~~https://www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions~~

⁹ FAQ: How much electricity is used for lighting in the United States, U.S. Energy Information Administration, *available at:* <https://www.eia.gov/tools/faqs/faq.php?id=99&t=3>

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

69
70 **WHEREAS**, all levels of government must work to become more resilient by achieving greater
71 energy independence based on a multi-pronged strategy of aggressively expanding renewable
72 energy, significantly increasing energy efficiency portfolio standards, and creating new financing
73 mechanisms; and

74
75 **WHEREAS**, in 2014 the President’s Task Force on Climate Preparedness and Resilience,
76 comprised of state, local and tribal leaders, including representatives from the National League of
77 Cities (NLC), made recommendations to the President on ways the federal government can assist
78 local efforts to address and prepare for the impacts of climate change; and

79
80 **WHEREAS**, the bipartisan Infrastructure Investment and Jobs Act of 2021 makes significant
81 progress toward reducing greenhouse gas emissions throughout the transportation sector and
82 investing in clean energy and energy efficiency and conservation and the Inflation Reduction Act
83 provides additional funding and incentives for climate and clean energy goals, but additional
84 federal policies, funding and resources are needed to support local governments; and

85
86 **WHEREAS**, because of these investments and the decline in capital costs, the U.S. Energy
87 Information Administration projects that by 2025 approximate 443 gigawatts of renewables
88 capacity will be online, and further, that in the United States the share of renewables in the
89 electricity generation mix will more than triple from 309 gigawatts of renewables capacity in
90 2022 to 1,163 gigawatts renewables capacity in 2050.¹⁰

91
92 **NOW, THEREFORE, BE IT RESOLVED** that NLC calls on Congress and the Administration
93 to partner with local governments, to support local action on climate change mitigation, and to
94 provide essential tools, research, technology development, data, and funding, as well as
95 workforce development, job training and community assistance, to help local governments
96 achieve their greenhouse gas reduction targets and transition to a clean energy economy; and

97
98 **BE IT FURTHER RESOLVED** that NLC urges Congress and the Administration to take urgent
99 action to reduce carbon emissions across a broad sector of the economy and become carbon
100 neutral to mitigate the effects of climate change; and

101
102 **BE IT FURTHER RESOLVED** that NLC supports the U.S.’s engagement in the Paris Climate
103 Agreement and calls on Congress to position the U.S. as a climate leader and adopt nationwide
104 greenhouse gas emission goals and policies that exceed the IPCC 1.5°C targets of 45% emissions
105 reduction from 2010 levels by 2030 and net zero by 2050; and

¹⁰ “U.S. electric capacity mix shifts from fossil fuels to renewables in AEO2023,” U.S. Energy Information Administration, (April 13, 2023), *available at*: <https://www.eia.gov/todayinenergy/detail.php?id=56160>

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 encourages the federal government to develop policies that facilitate the necessary deployment of electric infrastructure in a timely manner to support clean energy goals; and

BE IT FURTHER RESOLVED that these federal policies should ensure that the benefits of renewable energy and energy efficiency are shared equitably, with special attention on low-income, disadvantaged and other vulnerable and underrepresented populations, and that the siting of such electric infrastructure should not inequitably burden these populations; and

BE IT FURTHER RESOLVED the federal government should provide tools, resources, technical assistance, and funding to local governments to support streamlining local permitting processes that reduce soft costs and barriers to support local deployment of renewable energy and public and private electric vehicle infrastructure; and

BE IT FURTHER RESOLVED that the NLC recognizes the need for an effective network of energy grid infrastructure to help the nation achieve a clean energy future and urges the federal government to partner and consult with local governments to encourage policies that address barriers to electric infrastructure development and support an efficient process for infrastructure interconnection, siting and permitting, including a short- and long-term assessment of greenhouse gas emissions; 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

148 **BE IT FURTHER RESOLVED** that federal investments in communities must prioritize those
149 communities that have been left behind and Black, Indigenous and People of Color (BIPOC) who
150 ~~have been~~are disproportionately impacted by the effects of climate change ~~and COVID-19~~.

1 NLC RESOLUTION 2023-11

2
3 ADDRESSING LEAD CONTAMINATION AND CALLING FOR NATIONWIDE
4 FEDERAL SUPPORT FOR WATER INFRASTRUCTURE

5
6 EENR Committee Recommendation: Renew with edits

7
8 WHEREAS, access to clean drinking water is fundamental to the health and well-being of
9 America's communities and families; and

10
11 WHEREAS, Flint ~~and Benton Harbor, Michigan, and Sebring, Ohio~~, are two recent examples of
12 cities where high levels of lead have been found in the city's drinking water; and

13
14 WHEREAS, in the early 2000s, the District of Columbia experienced a similar crisis, as have
15 many other cities; and

16
17 WHEREAS, lead has negative and long-term neurological effects, particularly in infants and
18 children; and

19
20 WHEREAS, in Flint, ~~the elevated blood lead level was discovered in children; and the city's~~
21 water source was switched to the Flint River by the state-appointed emergency manager, a
22 decision made without coordination or consultation with local officials; and

23
24 WHEREAS, a contributing factor to the Flint, Michigan, drinking water crisis was the city's
25 aging infrastructure and the lack of investment in infrastructure and the community; and

26
27 WHEREAS, incidents like these can undermine citizens' confidence in the safety and quality of
28 the drinking water supply and water infrastructure of every community; and

29
30 WHEREAS, in January 2016, President Obama signed an emergency declaration in the State of
31 Michigan, ordering federal aid to supplement state and local response efforts due to the
32 emergency conditions caused by lead-contaminated water; and

33
34 WHEREAS, corrosion control and testing are essential to preventing lead leaching and alerting
35 the public to potential dangers; and

36
37 WHEREAS, ~~recent analysis by the National Resources Defense Council found that over 5,300~~
38 ~~water systems nationwide have elevated levels of lead~~ the U.S. Environmental Protection Agency

(EPA) estimates there are 9.2 million lead service lines across the country¹ 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~~ the cost to replace these lines to be up to \$99 billion under forthcoming requirements from EPA's Lead and Copper Rule Revisions;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 \$743-896 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 21st 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

¹ 7th Drinking Water Infrastructure Needs Survey and Assessment, U.S. Environmental Protection Agency (April 2023), available at: <https://www.epa.gov/dwsrf> ~~“What’s in your Water? Flint and Beyond,” National Resource Defense Council (June 2016), available at: <https://www.nrde.org/sites/default/files/whats-in-your-water-flint-beyond-report.pdf>~~

² ~~“Considerations when Costing Lead Service Line Identification and Replacement”~~National Survey of Lead Service Line Occurrence, American Water Works Association CDM Smith (November 2022/March 10, 2016), ~~available at: <http://www.awwa.org/resources-tools/public-affairs/press-room/press-release/articleid/4074/lead-service-line-analysis-examines-scope-of-challenge.aspx>~~

³ “Clean Watershed Needs Survey,” U.S. Environmental Protection Agency, (Jan. 2016), available at: <https://www.epa.gov/cwns> and “7th Drinking Water Infrastructure Needs Survey and Assessment,” U.S. Environmental Protection Agency, (April 2023/~~March 2018~~), available at: <https://www.epa.gov/dwsrf>~~<https://www.epa.gov/dwsrf/epas-6th-drinking-water-infrastructure-needs-survey-and-assessment>~~

⁴ “The Economic Benefits of Investing in Water Infrastructure,” Value of Water Campaign and American Society of Civil Engineers (Nov. 2020), available at: http://www.uswateralliance.org/sites/uswateralliance.org/files/publications/The%20Economic%20Benefits%20of%20Investing%20in%20Water%20Infrastructure_final.pdf

64 to work directly with local officials, for as long as necessary, to resolve the drinking water crisis
65 through the provision of safe drinking water and to support economic recovery; and
66

67 **BE IT FURTHER RESOLVED** that NLC calls on Congress and the Administration to provide
68 long-term support for the families affected by lead drinking water contamination in Flint and
69 nationwide, including in the areas of education and mental health; and
70

71 **BE IT FURTHER RESOLVED** that NLC calls on Congress and the Administration to support
72 robust funding for all water infrastructure financing mechanisms, including the Clean Water and
73 Drinking Water State Revolving Loan Fund programs and the Water Infrastructure Finance and
74 Innovation Act (WIFIA); and
75

76 **BE IT FURTHER RESOLVED** that NLC calls on Congress and the Administration to support
77 other mechanisms of infrastructure financing, including protecting the tax-exempt status of
78 municipal bonds and reinstating the tax exemption for advance refunding bonds; and
79

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

NLC RESOLUTION 2023-12

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 250,000 to 300,000 water main breaks each year;¹ and

WHEREAS, cities, 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, local governments fund over 98 percent of all capital, operations and maintenance ~~are responsible for the vast majority of investment in~~ drinking water, wastewater and sewer infrastructure, investing over \$2.38 trillion between 1993-2019 (not adjusted for inflation) and over \$1482 billion in 20210 alone;³ 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

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;⁴ 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

¹ 2021 Infrastructure Report Card, American Society of Civil Engineers, *available at*: <https://www.infrastructurereportcard.org/cat-item/drinking-water/>

² Koehler, Cynthia and Caroline Koch, Public Water Utilities Deploy 21st Century Water Infrastructure to Build a Resilient Future (2019), *available at*: <https://tapin.waternow.org/resources/innovation-in-action-21st-century-water-infrastructure-solutions/>

³ 20210 Annual Surveys of State and Local Government Finances, U.S. Census Bureau (October 20232), *available at*: <https://www.census.gov/programs-surveys/gov-finances.html>

⁴ 2021 Infrastructure Report Card, American Society of Civil Engineers, *available at*: <https://infrastructurereportcard.org/cat-item/stormwater/>

37
38 **WHEREAS**, the bipartisan Infrastructure Investment and Jobs Act of 2021 (IIJA) provided a
39 significant boost in federal funding for drinking water and wastewater infrastructure, but not
40 enough to close the needs gap; and

41
42 **WHEREAS**, aside from the IIJA, annual appropriations for federal loan and grant assistance to
43 cities and local governments to assist in maintaining and upgrading water infrastructure systems
44 has continued to decline in real dollars over the past decades;⁵ and

45
46 **WHEREAS**, municipal resources dedicated to water infrastructure are currently overwhelmingly
47 directed to comply with new complex federal mandates and are therefore unavailable for critical
48 maintenance, repair, and rehabilitation needs; and

49
50 **WHEREAS**, public-private partnerships can provide options for communities to access sources
51 of private capital to meet water infrastructure needs, but are not viable for all communities or all
52 types of projects; and

53
54 **WHEREAS**, private activity bonds or tax-exempt facility bonds are a form of tax-exempt
55 financing that can be used for water infrastructure projects that utilize private capital instead of
56 public debt and shift the risk and long-term obligation from the municipality to the private equity
57 partner; and

58
59 **WHEREAS**, Congress provides to states a capped annual allocation (“volume cap”) of tax-
60 exempt bonds, based on population, but historically, most of the tax-exempt bonds are issued to
61 short-term projects such as housing and education loans; and

62
63 **WHEREAS**, Congress has previously enacted legislation eliminating the state volume cap for
64 such municipal infrastructure projects such as airports, landfills, and ports; and

65
66 **WHEREAS**, eliminating the state volume cap is estimated to make available \$5-6 billion in
67 private capital for water projects, while the cost in foregone revenue to the federal government is
68 nominal.⁶

69
70 **NOW, THEREFORE, BE IT RESOLVED** that the National League of Cities (NLC) continues
71 to urge Congress and the Administration to reverse the decline in federal financial participation in
72 funding municipal water infrastructure needs, particularly in disadvantaged communities that
73 have historically been under-invested in, by developing a financial option that strikes the right
74 balance between local responsibility and federal assistance; and

⁵ Federal Investment, 1962-2018, Congressional Budget Office (June 2019), *available at*:
https://www.cbo.gov/system/files/2019-06/55375-Federal_Investment.pdf

⁶ Testimony of Stephen L. Johnson, Administrator, U.S. Environmental Protection Agency, before the Senate Appropriations Committee, March 4, 2008.

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

79
80 **BE IT FURTHER RESOLVED** that Congress should provide full appropriation to the Water
81 Infrastructure Finance and Innovation Act (WIFIA) for loans and loan guarantees for water
82 infrastructure projects; and

83
84 **BE IT FURTHER RESOLVED** that Congress should provide funding to local governments
85 through grant programs such as for sewer overflow and stormwater management, lead ~~pipe~~
86 service line replacement, water infrastructure resilience/sustainability to protect and reduce risk to
87 extreme weather events, recycled water, new/emerging technologies for cybersecurity
88 improvements and water efficiency, workforce development in the water sector, and other
89 programs; and

90
91 **BE IT FURTHER RESOLVED** that Congress should exempt from federal taxation rebates
92 issued to consumers by local governments to pay for consumer-installed decentralized water
93 infrastructure that benefits their communities; and

94
95 **BE IT FURTHER RESOLVED** that NLC supports legislation removing the federal volume cap
96 on tax-exempt bonds for water and wastewater infrastructure projects; and

97
98 **BE IT FURTHER RESOLVED** that NLC calls on Congress and the Administration to support
99 other mechanisms of infrastructure financing, including protecting the tax-exempt status of
100 municipal bonds and reinstating the tax exemption for advance refunding bonds; and

101
102 **BE IT FURTHER RESOLVED** that Congress and the Administration should enact new
103 legislation which provides adequate and reliable long-term funding for municipal water
104 infrastructure needs to help close the funding gap.

1 NLC RESOLUTION 2023-13

2
3 SUPPORT FOR INTEGRATED PLANNING AND NEW AFFORDABILITY
4 CONSIDERATION FOR WATER
5

6 EENR Committee Recommendation: Renew with edits
7

8 **WHEREAS**, in 2012 the U.S. Environmental Protection Agency (EPA) issued its *Integrated*
9 *Municipal Stormwater and Wastewater Planning Approach Framework* (“Integrated Planning
10 Framework”), which was intended to help local governments seek more efficient and affordable
11 solutions to stormwater and wastewater issues and meet the requirements of the Clean Water Act
12 (CWA) in a more flexible, affordable, and cost-effective manner; and
13

14 **WHEREAS**, in 2014 EPA issued its *Financial Capability Assessment Framework for Municipal*
15 *Clean Water Act Requirements* (“Financial Capability Framework”), which allows the
16 consideration of additional information, such as socio-economic factors, in determining the
17 financial capability of residents and a community when developing compliance schedules for
18 municipal projects necessary to meet CWA obligations; and
19

20 **WHEREAS**, these two policy frameworks demonstrate an awareness by EPA of the challenges
21 local governments face in meeting CWA requirements, as well as the conflicts they face in
22 balancing environmental protection with economic feasibility; and
23

24 **WHEREAS**, a 2017 report from the National Academy of Public Administration found that
25 EPA’s reliance on two percent of Median Household Income to determine a community’s
26 financial capability puts an unfair and oppressive financial burden on low and middle-income
27 residents, and recommend changes to EPA’s procedure for evaluating ratepayer affordability and
28 utility financial capability;¹ and
29

30 **WHEREAS**, in 2023 EPA issued revised Financial Capability Assessment Guidance to replace
31 the “Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule
32 Development” (Feb. 1997), which leaves the two percent Median Household Income metric in
33 place;² and
34

¹ “Developing a New Framework for Community Affordability of Clean Water Services,” National Academy of Public Administration (Oct. 2017); *available at*: <https://napawash.org/academy-studies/developing-a-new-framework-for-community-affordability-of-clean-water-servi>

² “Understanding the New EPA Financial Capability Assessment Guidance,” National League of Cities (March 9, 2023); *available at*: <https://www.nlc.org/article/2023/03/09/understanding-the-new-epa-financial-capability-assessment-guidance/>

35 **WHEREAS**, taking a One Water approach to water resource management means that “all water
36 has value and should be managed in a sustainable, inclusive, integrated way” and requires
37 balancing water equity, water access and water affordability;³ and
38

39 **WHEREAS**, at a time where local financial resources are increasingly limited and the ability of
40 local governments to raise revenue is also limited, local governments are facing costly unfunded
41 federal and state regulatory requirements forcing them to make tough decisions about the services
42 and maintenance that they can afford; and
43

44 **WHEREAS**, local water and sewer rates and stormwater fees are rapidly becoming unaffordable
45 for many fixed- and low-income citizens, placing a disproportionate financial burden on these
46 vulnerable populations who live at or below the poverty level; and
47

48 **WHEREAS**, the current reliance on two percent of median household income for wastewater
49 and combined sewer overflows controls is a misleading indicator of a community’s ability to pay,
50 and often places a particularly high burden on residents at the lower end of the economic scale;
51 and
52

53 **WHEREAS**, green infrastructure, such as constructed swales, wetlands, green roofs, infiltration
54 planters, rain gardens, cisterns, and enhanced floodplains and riparian buffers, augmented by
55 permeable pavers, rain barrels, and trees, is a valuable part of water infrastructure systems and
56 provides a multitude of community benefits such as helping local governments manage runoff,
57 extending the life of local infrastructure, saving the city and taxpayers money, providing outdoor
58 recreation opportunities through parks and green spaces and promoting the joint use of city and
59 school facilities, and serve as an economic development tool; and
60

61 **WHEREAS**, National Pollutant Discharge Elimination System (NPDES) permits are
62 increasingly stringent, the treatment technologies and approaches necessary to meet permit limits
63 have become exceedingly expensive and time-intensive to implement, and project construction
64 timelines for clean water infrastructure projects can extend more than a decade.
65

66 **NOW, THEREFORE, BE IT RESOLVED** that the National League of Cities (NLC) calls on
67 EPA to work with local governments to develop local integrated plans through the permit process
68 to comprehensively and collectively manage wastewater and stormwater needs, prioritize
69 investments in wet weather overflows and flooding, incorporate green infrastructure components,
70 and to ease the burden of unfunded mandates; and
71

³ “One Water Roadmap: The Sustainable Management of Life’s Most Essential Resource,” US Water Alliance (2016); available at: <http://www.uswateralliance.org/sites/uswateralliance.org/files/publications/Roadmap%20FINAL.pdf>

72 **BE IT FURTHER RESOLVED** that NLC calls on EPA to share integrated planning best
73 management practices, including those that take a regional watershed approach, from across the
74 country with all communities that are interested in pursuing an integrated planning approach; and
75

76 **BE IT FURTHER RESOLVED** that NLC calls on Congress to modernize the NPDES
77 permitting process to approve legislation to allow states with delegated authority to administer
78 the NPDES permitting program to issue permits of up to ten years; and
79

80 **BE IT FURTHER RESOLVED** that NLC calls on EPA to work with local governments to
81 revise the February 2023 Financial Capability Assessment Guidance “Combined Sewer
82 Overflows—Guidance for Financial Capability Assessment and Schedule Development” (Feb.
83 1997) to eliminate reliance on median household income as the critical metric for determining
84 investment level and to allow for the consideration of additional information, such as socio-
85 economic factors, consistent with the Agency’s 2014 Financial Capability Framework; and
86

87 **BE IT FURTHER RESOLVED** that NLC calls on the federal government to assess the
88 effectiveness and consider extending the Low Income Home Water Assistance program, which
89 provides ratepayer assistance to offset water bills and arrearages of qualifying customers, as a
90 means of addressing water affordability. ~~explore options for providing ratepayer assistance, such~~
91 ~~as through a consumer assistance program modeled on the Low Income Home Energy Assistance~~
92 ~~Program.~~

1 **NLC RESOLUTION 2023-14**

2
3 **CALLING ON THE FEDERAL GOVERNMENT TO TAKE ACTION TO ADDRESS**
4 **PFAS CONTAMINATION**

5
6 **EENR Committee Recommendation:** Renew with edits
7

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

11
12 **WHEREAS**, PFAS chemicals are known as “forever” chemicals because they are persistent in
13 the environment and in the human body; and

14
15 **WHEREAS**, PFAS chemicals have been known to cause adverse health outcomes in humans
16 including effects on prenatal development, low infant birth weights, early onset of puberty,
17 negative effect on the immune system, cancer, liver damage, and thyroid disruption;¹ and

18
19 **WHEREAS**, while science predicts that the entire class of PFAS chemical may be associated
20 with adverse health effects and many such chemicals are in industrial and commercial use, only a
21 small fraction of these chemicals have been investigated sufficiently to establish quantitative
22 measures of toxicity; and

23
24 **WHEREAS**, in 2022 the U.S. Environmental Protection Agency (EPA) lowered the lifetime
25 exposure health advisory level for PFOA and PFOS from 70 parts per trillion to near zero and
26 established new health advisories for GenX and PFBS for the combined concentration in drinking
27 water;² and

28
29 **WHEREAS**, in 2021 EPA announced a PFAS Strategic Roadmap that outlines a comprehensive
30 nationwide action plan for addressing PFAS, including identifying both short-term solutions for
31 addressing these chemicals and long-term strategies that will help states, tribes and local
32 communities provide clean and safe drinking water to residents and address PFAS at the source –
33 before it gets into the water;³ and

34
35 **WHEREAS**, EPA is currently undergoing a rulemaking process to propose a National Drinking
36 Water Regulation and set a Maximum Contaminant Level for PFOA and PFOS under the Safe
37 Drinking Water Act; and
38

¹ Fact Sheet: PFOA & PFOS Drinking Water Health Advisories, U.S. Environmental Protection Agency (Nov. 2016); available at: https://www.epa.gov/sites/default/files/2016-06/documents/drinkingwaterhealthadvisories_pfoa_pfes_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>

³ PFAS Strategic Roadmap: EPA’s Commitments to Action 2021-2024, U.S. Environmental Protection Agency (Oct. 2021); available at: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>

39 **WHEREAS**, there are significant technical challenges in detecting, measuring and removing
40 PFAS in water and other environmental media at the levels where health effects can occur, and
41 analytical methodologies are still under development or are not yet generally available; and
42

43 **WHEREAS**, the Environmental Working Group maintains an interactive map of known
44 contamination of communities from PFAS, which as of June 2022 shows 2,858 locations in 50
45 states and two territories with known contamination;⁴ and
46

47 **WHEREAS**, in ~~February 2019~~ July 2023, EPA and United States Geological Survey scientists
48 published results on analysis for 17-32 PFAS compounds in water samples from 25-716 public
49 drinking water supplies in 24 states (locations confidential) across every state that detected PFAS
50 in every sample tested at least 45 percent of tap water samples, suggesting that PFAS is
51 ubiquitous in our water;⁵ and
52

53 **WHEREAS**, PFAS chemicals were widely used in firefighting foams, particularly for airports,
54 and were used in frequent training exercises at military air bases; and
55

56 **WHEREAS**, PFAS chemicals were required in firefighting foams used at airports to meet federal
57 performance standards for extinguishing agents, but currently the Federal Aviation
58 Administration is updating its standards to allow for a non-fluorinated option for airports; and
59

60 **WHEREAS**, the U.S. Department of Defense has ended its use of the foam in training exercises;
61 and
62

63 **WHEREAS**, PFAS contamination is found at and around military bases, airports, manufacturing
64 sites, landfills, and in local water supplies obtained from both rivers and groundwater; and
65

66 **WHEREAS**, local governments are responsible for protecting the health, safety and welfare of
67 residents, including providing clean and safe water; and
68

69 **WHEREAS**, while treatment technology for removing PFAS from water is not well-developed,
70 the more effective methods use technologies that are not conventionally available in existing
71 water treatment plants, so removing these PFAS chemicals from water could require costly
72 investments by local governments and other local water suppliers, which would be passed onto
73 ratepayers; and
74

75 **WHEREAS**, local governments are owners and operators of airports and landfills and employ
76 firefighters, some of whom may have been exposed to PFAS chemicals on the job through

⁴ PFAS Contamination in the U.S., Environmental Working Group, available at: https://www.ewg.org/interactive-maps/pfas_contamination/

⁵ “Per- and polyfluoroalkyl substances (PFAS) in United States tapwater: Comparison of underserved private-well and public-supply exposures and associated health implications source and treated drinking waters of the United States,” ScienceDirect Environment International of the Total Environment, Volume 168653 (August 2023February 25, 2019), pages 359-369, available at: <https://www.usgs.gov/news/national-news-release/tap-water-study-detects-pfas-forever-chemicals-across-ushttps://www.sciencedirect.com/science/article/pii/S004896971834141X>

inhalation or skin absorption, and therefore present a pension and liability concern for local budgets; and

WHEREAS, EPA is also undergoing two separate rulemakings to designate certain PFAS chemicals as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), which will have huge cost and liability implications for local governments; 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; 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 and reduce public health risk, including through nationwide testing, monitoring, mapping, public education, and water supply treatment; and

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, occurrence 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 aggressively prevent further pollution, contamination and exposure to PFAS through multiple means, including promoting and funding the development and use of non-toxic fire retardant firefighting alternatives, banning PFAS-containing aqueous film-forming foam (AFFF) and the phasing out the use of PFAS and other long-chain chemicals in products as soon as possible; and

BE IT FURTHER RESOLVED that the federal government should thoroughly study and test current and future 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 2023-15

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

EENR Committee Recommendation: Renew with edits

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~~risk 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, and the restoration of seasonal and tidal wetlands are considered “engineering with nature” approaches to reductions of local and coastal flooding; and

WHEREAS, the Army Corps has been directed by Congress through the Water Resources and Development Act of 2020 to maximize the beneficial reuse of dredged material in an environmentally acceptable manner, including consideration of the economic and environmental benefits in determining the federal standard; and

WHEREAS, the Army Corps is currently authorized to conduct 40 pilot projects on the beneficial reuse of dredged material.

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; and

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~~-risk reduction projects in the adjacent community; and

83
84 **BE IT FURTHER RESOLVED** that NLC ~~calls on~~supports the Army Corps effort to increase
85 the quantity of dredged materials put to environmentally beneficial uses, especially related to
86 marsh restoration and sea level rise protection, to 70 percent by 2030 by ~~allowing~~establishing a
87 national beneficial reuse policy that ~~considers~~allows dredged materials to ~~be a potential function~~
88 as a resource (instead of a waste product) and establishes a realistic economic value of
89 environmentally-suitable dredged material that takes into account its use for storm or flood risk
90 reduction and habitat restoration; and

91
92 **BE IT FURTHER RESOLVED** that NLC encourages the Army Corps to seek partnerships,
93 including with local governments, to beneficially reuse dredge materials; and

94
95 **BE IT FURTHER RESOLVED** that the cost of offshore disposal of dredged materials should
96 include the full future economic value of that sediment that would be lost if it is deposited
97 offshore; and

98
99 **BE IT FURTHER RESOLVED** that federal investments in communities must prioritize those
100 communities that have been left behind and Black, Indigenous and People of Color (BIPOC) who
101 are disproportionately impacted by flood risk.

NLC RESOLUTION 2023-16

INCREASE FUNDING FOR BORDER WATER INFRASTRUCTURE PROJECTS

EENR Committee Recommendation: Renew with edits

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 (IBWC) 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 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 \$30 million in FY21, ~~and~~ \$32 million in FY22 and \$36 million in FY23; and

85
86 **WHEREAS**, officials from EPA Region 6 and 9 identified a multitude of BWIP-eligible projects
87 along the southern border totaling over \$300 million; and

88
89 **WHEREAS**, Mexico has identified multiple projects totaling hundreds of millions of dollars that
90 would benefit from BWIP funding; and

91
92 **WHEREAS**, Mexico is proceeding with its proposed new projects to address transboundary
93 sewage flows but is awaiting United States approval and funding of the \$600 million United
94 States infrastructure projects previously identified by both countries to fully address the
95 transboundary pollution in the border states; and

96
97 **WHEREAS**, the United States, has not paid necessary IBWC operating and maintenance costs
98 for the last several years, causing the breakdown of existing infrastructure and a backlog of \$150
99 million in overdue maintenance projects; and

100
101 **WHEREAS**, the pollution from transboundary sewage flows were spread even farther north in
102 the Pacific Ocean by Hurricane Hilary on August 19-20, 2023 because the infrastructure has not
103 been maintained and new needed facilities have not been built; and

104
105 **WHEREAS**, without federal partnership through the BWIP and state support to address
106 pollution, cities that are impacted by transboundary sewage and toxic waste flows are left with
107 limited resources to address a critical pollution and public health issue and limited legal remedies
108 to address the problem; and

109
110 **WHEREAS**, Mexico benefits from the bi-national funding program and relies on the NADB
111 North American Development Bank to assist in funding projects on the Mexico side of the
112 border, which have an immediate and long-term environmental impact along the border in the
113 U.S. due to the upstream, transboundary flows of the major rivers; and

114
115 **WHEREAS**, local governments and the public support the State's primary objectives in
116 complying with environmental laws including the Clean Water Act and Endangered Species Act,
117 and their state law analogues, and are supported by substantial public investments at all levels of
118 government to maintain a healthy and sustainable environment for the future.

119
120 **NOW, THEREFORE, BE IT RESOLVED** that the National League of Cities urges the Federal
121 government to continue to fund the Border Water Infrastructure Program, and to recommit to
122 working bi-nationally to develop and implement long-term solutions to address serious water
123 quality and contamination issues, such as discharges of untreated sewage and polluted sediment
124 and trash-laden transboundary flows originating from Mexico, ~~that resulting~~ in significant health,
125 environmental, and safety concerns of affected communities.

NLC RESOLUTION 2023-17

SUPPORTING LOCAL CONTROL OF WATER INFRASTRUCTURE PROJECTS

EENR Committee Recommendation: Expire – Incorporate into policy

~~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~~

41
42 ~~BE IT FURTHER RESOLVED~~ that NLC opposes federal and state policies that mandate, or in
43 any way promote, material preferences or otherwise undermine local autonomy for local water
44 and wastewater infrastructure systems.

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Proposed Policy Amendments and Resolutions of the

**Community and Economic Development
Federal Advocacy Committee**

CED

Proposed CED 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:

No Policy Changes

Proposed CED Resolutions

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 2023 resolutions that originated in the CED Committee to determine recommendations for 2024. 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 2023 at City Summit with recommendations for 2024 are:

Resolution	CED Committee Recommendation
NLC RESOLUTION 2023-18: In Support of a Federal Agenda for Local Economic Development, Economic Mobility, and Entrepreneurship	Renew
NLC RESOLUTION 2023-19: Urging the Department of Housing and Urban Development (Hud) to Enact Safeguards Against Abuses in Contracts for Deeds	Renew
NLC RESOLUTION 2023-20: In Support of the Need for Public Transparency Surrounding Installation Scoring from Past Rounds of Base Realignment and Closure	Expire
NLC RESOLUTION 2023-21: In Support of a National Agenda for U.S. Housing Investment and Opportunity	Renew
NLC RESOLUTION 2023-22: Endorsing the Recommendations of NLC’s National Housing Task Force Report “Homeward Bound, The Road to Affordable Housing”	Expire and Incorporate into Policy
NEW CED RESOLUTION 1: Urging Congress to Enable Housing Vouchers for Homeownership Opportunities and Local Innovation in Attainable Housing	Adopt
NEW CED RESOLUTION 2: In Support of Resources for Community Navigators to Assist Local Entrepreneurs in Accessing Credit	Adopt

1 NLC RESOLUTION 2023-18

2
3 IN SUPPORT OF A FEDERAL AGENDA FOR LOCAL ECONOMIC DEVELOPMENT,
4 ECONOMIC MOBILITY, AND ENTREPRENEURSHIP

5
6 CED Committee Recommendation: Renew
7

8 WHEREAS, cities are the engine of our nation’s economy. From infrastructure like roads and
9 water to parks and libraries, to workforce development centers and business support, to law
10 enforcement and emergency services; cities create the conditions that drive new business, spur
11 innovation, and attract talent and investment; and
12

13 WHEREAS, National League of Cities (NLC) State of the Cities 2022 Report identifies
14 “Economic Development” as the second most-covered policy issue in 2022 state of the city
15 speeches¹; and
16

17 WHEREAS, following two years of stewarding turbulent local economies, local governments
18 are using a wide range of policies and programs to increase their city’s economic resiliency,
19 maintain commercial competitiveness and lift up the members of their communities most
20 negatively impacted by the COVID-19 pandemic; and
21

22 WHEREAS, the federal government has an essential role to play – in cooperation with local
23 leaders – to help address the social, economic, and fiscal challenges weighing on the nation’s
24 cities; and
25

26 WHEREAS, local entrepreneurs and small businesses lead a majority of economic growth and
27 are essential stakeholders in the success of neighborhoods, help create a community’s sense of
28 place, and serve as a vital link to connect communities to the larger, global economy; and
29

30 WHEREAS, successful neighborhood revitalization requires effective plans for both community
31 development and economic development; and
32

33 WHEREAS, the Community Reinvestment Act (CRA), a landmark civil rights law passed in
34 1977 to end discrimination in America’s banking and housing markets, remains a critical tool for
35 both community and economic development that ensures regulated financial institutions have
36 continuing and affirmative obligations to help meet the credit needs of the local communities in
37 which they are chartered; and
38

39 WHEREAS, working with Congress, the President has an opportunity to partner with local
40 officials to renew and reinvigorate federal economic development policies and programs that
41 local entrepreneurs have increasingly been unable to access; and
42

¹ Farhad Kaab Omeyr et al. *State of the Cities 2022* (2022), page 7.

43 **WHEREAS**, high federal regulatory barriers to accessing capital in both public programs and the
44 private market are one reason why racial and ethnic wealth gaps have grown since the great
45 recession²; and

46
47 **NOW, THEREFORE, BE IT RESOLVED** that NLC urges federal investment and support for
48 economic mobility and opportunity, regional economic development, local entrepreneurship,
49 community banking and community development financial institutions, and direct federal
50 investment in distressed and underserved communities; and

51
52 **BE IT FURTHER RESOLVED** that NLC supports the bipartisan House Entrepreneurship
53 Caucuses and urges growth in their membership; and

54
55 **BE IT FURTHER RESOLVED** that the federal government can make an immediate and
56 enormously positive impact on local economies by acting on the following four areas:

57
58 **BE IT FURTHER RESOLVED 1.)** that NLC urges federal lawmakers to help local
59 entrepreneurs by supporting policies that result in a supportive ecosystem for entrepreneurship.
60 To that end, Congress should:

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

68
69 **BE IT FURTHER RESOLVED 2.)** that NLC urges the federal government improve equity and
70 economic mobility by modernizing the Community Reinvestment Act (CRA) to increase public
71 accountability of banks to serve every community. To that end, federal regulators should:

- 72 • Update CRA assessment areas to include areas with considerable bank lending and
73 deposit gathering outside of bank branch networks.
- 74 • Improve public data around community development lending and investments in order to
75 provide greater clarity to lenders about what qualifies for CRA and to help identify
76 areas around the country in need of greater community development lending and
77 investing.
- 78 • Federal regulators should not adopt a one-ratio or single-metric approach to CRA exams
79 and should not adjust bank asset thresholds solely for making exams easier for banks to
80 pass, or otherwise dilute attention to LMI borrowers and communities.

81
82 **BE IT FURTHER RESOLVED 3.)** that NLC urges federal lawmakers to increase the pace of
83 economic development by continuing on the path of regulatory reform that reduces barriers to
84 development. To that end, Congress should:

² Rakesh Kochhar et al. *Wealth inequality has widened along racial, ethnic lines since end of Great Recession* (2014), <https://www.pewresearch.org/short-reads/2014/12/12/racial-wealth-gaps-great-recession/> .

- 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
- Increase 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.

1 NLC RESOLUTION 2023-19

2
3 **URGING THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)**
4 **TO ENACT SAFEGUARDS AGAINST ABUSES IN CONTRACTS FOR DEEDS**

5
6 **CED Committee Recommendation:** Renew
7

8 **WHEREAS**, the subprime home mortgage crisis damaged housing affordability across the
9 country and caused disproportionate harm in African-American communities, resulting in the
10 loss of forty percent of non-home-equity wealth. Moreover, home-equity wealth, which dropped
11 nineteen percent during the crisis, has declined by an additional thirteen percent in the years since
12 the crisis; and
13

14 **WHEREAS**, over three million families have entered into a Contract for Deed to purchase a
15 home due to the inaccessibility of the traditional mortgage market; and
16

17 **WHEREAS**, a Contract for Deed is a seller finance method to purchase a home where the seller
18 retains the legal title to the property until the homebuyer finishes paying all principal payments
19 and interest owed under the contract. Contracts for Deeds are principally used by low-income
20 homebuyers who are unable to obtain a traditional mortgage or financing because of poor credit
21 ratings, inadequate income or other issues; and
22

23 **WHEREAS**, bad actors can abuse Contracts for Deeds to allow the seller to avoid health and
24 safety regulations, and crucial repairs to the property, while transferring the burden of property
25 taxes, property insurance, and repairs to the homebuyer; and
26

27 **WHEREAS**, in comparison to renting, the homebuyer must pay more per month for the property
28 under Contracts for Deeds, make a larger upfront payment, and take better care of the premises,
29 because the homebuyer is working toward ownership. However, sellers that abuse Contract for
30 Deeds rarely end up transferring the title to the prospective homebuyer; and
31

32 **WHEREAS**, Contracts for Deeds are often consummated between the homebuyer and the seller
33 without the benefit of a title search and title insurance, government regulatory protections and
34 standardized legal documents in many states including Texas, Illinois, Michigan, Minnesota,
35 West Virginia, South Dakota, Ohio, South Carolina, and Florida; and
36

37 **WHEREAS**, the proliferation and abuse of Contracts for Deeds presents the risk of creating yet
38 another large drain on African-American wealth comparable in impact to the housing finance
39 abuses that brought about the 2007-2009 subprime crisis; and
40

41 **WHEREAS**, the National Black Caucus of Local Elected Officials, a constituency group of the
42 National League of Cities, has endorsed this resolution; and also, strongly condemns the use of
43 Contracts for Deeds to exploit low-income homebuyers.
44

45 **NOW, THEREFORE, BE IT RESOLVED** that the National League of Cities urges the U.S.
46 Department of Housing and Urban Development, the U.S. Department of Veterans Affairs, and

47 the Rural Housing Service of the U.S. Department of Agriculture to enact regulations and
48 safeguards against predatory uses of Contracts for Deeds, and to protect consumers from the
49 practice of using Contracts for Deeds to unjustly evict families from their homes.

NLC RESOLUTION 2023-20

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

CED Committee Recommendation: Expire

~~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.~~

1 NLC RESOLUTION 2023-21

2
3 IN SUPPORT OF A NATIONAL AGENDA FOR U.S. HOUSING INVESTMENT AND
4 OPPORTUNITY

5
6 CED Committee Recommendation: Renew

7
8 WHEREAS, America’s cities are the strength of the nation – communities of neighborhoods
9 where people live, work, learn, and play; and

10
11 WHEREAS, every American deserves a decent home in a suitable living environment with
12 adequate financial stability to maintain it; and

13
14 WHEREAS, affordable housing contributes to the economic vitality of our communities and
15 local economic regions as a vehicle for creating jobs and increasing municipal tax bases; and

16
17 WHEREAS, there is an irreplaceable role for the federal government in addressing our nation’s
18 housing needs; and

19
20 WHEREAS, research demonstrates that inadequate housing is linked to issues including
21 unemployment, rising health care costs, public safety challenges, and poor academic
22 performance; and

23
24 WHEREAS, the demand for affordable housing far outpaces the supply in the United States, as
25 wages have not kept pace with rising home values over the period following the subprime
26 mortgage crisis; and

27
28 WHEREAS, data shows that in no state, metropolitan area, or county can a worker earning the
29 federal minimum wage or prevailing state minimum wage afford a two-bedroom rental home at
30 fair market rent by working a standard 40-hour week¹; and

31
32 WHEREAS, three out of four households eligible for federal housing assistance receive none;
33 and

34
35 WHEREAS, on any given night, there are in excess of 560,000 Americans experiencing
36 homelessness, meaning they are sleeping outside, in an emergency shelter, or in a transitional
37 housing program; and

38
39 WHEREAS, National League of Cities (NLC) supports the bipartisan coalition “MAYORS
40 AND CEOS FOR US HOUSING INVESTMENT”², and welcomes all city leaders and CEOs to
41 consider joining the coalition as common stakeholders in expanding housing opportunities and
42 ending homelessness; and

43

1 Andrew Aurand et al. *Out of Reach, The High Cost of Housing* (2023), page 3.

2 <https://housinginvestment.org/>

44 **WHEREAS**, NLC supports the national, multi-sector housing campaign “OPPORTUNITY
45 STARTS AT HOME”³, a long-term, multi-sector campaign to meet the rental housing needs of
46 the nation’s lowest income people.

47
48 **NOW, THEREFORE, BE IT RESOLVED** that NLC urges the President and Congress to
49 work with city leaders to end homelessness and ensure that the lowest-income and most
50 vulnerable households have the opportunity for safe, decent, affordable housing; and

51
52 **BE IT FURTHER RESOLVED** that NLC urges Congress to bridge the funding gap between
53 rents and income for extremely low-income households through rental assistance programs,
54 including supporting a mechanism to address the acceptance of federal rental assistance
55 vouchers; and

56
57 **BE IT FURTHER RESOLVED** that NLC urges the federal government to work with local
58 governments to expand the stock of affordable housing and workforce housing; and

59
60 **BE IT FURTHER RESOLVED** that NLC urges Congress to restore and improve funding for
61 neighborhood and household stabilization to provide emergency assistance to avert housing
62 instability, homelessness, and neighborhood decline.

³ <https://www.opportunityhome.org/>

NLC RESOLUTION 2023-22

ENDORSING THE RECOMMENDATIONS OF NLC’S NATIONAL HOUSING TASK
FORCE REPORT “HOMEWARD BOUND, THE ROAD TO AFFORDABLE HOUSING”

CED Committee Recommendation: Expire

~~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.

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NEW CED RESOLUTION 1

**URGING CONGRESS TO ENABLE HOUSING VOUCHERS FOR HOMEOWNERSHIP
OPPORTUNITIES AND LOCAL INNOVATION IN ATTAINABLE HOUSING**

CED Committee Recommendation: Adopt

WHEREAS, housing stability is a fundamental human necessity and plays a crucial role in fostering stable and prosperous communities; and

WHEREAS, although a Housing Choice Voucher (HCV) homeownership program has been authorized to allow families assisted under the HCV program to use voucher funding for downpayment assistance, federal funding has not been appropriated for this purpose and this regulatory provision has never been implemented.

WHEREAS, homeownership has been proven to foster long-term economic stability, wealth accumulation, and a sense of community pride and ownership; and

WHEREAS, allowing Housing Vouchers to be utilized for home ownership supports would empower low-income individuals and families to participate in the housing market, fostering economic mobility and providing them with a stake in their communities; and

WHEREAS, local entities such as municipal governments, housing agencies, land banks, economic development corporations, and other community organizations are well-positioned to effectively manage and administer housing voucher programs for home ownership; and

WHEREAS, underserved and disadvantaged communities often face disproportionately high rates of poverty, limited access to affordable housing and credit, and insufficient economic development opportunities; and

WHEREAS, affordable quality housing initiatives are essential for revitalizing underserved communities, combating systemic inequality, and promoting economic growth; and

WHEREAS, funding for homeownership supports would provide Housing Choice Voucher Program participants with more and better housing choices, and increased funding directly to local governments would enhance their capacity to address the unique challenges faced by minority-owned businesses involved in the housing markets of underserved communities, and

WHEREAS, this resolution has the endorsement and support of the National Black Caucus of Local Elected Officials.

NOW, THEREFORE, BE IT RESOLVED, National League of Cities (NLC) supports authorization and funding for to allow Housing Choice Voucher program participants to choose homeownership, providing low-income individuals and families with an opportunity to build equity and achieve the American dream of homeownership; and

47 **BE IT FURTHER RESOLVED**, that NLC supports directing additional housing funding to
48 local governments serving underserved and disadvantaged communities.

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NEW CED RESOLUTION 2

**IN SUPPORT OF RESOURCES FOR COMMUNITY NAVIGATORS TO ASSIST
LOCAL ENTREPRENEURS IN ACCESSING CREDIT**

CED Committee Recommendation: Adopt

WHEREAS, small businesses play a crucial role in fostering economic growth, creating jobs, and driving innovation within our communities; and

WHEREAS, access to credit is one of the significant barriers faced by local entrepreneurs, limiting their ability to start, expand, or sustain their businesses; and

WHEREAS, the Small Business Administration (SBA) provides vital resources and loan programs to support small business owners, including SBA-backed loans, which offer lower interest rates and longer repayment terms; and

WHEREAS, many local entrepreneurs, especially those from marginalized communities, face challenges in navigating the complex loan application process and lack awareness of available SBA loan programs; and

WHEREAS, the establishment of community navigators can bridge the information gap by providing guidance, assistance, and support to local entrepreneurs seeking credit from SBA-backed loans; and

WHEREAS, community navigators, through their expertise and knowledge of the local business ecosystem, can help entrepreneurs understand eligibility criteria, develop business plans, gather required documentation, and prepare loan applications; and

WHEREAS, supporting community navigators will strengthen the entrepreneurship ecosystem, increase the success rate of loan applications, and stimulate economic development within our community; and

WHEREAS, this resolution has the endorsement and support of the National Black Caucus of Local Elected Officials.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) urges Congress to allocate resources and funding for the establishment and expansion of community navigator programs aimed at assisting local entrepreneurs in gaining access to credit, including Small Business Administration backed loans.

BE IT FURTHER RESOLVED that NLC encourages collaboration between federal agencies, financial institutions, and community organizations to develop comprehensive training programs for community navigators, equipping them with the necessary knowledge and skills to effectively assist entrepreneurs with the loan application process.

Proposed Policy Amendments and Resolutions of the

**Human Development
Federal Advocacy Committee**

HD

Proposed HD 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 4.08 Health**
 - L. Nutrition
 - M. Sexual Harassment and Assault
 - N. Racism
 - O. One Health Initiative

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; and
- Support policies and programs that achieve optimal health outcomes recognizing the interconnection between people, animals, plants, and their shared environment.

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.

L. Nutrition

Federal nutrition programs play a critical role in helping low-income families improve their overall nutrition, health, and development.

The federal government should:

- Strengthen federal nutrition program access and supports participation by under-resourced children, ensuring nutrition quality and simplifies program administration and operation;
- Lower area eligibility test to 40 percent to allow more low-income communities to provide summer meals;
- Allow nonprofits and local governments to provide meals year-round seamlessly through the Summer Food Service Program;
- 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;
- Expand WIC research in under-resourced communities;
- Extend certification periods to two years for infants and postpartum women for those in the WIC program;
- 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;
- 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
- 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.

M. Sexual Harassment and Assault

The federal government should take meaningful action to prevent sexual harassment for all individuals, regardless of gender or sexual orientation including:

- Adopting improved reporting practices as an example for cities to follow; and
- 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.

N. Racism

Racism results in disproportionate impacts on the lives of Black, Indigenous, LatinX, Asian and other People of Color and 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.

The federal government should:

- Recognize racism as a public health crisis;

- 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
- Ensure that disaggregated data by race is made available to provide a clear and accurate picture of disparate effects and outcomes to BIPOC communities.

O. One Health Initiative

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 support integrated decision-making in the context of the *One Health Initiative*.

The federal government should 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.

Proposed HD Resolutions

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 2023 resolutions that originated in the HD Committee to determine recommendations for 2024. 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 2023 at City Summit with recommendations for 2024 are:

Resolution	HD Committee Recommendation
NLC RESOLUTION 2023-23: In Support of Action by the Centers for Disease Control and Prevention (CDC) to Study and Address Violence in America	Renew with Edits
NLC Resolution 2023-24: In Support of Comprehensive Immigration Reform	Renew with Edits
NLC Resolution 2023-25: In Support of Efforts to Prevent Sexual Harassment and Assault	Expire – Incorporate into Policy
NLC Resolution 2023-26: In Support of Reauthorization of the Workforce Innovation and Opportunity Act and Increased Investment in Workforce Development Programs	Renew with Edits
NLC Resolution 2023-27: Addressing Systemic Racism as a Public Health Crisis	Expire – Incorporate into Policy
NLC Resolution 2023-28: In Support of the One Health Initiative	Expire – Incorporate into Policy
NLC Resolution 2023-29: In Support of Nutrition and Food Security Programs	Expire – Incorporate into Policy
NLC Resolution 2023-30: In Support of a National Holiday Commemorating the Accomplishments and Legacy of Cesar Estrada Chavez and Dolores Huerta	Renew
NLC Resolution 2023-31: In Support of the Equality Act	Renew with Edits
NLC Resolution 2023-32: In Support of Mothers in the Workforce	Renew with Edits
NLC Resolution 2023-33: In Support of Equal Pay for Women	Renew with Edits

NLC RESOLUTION 2023-23

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, in 2020, approximately 71,000 persons died of violence-related injuries in the United States of which the majority (58.4%) were suicides, followed by homicides (31.3%), deaths of undetermined intent (8.2%), legal intervention deaths (1.3%) (i.e., deaths caused by law enforcement and other persons with legal authority to use deadly force acting in the line of duty, excluding legal executions), and unintentional firearm deaths (<1.0%)¹; ~~and 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, over the last 10 years, domestic terrorism-related investigations have grown by 357%²; and

WHEREAS, over half of women and almost 1 in 3 men have experiences sexual violence involving physical contact in their lifetimes³; and

WHEREAS, approximately 1 in 54 women and nearly 1 in 130 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 43-61 million women and 38-53 million men have experienced psychological aggression by an intimate partner in their lifetime; and;

WHEREAS, family and domestic violence affects an estimated 10 million people every year and 1-in-15¹⁰ of children is exposed to domestic violence and intimate partner violence each year; and

WHEREAS, studies show that LGBTQ+ people, especially youth, are at a higher risk of attempting suicide and 17 percent of gay and lesbian youth, 9 percent of bisexual youth, and 21 percent of transgender youth have been threatened with a weapon on school property; and

WHEREAS, youth violence is an adverse childhood experience (ACE) and can ~~hand~~ have a long-term impact on health and well-being. 1 in 5 high school students reported being bullied on school property in the past year and homicide is the third leading cause of death for young

¹ <https://www.cdc.gov/mmwr/volumes/72/ss/ss7205a1.htm>

² <https://www.gao.gov/blog/rising-threat-domestic-terrorism-u.s.-and-federal-efforts-combat-it>

³

[https://www.cdc.gov/violenceprevention/sexualviolence/fastfact.html#:~:text=Sexual%20violence%20is%20comm on.&text=One%20in%204%20women%20and,harassment%20in%20a%20public%20place](https://www.cdc.gov/violenceprevention/sexualviolence/fastfact.html#:~:text=Sexual%20violence%20is%20common.&text=One%20in%204%20women%20and,harassment%20in%20a%20public%20place)

40 people ages 10-24. Each day, approximately 12 young people are victims of homicide and almost
41 1,400 are treated in emergency departments for nonfatal assault-related injuries⁴; and –

42
43 **WHEREAS**, the rise in violent crime, including gun violence, in communities across the country
44 is putting a considerable strain on local government resources; and

45
46 **NOW, THEREFORE, BE IT RESOLVED** that the National League of Cities is declaring
47 violent crimes a public health crisis and calls upon the United States Congress to direct the
48 Centers for Disease Control and Prevention (CDC), whose primary responsibilities are to
49 monitor public health, detect and investigate health problems, foster safe and healthy
50 environments, and implement prevention strategies, to monitor, detect, and prevent violence in
51 America; and

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

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56 **BE IT FURTHER RESOLVED** that the CDC continue collecting data disaggregated by race,
57 ethnicity, sex, sexual orientation, religion, and gender identity and support prevention strategies
58 that are tailored to impacted communities; and

59
60 **BE IT FURTHER RESOLVED** that the Substance Abuse and Mental Health Services
61 Administration (SAMHSA) continue to invest in early intervention models, including trauma-
62 informed care and violence interrupter groups, and in studying and addressing the intersection
63 between community violence/mental health/substance use in local communities; and

64
65 **BE IT FURTHER RESOLVED** that Congress and the President increase funding for the
66 Centers for Disease Control and Prevention in the federal budget to support data and indicators
67 that will inform local strategy in cities and towns across our country as they address the issue of
68 violence in their communities.

⁴ <https://youth.gov/youth-topics/violence-prevention/federal-data>

1 NLC RESOLUTION 2023-24

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3 IN SUPPORT OF COMPREHENSIVE IMMIGRATION REFORM

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5 HD Committee Recommendation: Renew with edits

6
7 **WHEREAS**, historically, the cities and towns of the United States are a cultural mosaic of
8 multiple cultures and nationalities based on our nation’s history of welcoming immigrants; and
9

10 **WHEREAS**, when admitted through a well-regulated, timely and efficient system, immigrants
11 strengthen the United States by creating economic opportunities, increasing America’s scientific
12 and cultural resources, strengthening our ties with other nations, fulfilling humanitarian
13 commitments, and supporting family ties and family values that are necessary to build strong
14 communities; and
15

16 **WHEREAS**, failure on the part of the federal government to simplify immigration procedures,
17 reopen legal ports of entry for asylum seekers to deter illegal entrance, secure the borders, track
18 visa recipients in the interior, or enforce worksite laws allows illegal immigration to thrive, with
19 an estimated 11.3 million residents, 3.5% of the nation’s population, living and/or working in the
20 United States without legal authorization or proper documentation; and
21

22 **WHEREAS**, more than 40 million people living in the United States are foreign-born of which
23 23% are unauthorized immigrants, 27% are lawful permanent residents, and 77% are lawful
24 immigrants; and
25

26 **WHEREAS**, the worksite enforcement program does not adequately protect work visa holders
27 from employer abuse or deter employers who willingly hire unauthorized workers because they
28 face little likelihood that the federal government will investigate, fine, or criminally prosecute
29 them; and it does not help employers who genuinely want to follow the law because their
30 employee verification efforts are hindered by the extensive use of fraudulent documents; and
31

32 **WHEREAS**, the lack of infrastructure and capacity at the federal level makes the federal
33 government unable to adequately track visa-holders and permanent resident status, creates
34 unacceptable application backlogs and long delays, which provide strong disincentives for
35 foreign nationals to abide by the legal means to enter or remain in the country, and results in
36 deleterious effects such as children aging out of parents’ applications and becoming
37 undocumented, indefinite stagnation of career and life milestones, and inability to move freely
38 across borders; and
39

40 **WHEREAS**, the United States granted more than 900,000 visas in 2019, of which 300,424 were
41 through temporary, unskilled worker programs (the H2-A and H2-B visas); and
42

43 **WHEREAS**, output in the economy is higher and grows faster with more immigrants; and
44

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 undocumented immigrants are children, and another 4.5 million U.S.-citizen children have at least one undocumented parent; and these families are forced to live “underground,” unable to get drivers’ licenses or car insurance in most states, unlikely to obtain health insurance, and afraid to report crimes to local law enforcement; and

WHEREAS, since immigrants are barred from most federal public assistance, the burden of providing social services, education, and health care falls to the state and local governments, who are increasingly feeling the fiscal impact of both documented and undocumented immigrants living in their communities; and

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; 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; 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 resettlement goal was set in FY21 at the lowest since the passage of the Refugee Act of 1980, with a 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 an asylum seekers and risk rejection at the border with no alternative; and

91
92 **WHEREAS**, an increasing number of individuals from multiple countries seeking safety have
93 been admitted to the U. S. in emergency situations as humanitarian parolees; and
94

95 ~~**WHEREAS**, Title 42 continues to be used to prohibit entry of asylum seekers to the U.S. and~~
96 ~~expel them to danger in other countries; and~~
97

98 **WHEREAS**, the global refugee crisis the highest in history, with over 100 million forcibly
99 displaced people worldwide, including 27.1 million refugees and 4.6 million asylum-seekers
100 under international law; and
101

102 **WHEREAS**, with the passage of the Infrastructure Investment and Jobs Act, there is a pressing
103 need to fill positions within the sectors that will build and maintain our nation’s roads, bridges,
104 water systems and broadband networks. But, hiring for infrastructure jobs is a significant
105 challenge — the median infrastructure job takes 20% more time to fill than a non-infrastructure
106 job.
107

108 **NOW, THEREFORE, BE IT RESOLVED** that the federal government should have strong
109 communication and coordination with local governments and provide local governments them
110 with financial and technical assistance to alleviate the local impact of and ensure the success and
111 productivity of new immigrants/refugees/asylees, including the costs of providing social
112 services, housing, health care, education, language services, and civic integration; and
113

114 **BE IT FURTHER RESOLVED**, that the federal government should work to ensure that
115 asylees are granted work authorization while they await formal adjudication, so that that can
116 house and care for themselves and their families and contribute to local economies; and
117

118 **BE IT FURTHER RESOLVED** that the federal government enforce its current immigration
119 laws equitably, humanely, consistently and timely to adequately staff ports of entry to reduce
120 unauthorized entry at the borders, track visa overstays, working without proper documentation,
121 and employing undocumented workers; and
122

123 **BE IT FURTHER RESOLVED** that local personnel, such as police officers, fire inspectors,
124 educators, health personnel and social service personnel, should not be conscripted into federal
125 service because the federal government has not adequately funded and staffed its immigration
126 enforcement agencies; and the federal government must not transfer the responsibility of
127 enforcing U.S. immigration laws to local personnel by making undocumented status in the U.S. a
128 criminal offense; and
129

130 **BE IT FURTHER RESOLVED** that the federal government must strengthen its worksite
131 enforcement capacity, safety programs and wage theft monitoring, ~~and dramatically increase~~
132 ~~enforcement efforts at places of employment~~, as well as providing provide employers with a
133 universal, reliable, effective, secure, non-discriminatory, and non-counterfeitable employee
134 verification system, using the most up-to-date technology that will minimize fraud; and
135

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

182 Determination procedure based on the United Nation’s High Commissioner for Refugees
183 Handbook on Protection of Stateless People, to ultimately provide stateless people a designated
184 path to lawful status; and

185

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

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

192

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

195

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

NLC RESOLUTION 2023-25

IN SUPPORT OF EFFORTS TO PREVENT SEXUAL HARASSMENT AND ASSAULT REFORM

HD Committee Recommendation: Expire – Incorporate into Policy

~~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; 25% say they have received lewd texts or emails^[13]; 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^[14]; 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^[15]; 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

47 ~~**BE IT FURTHER RESOLVED**~~ that NLC supports the intention and vision of the #MeToo
48 movement and calls on Congress to provide support to programs and initiatives that create
49 pathways to healing as well as direct resources towards training, counseling and other
50 appropriate measures that address both prevention efforts and resources for survivors of sexual
51 violence and harassment.

NLC RESOLUTION 2023-26

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

HD Committee Recommendation: Renew with edits

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, analysis of city expenditures⁵ at the two-year anniversary of the American Rescue Plan Act found that larger cities invested more than \$637.3 million in workforce development programs through that program alone; and

WHEREAS, as cities across America work to strengthen their economic standing and competitiveness and ~~respond and recover from the COVID-19 pandemic~~work to implement the Infrastructure Investment and Jobs Act, CHIPS and Science Act and Inflation Reduction Act, we must build strong, equitable workforce development systems that can support the increased demand; 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; and

⁵ <https://www.nlc.org/resource/unlocking-possibilities-how-cities-are-using-arpas-state-and-local-fiscal-recovery-funds-after-two-years/>

91
92 **WHEREAS**, WIOA calls for the prioritization of service for all U.S. Department of Labor-
93 funded job training programs for veterans and eligible spouses, including access to Jobs for
94 Veterans State Grants (JVSG) and the National Dislocated Worker Grants (DWG) program for
95 transitioning service members and their spouses.

96
97 **NOW, THEREFORE, BE IT RESOLVED** that the National League of Cities (NLC) calls
98 upon the United States Congress to enact a five-year reauthorization of WIOA that will provide
99 certainty needed to deliver programming; and

100
101 **BE IT FURTHER RESOLVED** that NLC calls upon the United States Congress to increase
102 funding to WIOA programs across all titles to ensure a robust investment in skills training,
103 business engagement and increased economic development in communities across America; and

104
105 ~~**BE IT FURTHER RESOLVED** that NLC calls upon the United States Congress to~~
106 ~~immediately invest at least \$15 billion in our nation's workforce development system as a~~
107 ~~supplemental measure to ensure that our nation's workforce development system can respond to~~
108 ~~the increased demands associated with COVID-19; and~~

109
110 **BE IT FURTHER RESOLVED** that NLC supports clearer guidance on how WIOA can be
111 used locally to support apprenticeship programs, including through the use of industry or sector
112 partnerships and by supporting pre-apprenticeship programs for workers with barriers to
113 employment; and

114
115 **BE IT FURTHER RESOLVED** that NLC supports increasing employment opportunities for
116 veterans, transitioning service members and their families, and urges Congress to provide
117 increased funding to WIOA Title I employment and training programs to provide for adequate
118 investment in job training and adult education for this critical population in our cities, towns and
119 villages.

NLC RESOLUTION 2023-27

ADDRESSING SYSTEMIC RACISM AS A PUBLIC HEALTH CRISIS

HD Committee Recommendation: Expire – Incorporate into Policy

~~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 people². 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 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^[21]; 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^[22]. 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~~

45 rates of lead poisoning, limited access to clean water, and higher rates of infant mortality
46 demonstrate the current impact of racism; and—

47
48 ~~WHEREAS, Black people in the United States face higher rates of chronic disease than White~~
49 ~~people^[23], Black women are nearly four times as likely to die of pregnancy-related causes than~~
50 ~~White women^[24] and Black people are more likely to die at early ages of all causes^[25]; and—~~
51

52 ~~WHEREAS, the privileges that white Americans experience inhibits them from fully~~
53 ~~understanding how racism impacts BIPOC people in America—for example the performance of~~
54 ~~simple tasks like driving while Black, walking in neighborhoods or just going to a park come~~
55 ~~with certain risk not experienced by others—life events like getting a job, purchasing a home,~~
56 ~~buying a car, or just raising a family come with barriers that other cultures don't experience;~~
57 ~~and—~~
58

59 ~~WHEREAS, the American Public Health Association, the American Medical Association, the~~
60 ~~American Academy of Pediatrics, and the American Academy of Emergency Physicians have~~
61 ~~declared institutional racism as a public health crisis.—~~
62

63 ~~NOW, THEREFORE, BE IT RESOLVED~~ that the National league of Cities (NLC)
64 recognizes racism as a public health crisis and calls on Congress to appropriate significant
65 resources towards policy, programs and practices (i.e. Housing, Education, Nutritious Food,
66 Transportation, Employment, Legal system, etc.) that work to address social determinants of
67 health and end racism in our country, so race is no longer the strongest predictor of one's
68 success; and—
69

70 ~~BE IT FURTHER RESOLVED~~ that NLC calls on Congress to ensure that disaggregated data
71 by race is made available to provide a clear and accurate picture of disparate effects and
72 outcomes to BIPOC communities.

NLC RESOLUTION 2023-28

IN SUPPORT OF THE ONE HEALTH INITIATIVE

HD Committee Recommendation: Expire – Incorporate into Policy

~~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*³⁶¹ 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~~

47
48 ~~WHEREAS, climate change will affect energy costs, the frequency and severity of floods, fires,~~
49 ~~wind events, heat waves, and other extreme weather conditions; coastal development and~~
50 ~~building standards; incidence vector borne illnesses; crop production; habitat loss; endangerment~~
51 ~~and extinction of species; and human illness; and~~

52
53 ~~WHEREAS, cities can only thrive if they remain attractive and livable, with sufficient quantities~~
54 ~~of clean water, clean air, efficient, affordable buildings, healthful food choices, healthy food~~
55 ~~animals, strong public health systems, and leaders who are committed to cooperative long range~~
56 ~~planning for a sustainable future.~~

57
58 ~~NOW, THEREFORE, BE IT RESOLVED~~ that the National League of Cities supports
59 integrated decision making in the context of the *One Health Initiative* and calls on the federal
60 government to adopt legislation and practices that address human health, animal health, and
61 ecological health in an integrated fashion and support local efforts to monitor and control public
62 health threats.

NLC RESOLUTION 2023-29

IN SUPPORT OF NUTRITION AND FOOD SECURITY PROGRAMS

HD Committee Recommendation: Expire – Incorporate into Policy

~~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 afterschool 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]; and

~~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^[iii]; and

47
48 **~~BE IT FURTHER RESOLVED~~** that the federal government should expand WIC research in
49 under-resourced communities; and
50

51 **~~BE IT FURTHER RESOLVED~~** that Congress should extend certification periods to two years
52 for infants and postpartum women for those in the WIC program; and
53

54 **~~BE IT FURTHER RESOLVED~~** that Congress should continue to provide flexibility for SNAP,
55 including the ability to streamline administration and application processes with other social
56 service programs and waiving work requirements to meet the individual needs of residents and
57 ensuring local flexibility to provide access to all residents, including returning citizens; and
58

59 **~~BE IT FURTHER RESOLVED~~** that Congress should help streamline the Disaster
60 Supplemental Nutrition Assistance Program (D-SNAP) operations to increase the ability of
61 individuals to pre-register for benefits as soon as possible after a disaster strikes, support the
62 streamlining of easy-to-administer SNAP waivers that would allow for automatic replacement of
63 benefits for SNAP households, and expand funding to ensure application assistance for
64 individuals to receive D-SNAP quickly; and
65

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

1 NLC RESOLUTION 2023-30

2
3 IN SUPPORT OF A NATIONAL HOLIDAY COMMEMORATING THE
4 ACCOMPLISHMENTS AND LEGACY OF CESAR ESTRADA CHAVEZ AND
5 DOLORES HUERTA
6

7 HD Committee Recommendation: Renew
8

9 WHEREAS, César Estrada Chávez was born on March 31, 1927, near Yuma, Arizona on a
10 family farm and Dolores Huerta was born on April 10, 1930 in Dawson, New Mexico; and
11

12 WHEREAS, at the age of 10, César Estrada Chávez joined the thousands of migrant farm
13 workers laboring in fields and vineyards throughout the Southwest after a bank foreclosure
14 resulted in the loss of the family farm and ultimately left school to work full-time as a farm
15 worker to help support his family; and
16

17 WHEREAS, Dolores Huerta received an associate teaching degree from the University of the
18 Pacific's Delta College; and
19

20 WHEREAS, at the age of 17, César Estrada Chávez entered the United States Navy and served
21 the United States with distinction for 2 years; and
22

23 WHEREAS, in 1952, César Estrada Chávez joined the Community Service Organization, a
24 prominent Latino civil rights group, and worked with the organization to coordinate voter
25 registration drives and conduct campaigns against discrimination in east Los Angeles. He later
26 served as their national director; and
27

28 WHEREAS, Dolores Huerta began her career as an activist when she co-founded the Stockton
29 chapter of the Community Service Organization and later founded the Agricultural Workers
30 Association; and
31

32 WHEREAS, in 1962, César Estrada Chávez and Dolores Huerta founded the National Farm
33 Workers Association, which eventually became the United Farm Workers of America; and
34

35 WHEREAS, under their leadership, the United Farm Workers of America organized thousands
36 of migrant farm workers to fight for fair wages, health care coverage, pension benefits, livable
37 housing, and respect; and
38

39 WHEREAS, the union's efforts brought about the passage of the landmark 1975 California
40 Agricultural Labor Relations Act, which sought justice and guaranteed certain protections for
41 farm workers; and
42

43 WHEREAS, the influence of César Estrada Chávez and Dolores Huerta extends far beyond
44 agriculture and provides inspiration for those working to better human rights, empower workers,
45 and advance the American Dream; and
46

47 **WHEREAS**, 10 States and dozens of communities across the United States honor the life and
48 legacy of César Estrada Chávez and Dolores Huerta on March 31st of each year; and
49

50 **WHEREAS**, during his lifetime, César Estrada Chávez was a recipient of the Martin Luther
51 King, Jr. Peace Prize and posthumously awarded the Presidential Medal of Freedom; and
52

53 **WHEREAS**, Dolores Huerta received the Eleanor Roosevelt Human Rights Award and the
54 Presidential Medal of Freedom; and
55

56 **WHEREAS**, President Barack Obama proclaimed “César Chávez Day” on March 31 of every
57 year as a United States commemorative holiday to support public observance of the contributions
58 of Cesar Chavez to the United States.
59

60 **NOW, THEREFORE, BE IT RESOLVED** the National League of Cities calls upon the United
61 States Congress to declare a national holiday celebrating the life and legacy of César Estrada
62 Chávez and Dolores Huerta.

NLC RESOLUTION 2023-31

IN SUPPORT OF THE EQUALITY ACT

HD Committee Recommendation: Renew with Edits

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 298 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~~5/H.R. 15, The Equality Act, and provide full protections for Lesbian, Gay, Bisexual and Transgender individuals regardless of where they live in the United States.

1 NLC RESOLUTION 2023-32

2
3 IN SUPPORT OF MOTHERS IN THE WORKFORCE

4
5 HD Committee Recommendation: Renew with Edits

6
7 **WHEREAS**, according to the U.S. Census Bureau’s 2018 American Community Survey,
8 working mothers make up a significant portion of the labor force, accounting for nearly one-third
9 of all employed women; and

10
11 **WHEREAS**, according to the Center for American Progress, 64 percent of mothers are the
12 primary breadwinners or co-breadwinners in their households and Women of color, and Black
13 women in particular, are especially likely to play this role for their families. More than 8 in 10—
14 84.4 percent—of Black mothers are breadwinners or co-breadwinners, as are 6 in 10—60.3
15 percent—of Latinx mothers; and

16
17 **WHEREAS**, women, and especially working mothers, bore the brunt of the economic fallout
18 from the COVID–19 pandemic as a result of existing social barriers and policy failures such as
19 the lack of a child care infrastructure, national paid leave policy and gender and racial pay
20 inequity; and

21
22 **WHEREAS**, according to the U.S. Chamber of Commerce, both men and women suffered a 3%
23 drop in labor force participation at the height of the pandemic. But more than ~~two~~three years
24 later, men have returned to work at a higher rate than women. Today, women’s labor force
25 participation is still a full percentage point lower than it was pre-pandemic, meaning an
26 estimated one million women are missing from the labor force; and

27
28 **WHEREAS**, mothers in the prime of their working lives have paid an especially high price, with
29 those ages 25 to 54 experiencing a 5.7-percentage point decline in employment since the
30 COVID–19 pandemic began, compared to a 3.1 percentage-point decline for fathers in the same
31 age group; and

32
33 **WHEREAS**, work interruptions caused by school closures and child care closures have
34 disproportionately impacted women, forcing women to reduce work hours, take a leave of
35 absence, or permanently leave the workforce; and

36
37 **WHEREAS**, the unprecedented burdens of balancing child care and work have strained the
38 mental and emotional health of mothers; and

39
40 **WHEREAS**, except for the United States, OECD countries offer a minimum of 6 weeks paid
41 maternity leave and the average time off (regardless of pay equivalent) in approximately 18
42 weeks; and

43
44 **WHEREAS**, 1 in 3 women-owned business is owned by a mother, which translates to near 4.7
45 million businesses; and

47 **NOW, THEREFORE, BE IT RESOLVED** the National League of Cities calls on Congress to
48 recognize, ~~rebuild~~rebuildempower, and support mothers who wish to return to the workforce in order to
49 support local economic recovery including support for a minimum of 12 weeks paid maternity
50 leave, the Child Care for Working Families Act (S. 1354/H.R. 2976) and the Black Maternal
51 Health Momnibus Act of ~~2021~~(S. 1606/H.R. 3305).

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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, 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 (S. 728/H.R. 17), which works to address ending pay discrimination.

Proposed Policy Amendments and Resolutions of the

**Transportation and Infrastructure
Services
Federal Advocacy Committee**

TIS

Proposed TIS 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:

- **5.00 Transportation Principles**
 - A. Local Control
 - B. Flexibility
 - F. Advanced Transportation Technologies
- **5.01 Transportation Policies**
 - A. Transportation Planning
 - *1. Metropolitan Planning Organizations*
 - B. Transportation Finance and Administration
 - *1. The Federal Role*
 - b. Credit Assistance
 - c. Revenue Generation
 - g. Technical Assistance
 - C. Federal Responsibility for Planning and Funding Freight Mobility
- **5.02 Streets and Highways**
 - D. Transportation Alternatives Program
 - F. Road Safety
 - G. Motor Carriers
 - *1. Truck Weight and Size Limits*
 - *6. Motor Carrier Substance Abuse*
- **5.03 Public Transportation**
 - No Changes
- **5.04 Air Transportation**
 - D. Federal Role in Air Traffic Control
 - F. Advanced and Uncrewed Aircraft Systems
- **5.05 Rail**
 - A. Rail Principles
 - B. Passenger Rail Planning
 - D. Rail Safety
 - F. Rail Operations and Maintenance
- **5.06 Waterways, Ports and Landside Connections**
 - No Changes
- **5.07 Pipelines**
 - No Changes

5.00 Transportation Principles

A. Local Control

Where there are overriding national or statewide transportation concerns, federal and state governments have a legitimate role in planning and decision-making, but local governments should never be excluded from those processes. The impact of federally regulated interstate commerce transportation decisions on communities and quality of life must be recognized and considered. Congress should strengthen provisions for local decision-making as a central component of ~~any~~ all federal transportation programs, and any funds ~~Congress intended~~ intends for local and regional use must not be diverted to state governments.

B. Flexibility

NLC supports local flexibility to build, operate and maintain local and regional transportation projects with federal support through direct formula funds, competitive grants and pass-through funds.— It is important that state and local government officials have the ability to use federal transportation funding as they properly determine, and for federal support through grants and financing be flexible to adjust matching and terms to the local ability to contribute.—

F. Advanced Transportation Technologies

City leaders welcome advanced technologies that can improve safety, reduce congestion, and decrease costs within the transportation networks. It should be a federal policy to accelerate the testing, deployment, and integration of advanced transportation technologies, such as automated, connected, electric and shared vehicles, that have the capability to increase mobility options and accessibility, while simultaneously ensuring safety and reducing emissions, collisions, and congestion. This should be done in close consultation with cities and include a robust public engagement process and appropriate local regulations-preparations that ensure the safety of the public in each unique ~~needs of each municipality are~~ is accounted for rather than unleashing new entrants without proper planning.— Adoption of new technologies should also be ~~linked to solutions to adopted when they are in service of addressing~~ address persistent challenges — including road safety, funding, data for research, and integrated, —transportation multimodal transportation planning.

5.01 Transportation Policies

A. Transportation Planning

1. Metropolitan Planning Organizations

The federal government shall require states to work cooperatively with MPOs to develop joint forecasts of anticipated federal transportation funding to create more accountability in federal highway projects and to report on how these funds are used to Congress.—

B. Transportation Finance and Administration

1. The Federal Role

b. Credit Assistance

Credit assistance, tax incentives and other transportation finance tools have been effective tools in expanding the available revenue for transportation investments. NLC supports federal direct (low

interest) loans, loan guarantees and credit line assistance with favorable terms through programs like ~~i~~Infrastructure Banks and the Transportation Infrastructure Finance and Innovation Act (TIFIA) ~~financing programs.~~ 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.

c. Revenue Generation

The federal government should encourage a new generation of creative and innovative revenue generation options at the state and local levels — including innovative user fees and ~~such as~~ public-private partnerships, to help finance critical transportation infrastructure needs. (*See also FAIR Section 1.02C.5, Increasing the Supply of Municipal Capital.*)

g. Technical Assistance

NLC supports strong and robust technical assistance support from USDOT that can improve the delivery of federal program funds and ensure all local governments, regardless of size and financial resources, can fairly and efficiently access federal programs.

C. Federal Responsibility for Planning and Funding Freight Mobility

The U.S. goods movement system ~~needs greater federal leadership~~ requires federal management and state planning in conjunction with local stakeholders. Freight bottlenecks can be found all over the country and become local issues, but the task of prioritization and fixing them is often beyond the means of the states, counties and cities in which projects are located. A national freight strategy and dedicated, competitive and formula funding provided by a freight user fee is critical in order to maintain the efficiency of the transportation system and ~~the~~ U.S. economic competitiveness. A discretionary, merit-based grant program for projects of national significance should be continued rather than rely on a single jurisdiction to address these projects with have national implications. ~~NLC urges the federal government to adopt the following specific measures:~~

1. ~~——~~ *National Freight Strategy:*

~~The Secretary of Transportation should be directed to develop a national freight strategy that addresses multi-modal freight needs in the United States. In addition to covering domestic freight, the strategy should address the movement of U.S. imports and exports through U.S. ports.~~

2. ~~——~~ *Senior, Focused Freight Leadership:*

~~A multi-modal freight office led by an official at least at the assistant secretary level should be established with the Office of the Secretary of Transportation. This official would develop the national freight strategy and associated policies, advocate for freight across the modal administrations, and award funding for goods movement programs and projects.~~

3. ~~——~~ *Dedicated Freight Program and Funding:*

~~A dedicated, formula-based goods movement program with dedicated funding should be created within the U.S. Department of Transportation. Ports should be eligible to seek funding from this program for freight projects both inside and outside their terminals.~~

93
94 ~~1. 4. *Projects of Regional/National Significance:*~~

95 ~~A discretionary, merit-based grant program for projects of national significance should be~~
96 ~~established. Freight measures should be heavily weighted among the criteria used to select projects~~
97 ~~for funding.~~

98
99 ~~2. 5. *Freight Eligibility for Existing Programs:*~~

100 ~~Eligibility requirements for existing surface transportation programs should be expanded to better~~
101 ~~address freight requirements.~~

102 ~~a. Congestion Mitigation and Air Quality (CMAQ): Although freight projects are currently eligible~~
103 ~~for CMAQ funding, they are not major recipients of funds. CMAQ criteria should be refined to~~
104 ~~more appropriately recognize freight's potential to contribute to air quality improvements.~~

105 ~~b. Road-rail grade separations: The criteria for funding grade separation projects should be~~
106 ~~expanded to acknowledge congestion relief and freight benefits, as well as safety benefits.~~

107 ~~c. TIFIA: The TIFIA program should be clarified to include projects located within a port terminal~~
108 ~~that improve the intermodal interchange, transfer, and surface access of goods into and out of ports~~
109 ~~and that reduce environmental impacts of freight movement.~~

110
111 ~~3. 6. *Tax Credit for Rail Infrastructure Investment:*~~

112 ~~To encourage the expansion of freight rail capacity, a tax credit should be created for certain rail~~
113 ~~infrastructure investments that generate public benefits.~~

114
115 ~~4. 7. *States' Freight Planning:*~~

116 ~~Each state should be required to develop a freight plan and establish a freight advisory committee~~
117 ~~that includes local representation and represents passenger rail interests serving cities along the~~
118 ~~routes.~~

119
120
121 **5.02 Streets and Highways**

122
123 **D. Transportation Alternatives Program**

124 NLC supports the Transportation Alternatives set aside in the Surface Transportation Block Grant
125 Program, which serves as a dedicated source of federal funding for local transportation priorities
126 including bicycle and pedestrian trails and facilities.

127
128 **F. Road Safety**

129 Federal safety programs should provide partner with local governments with to increase focus
130 and increased resources to address the nation's persistent challenge of road deaths and injuries
131 using a safe systems approach. Local governments request more national research and practical
132 tools, like proven counter safety measures and local safety planning grants, and tools to address
133 safety issues on all roads to work expeditiously to save lives. -Greater consideration should be
134 given to safety in planning, design, and construction of all federally supported transportation
135 projects, rather than capacity or throughput, and all states safety offices should perform multimodal
136 safety assessments that highlight areas of concern so that federal resources can be directed to these
137 areas. NLC calls on federal and state agencies to make safety data available in real-time for
138 researchers and practitioners.

~~Additional resources need to be focused at all levels of government on research, education, and enforcement to increase road safety, including work zones. NLC supports the use of federal incentive grants to encourage states and local governments to address dangerous driving trends, including impaired driving, and withholding federal funding when established proven safety practices, like to adopt more stringent impaired driving and seat belt use laws, are not adopted. NLC also supports the use of appropriate information technology solutions being used for safety in traffic enforcement and pedestrian and bicycle safety to save lives.~~

NLC supports increased federal funding to eliminate railroad and road grade level crossings for safety where warranted for high traffic rail lines in urban areas with the addition of underpasses, overpasses, and pedestrian bridges where the railway bisects cities and towns impeding the flow of traffic and creating public safety issues. NLC supports the collection of blocked rail crossing information for federal, local and railroad decision making and to establish federal and state limits for blocked crossings. Closure of road crossings should never be required for local government to access federal grants. Local governments support the availability of federal grants to local governments to steadily educate the public on rail safety to reduce rail deaths and injuries.

G. Motor Carriers

1. Truck Weight and Size Limits

Local roads are the first and last miles of most commercial deliveries, and due to the size and weight of commercial trucks, they can inflict substantially more damage onto local roads in addition to being a safety concern when the roads are not designed for heavy trucks as well as neighborhood or downtown use. Therefore, NLC opposes increases in truck weight limits unless and until such increases are accompanied by simultaneous and sufficient increases in the heavy truck-user tax and directed to the road networks impacted. -

NLC opposes allowing longer combination trucks (i.e., “triple-trailers” or “truck trains”) both on and off the designated national network of truck highways until the impact of increased truck length and width standards on highway costs and safety for the traveling public is assessed and reflected in highway user fees and appropriate safety regulations.

6. Motor Carrier Substance Abuse Assistance Program

NLC supports a federal action to address substance abuse by commercial drivers including ~~incentive grant program for states that wish to conduct~~ random roadside inspections for driver alcohol and drug abuse.

5.04 Air Transportation

D. Federal Role in Air Traffic Control

The federal government should provide funding for and ensure all airports and aircraft, including advanced air mobility vehicles ~~horizontal space delivery vehicles~~, are participants in a national air navigation system which provides for safe aircraft operation. Additionally, the federal government should continue to provide for the safe integration of new aviation entrants into the national airspace and engage with local governments in the creation of new structures and technology to

185 manage airspace such as uncrewed traffic management (UTM)the Low Altitude Authorization and
186 Notification Capability system. NLC ~~encourages~~ highly recommends FAA ~~to~~ consider how to
187 advance a more responsive system for temporary notices and flight restrictions in both today's air
188 traffic management and the future.

189 190 **F. Advanced and Uncrewmanned Aircraft Systems**

191 Local governments ~~and our agencies~~ remain one of the most significant authorized user groups of
192 ~~unmanned~~ uncrewed aircraft systems (UAS or drones), and cities are poised to benefit from the
193 entry of new advanced ~~urban~~ air mobility (UAM or AAM) electric vehicles which and UAS which
194 could provide increased regional connectivity and UAS. However, Congress and the FAA must
195 respect and uphold the existing authorities of local governments over land use, zoning, privacy,
196 trespass, transportation, and law enforcement operations and work proactively with communities
197 to seamlessly integrate and optimize drone operations. ~~Further, FAA should not create unfunded~~
198 ~~mandates for local communities by the UAS and UAM structures they create nor allow for unsafe~~
199 ~~conditions to be created on the ground for communities from flights~~. Congress should establish a
200 ground-to-air transportation planning program to begin to align UAM integration planning into
201 existing long-term transportation plans with capital funding to develop and test operational
202 concepts and development of vertiport and heliport guidance appropriate to urban, suburban and
203 rural environments and cost-effective for development, especially where air carriers have
204 abandoned essential air service or no air service in provided.

205
206 Further, FAA should not create unfunded mandates for local communities by the UAS and- UAM
207 AAM structures they create nor allow for unsafe conditions to be created on the ground for
208 communities. -from flights.

209
210 It is unacceptable for local safety and emergency personnel to be burdened by managing the rise
211 of careless, clueless and criminal operators without appropriate tools and federal support. Congress
212 must consider granting provisional or cooperative counterdrone authority for local law
213 enforcement before FAA further opens UAS operations as it increases safety risks to communities
214 and to the nation, and the FAA should plan for airspace management integrations that does not
215 require local investments.

216
217 ~~Congress should establish a ground-to-air transportation planning program to begin to align UAM~~
218 ~~integration planning into existing long-term transportation plans with capital funding to develop~~
219 ~~and test operational concepts and development of heliport guidance should be appropriate to urban,~~
220 ~~suburban and rural environments and cost-effective for development where air carriers have~~
221 ~~abandoned essential air service~~.

222
223 USDOT and FAA must include local government representation to all federal stakeholder groups
224 and advisory committees that will impact local skies, and FAA must improve their
225 integovernmental relationship with local governments.

226 227 228 **5.05 Rail**

229 230 **A. Rail Principles**

NLC encourages the ~~federal government~~ USDOT and Federal Railroad Administration (FRA) to establish forward-looking and comprehensive visions, plans and regulations for passenger and freight rail that serves the development and renewal of safe and efficient freight movement through and to cities and connected and effective passenger rail including long-distance, inter-city regional and commuter service that provides significant mobility options to Americans.

The rail system in the U.S. should be modernized and renewed to ~~ensure~~ supply:

1. Freight movement that delivers goods, supports economic activity, operates safely and efficiently and works with cities towns and villages to reduce noise, blockages, emergency service disruptions and other impacts.
2. Long-distance inter-city passenger rail service traveling at least daily between myriad city pairs that is safe and convenient, is a proven economic catalyst for cities and regions, widens access to regional employment, education and medical care and opens the flow of tourist revenue for the communities it serves.
3. Regional and commuter rail service that travels frequently between city centers, outer suburbs, and commuter towns connecting people to jobs, educational opportunities, medical facilities, and centers of art and tourism, unlocking opportunities and aiding city towns and villages work toward equity, quality of life and sustainability.

NLC encourages the ~~federal government~~ USDOT and FRA to prioritize federal investment in rail projects that meet the following principles:

1. *Local input*: accord with the recommendations of local governments to state compacts and state and federal rail plans;
2. *Shared Rail Infrastructure*: use of existing rail infrastructure, introduce improvements to benefit unimpeded freight and passenger traffic on the same corridor;
3. *Service Equity*: introduce or enhance passenger rail service to underserved communities and/or regions unserved with rail transportation options;
4. *Expand Connectivity*: by increasing service, city pairs, and new lines of service in a wider rail network and coordinating with “last mile” transit options;
5. *Reduce GHG Emissions*: shift travel and freight demand to the significantly more energy-efficient option of rail to reduce the percentage of transportation related emissions;
6. *Maintain Existing Network*: encourage projects that keep rail lines functioning by addressing maintenance issues as well as environmental erosion and other risks.

B. Passenger Rail Planning

NLC—believes—substantive engagement of local communities in passenger rail planning—is—essential to achieving a national network that meets the needs of the American people.—NLC urges ~~Congress and the Administration~~ the federal government to develop a long-range vision and plans for a coordinated national network of—long-distance—and—state supported—passenger rail service—serving growth in America’s regions and providing ~~service~~ connectivity to underserved areas. Plans should draw on state and intra-state rail plans and prioritization.

D. Rail Safety

American deaths and serious injuries by rail have plateaued despite efforts by FRA and railroad operators. NLC calls on FRA and the Surface Transportation Board to continue to regulate safety

using existing structures and legal options to follow through on modern safety practices and using policy tools, including incentives and penalties.

NLC urges the FRA to redouble its attention to the safety and mobility challenges that result from capital and operational decisions such as the running of longer trains. The FRA should conduct a study including local impact data from rail. The federal government require rail operators to introduce ~~state-of-the-art~~ technology solutions where train length and/or frequency impair the safety, mobility and/or pedestrian connectivity of communities on the project corridor.

NLC urges Congress to review the following rail safety issues:

1. *Local Access*: Requirements to close multiple rail crossings to receive agreement for support on isolated new investments in safe overpasses, underpasses, pedestrian bridges is unnecessary and unsafe;
2. *Blocked Crossings*: The increasing length of freight trains poses a safety hazard to communities which lack grade separations for emergency responders and other vehicular traffic, and safety standards should be established for the maximum length of time and reoccurrence of blocked crossing with appropriate consequences for failure;
3. *Technology for Prevention*: NLC supports the continued implementation of rail safety systems, such as positive train control (PTC) systems, to ensure safety on passenger rail lines to limit injuries and derailments;
4. *Communication*: NLC urges the federal government to direct the FRA to establish direct and transparent channels of communication between host railroads, operators and local governments through which to address safety issues and incidents and pursue productive collaboration between railroads and operators as needed to reduce conflicts, as well as deaths and fatalities related to rail lines. For example, local first responders must have clarity on the train consist when responding to an emergency derailments especially with toxic substances. -
5. *Maintenance*: Lack of railroad maintenance jeopardizes safety. The closure of poorly maintained crossings, rail cars and infrastructure cause congestion on remaining crossings and derailments putting operators and passengers of motor vehicles at a greater risk;
6. *Hazardous goods*: The proximity, switching and storage of railroad cars containing volatile and hazardous materials in and through urban and residential neighborhoods;
7. *Crew size*: The hazard of reduced crews undermines the safe and efficient movement of trains and puts local first responders in unsafe situations during rail incidents and accidents.

F. Rail Operations and Maintenance

Continued maintenance is the individual responsibility of the rail owner. NLC urges the federal government to review and update rail track and car standards for dual freight and intercity passenger rail uses through appropriate rail improvements and clarify responsibility and funding mechanisms for dual use tracks. Congress and the public and private sectors must cooperate to provide for the efficient movement of freight and passengers, especially with regards to the management, relocation of rail lines, sidings, and increased rail traffic within metropolitan areas, to maximize benefits while reducing safety hazard and disruptions to municipal functions.

Proposed TIS Resolutions

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 2023 resolutions that originated in the TIS Committee to determine recommendations for 2024. 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 2023 at City Summit with recommendations for 2024 are:

Resolution	TIS Committee Recommendation
NLC RESOLUTION 2023-34: Cities, Towns, and Villages Call on Congress to Advance Federal-Local Partnership on Infrastructure	Renew with edits
NLC RESOLUTION 2023-35: America's Communities Call for Advancing Safe Streets and Roads for All to Reach Zero Road Deaths in the U.S.	Expire - Incorporate into policy

NLC RESOLUTION 2023-34

**CITIES, TOWNS, AND VILLAGES CALL ON CONGRESS TO PARTNER WITH
LOCAL GOVERNMENTS ON INFRASTRUCTURE REBUILDING FOR NATIONAL
RESULTS**
~~**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 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 mileage¹ 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;² and

WHEREAS, America's \$2.5 trillion infrastructure funding gap³ 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 while being responsive and nimble to welcome innovative opportunities; 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 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 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.

~~**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 mileage⁴ 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;⁵ and~~

~~**WHEREAS**, America’s \$2.5 trillion infrastructure funding gap⁶ 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 while being responsive and nimble to welcome innovative opportunities; 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 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 IIA; 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' IIA 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~~

191
192 ~~**BE IT FURTHER RESOLVED** that America's local governments continue to urge USDOT and~~
193 ~~states to embrace both traditional and emerging transportation modes including regional and~~
194 ~~intercity rail connections, safe biking and walking infrastructure, transit and micromobility of all~~
195 ~~forms including autonomous vehicles, modern buses, scooters and e bikes; and~~
196
197 ~~**BE IT FURTHER RESOLVED** that local governments support the active participation and role~~
198 ~~of oversight bodies, like the Surface Transportation Board, which can improve the safety and~~
199 ~~competitiveness of the nation's core transportation networks and must be respected; and~~
200
201 ~~**BE IT FURTHER RESOLVED** that NLC supports continuing to move toward an outcome-~~
202 ~~based transportation structure where the goals of the programs align with each region's goals for~~
203 ~~economic development, sustainability, safety, innovation, equity, and regional connectivity which~~
204 ~~serve America's residents and economic vitality.~~

NLC RESOLUTION 2023-35

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

TIS Committee Recommendation: Expire – Incorporate into policy

~~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

Proposed PSCP 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:

- **6.02 Public Safety**
 - E. Mental Health and Public Safety
 - 3. 988 Suicide & Crisis Lifeline (Incorporate from PSCP Resolution)

6.02 Public Safety

E. Mental Health and Public Safety

3. 988 Suicide & Crisis Lifeline

The 988 Lifeline is essential for connecting those in crisis with trained counselors to address mental health and suicide-related needs in our communities. However, NLC is deeply concerned about the current lack of federal and state funding to rapidly expand crisis care services, especially in areas with racial, and economic disparities, and underserved rural regions.

To address this funding gap and strengthen crisis response capabilities, NLC urges Congress to provide sustained, direct federal support to local governments. This support will help them quickly enhance their crisis care systems, ensuring residents in marginalized communities and rural areas receive prompt assistance when calling the 988 Suicide & Crisis Lifeline. Furthermore, Congress should allocate direct funding to local governments to establish crisis intervention teams, co-responders, and unarmed behavioral health response programs within their communities. These measures will empower local authorities to offer comprehensive aid to individuals in crisis, effectively addressing mental health emergencies and promoting the well-being of our citizens.

Proposed PSCP Resolutions

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 2023 resolutions that originated in the [Committee Abbr.] Committee to determine recommendations for 2024. 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 2023 at City Summit with recommendations for 2024 are:

Resolution	PSCP Committee Recommendation
NLC RESOLUTION 2023-36: In Support of Federal Efforts to Recruit and Retain A Diverse Public Safety Workforce	Renew with edits
NLC RESOLUTION 2023-37: Urging the Federal Government to Provide Direct Funding and Assistance to Cities, Towns, And Villages to Support Violence Prevention Programs	Renew with edits
NLC RESOLUTION 2023-38: Local Governments Need Direct and Sustainable Federal Funding to Help Residents Who Call The 988 Suicide & Crisis Lifeline in Times Of Crisis	Expire - incorporate into policy
NLC RESOLUTION 2023-39: In Support of Federal, State and Local Efforts to Stop the Illegal Trafficking of Fentanyl	Expire - Adopt a new resolution
NEW PSCP RESOLUTION 1: On Transforming the Nation's 9-1-1 System for Enhanced Crisis Response And Support	Adopt
NEW PSCP RESOLUTION 2: On Enhancing Public Safety Unmanned Aircraft Systems (UAS) Operations Beyond Visual Line of Sight (BVLOS) And Multiple UAS Deployment	Adopt
NEW PSCP RESOLUTION 3: Urging Federal Investment in Safe and Effective Counter UAS Technologies	Adopt
NEW PSCP RESOLUTION 4: Urging the Federal Government to Support Local Government Efforts to Prevent and Respond to Mass Shootings	Adopt
NEW PSCP RESOLUTION 5: Support of Comprehensive Substance Use Disorder Solutions, Additional Resources for Law Enforcement, and Combating Fentanyl Trafficking	Adopt

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**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 expertise, technical and financial support to local governments and public safety training facilities to recruit, train and retain a more racially and gender diverse public safety workforce.
- Provide additional funding for local governments to hire recruiters to help recruit a diverse municipal public safety workforce.
- 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.

- Enact the Homes for Every Local Protector, Educator, and Responder (HELPER) Act, aimed at offering advantageous mortgage terms and conditions to eligible first responders, encompassing law enforcement officers, firefighters, paramedics, and emergency medical technicians (EMTs). This legislation aims to enhance the support local governments provide to their first responders and incentivize qualified individuals to purchase affordable housing and pursue a career in public safety.

1 NLC RESOLUTION 2023-37

2
3 **URGING THE FEDERAL GOVERNMENT TO PROVIDE DIRECT FUNDING AND**
4 **ASSISTANCE TO CITIES, TOWNS, AND VILLAGES TO SUPPORT VIOLENCE**
5 **PREVENTION PROGRAMS**
6

7 **PSCP Committee Recommendation:** Renew with edits
8

9 **WHEREAS,** the rise in violent crime, including gun violence, in communities across the country
10 is putting a considerable strain on local government resources; and
11

12 **WHEREAS,** local governments have leveraged federal funding through the American Rescue
13 Plan Act, and other federal grant programs, but the needs of local governments when addressing
14 violent crime are not met by these funds; and
15

16 **WHEREAS,** the residents in cities, towns, and villages believe local elected officials have the
17 primary responsibility to deal with the violence in their communities; and
18

19 **WHEREAS,** local leaders are looking at recruiting, hiring, training, and retaining a municipal
20 public safety workforce that is bigger than just law enforcement officers, firefighters, and
21 emergency medical services to address the rise in violent crime; and
22

23 **WHEREAS,** local leaders recognize the importance of coordinated mental health services in
24 violence prevention, taking on greater responsibility in providing behavioral health services to all
25 their residents experiencing economic, social, mental health, and substance abuse crises, but are
26 restricted by the lack of sufficient funds made available to cities, towns, and villages for this
27 purpose; and
28

29 **WHEREAS,** municipal governments have little or no control over the adjudication of those
30 committing acts of violence and rely on federal, state, and county criminal courts to ensure that
31 they are adequately charged and processed. However, these courts are experiencing
32 unprecedented backlogs that are causing those who are committing acts of violence to be
33 processed through the system slowly and at times released to the community; and
34

35 **WHEREAS,** local government officials cannot rely solely on policing data to get a
36 comprehensive picture of what factors are causing the rise in violence in their communities; and
37

38 **WHEREAS,** the partisan and divisive national political debate over the causes of violence in
39 cities is making it harder for local officials to effectively communicate to their residents on how
40 they are addressing the violence; and
41

42 **WHEREAS,** relaxed state and federal gun laws are increasing the illegal trafficking of guns to
43 criminals in cities.
44

45 **NOW THEREFORE BE IT RESOLVED,** the National League of Cities (NLC) urges
46 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.~~ [Moved to New Resolution on Mass Shootings]

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PSCP Committee Recommendation: Expire - Incorporate into Policy, NMP Section 6.02.E.
Mental Health and Public Safety

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

46 quickly expand crisis care systems to help racially and economically disadvantaged communities
47 and rural cities, towns, and villages;
48

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

NLC RESOLUTION 2023-39

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

PSCP Committee Recommendation: Expire

~~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~~

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

49 ~~WHEREAS, fake counterfeit pills are easily accessible and often sold on social media and e-~~
50 ~~commerce platforms, making them accessible to teens and youth; and~~
51

52 ~~WHEREAS, illicit fentanyl is involved in more deaths of youths than all other drug types~~
53 ~~combined; and~~
54

55 ~~WHEREAS, in 2020, drug overdose and poisoning deaths for individuals aged 14 to 18 grew by~~
56 ~~94 percent, which was more than 3 times as fast as the national rate and faster than any other 5-~~
57 ~~year age group; and~~
58

59 ~~WHEREAS, in 2020, fentanyl involvement in drug overdose and poisoning deaths for~~
60 ~~individuals aged 14 to 18 grew by 169 percent, which was more than 3 times as fast as the~~
61 ~~national rate and faster than any other 5-year age group; and~~
62

63 ~~WHEREAS, in 2020, there were 56,516 reported overdose deaths due to synthetic opioids.~~
64

65 ~~NOW, THEREFORE, BE IT RESOLVED, NLC calls on Congress to provide federal, state~~
66 ~~and local law enforcement additional resources and technical assistance needed to address the~~
67 ~~substance addiction crisis in America's cities, towns and villages.~~

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NEW PSCP RESOLUTION 1

**ON TRANSFORMING THE NATION'S 9-1-1 SYSTEM FOR ENHANCED CRISIS
RESPONSE AND SUPPORT SERVICES**

PSCP Committee Recommendation: Adopt

WHEREAS, the current 9-1-1 emergency response system plays a critical role in addressing a wide range of emergencies and crises; and

WHEREAS, the estimated proportion of mental health, substance abuse, and other behavioral health-related 9-1-1 calls stands at approximately 20 percent; however, this figure may be substantially underreported due to the misclassification of these calls as disturbances or other incidents to necessitate a law enforcement response; and

WHEREAS, the existing 9-1-1 system often relies on law enforcement as the default response to such calls, which may not always be the most appropriate or effective solution for individuals experiencing mental health crises; and

WHEREAS, police responses to mental health, substance abuse, and other behavioral health-related emergencies can lead to unintended consequences, such as arrests and confrontations, which can exacerbate the distress and vulnerability of individuals in crisis; and

WHEREAS, the current system's reliance on law enforcement intervention fails to address the specific needs of individuals experiencing mental health crises, thereby hindering the potential for positive outcomes; and

WHEREAS, there is a growing recognition of the need for specialized crisis response teams to address situations involving mental health crises, substance abuse, homelessness, and other non-violent emergencies; and

WHEREAS, individuals experiencing mental health crises and related challenges often require a more empathetic and supportive approach that involves mental health professionals, rather than traditional law enforcement responses; and

WHEREAS, equipping public safety answering points (PSAP) with professionals trained in mental health crises will enable them to recognize and appropriately respond to the nuances of mental health crises, fostering more compassionate and informed interventions; and

WHEREAS, community-based resources, such as mental health clinics, crisis centers, and social services organizations, can play a vital role in providing ongoing support to individuals in crisis, helping to prevent escalation and improve outcomes; and

WHEREAS, coordination between emergency services and community-based resources can lead to more holistic and comprehensive responses that address the underlying causes of crises and better connect individuals with the appropriate support networks; and

47
48 WHEREAS, local governments have begun implementing programs and initiatives aimed at
49 enhancing crisis response through specialized teams, mental health training, and coordination
50 with community resources; and

51
52 WHEREAS, these local efforts require additional federal support and resources to be fully
53 effective and scalable.

54
55 NOW, THEREFORE, BE IT RESOLVED, the National League of Cities (NLC) recognizes
56 the urgent need for a comprehensive transformation of the 9-1-1 system to address the needs of
57 individuals experiencing mental health crises and behavioral health challenges and the
58 importance of establishing and supporting specialized crisis response teams within local
59 communities to respond to non-violent emergencies, such as mental health crises, substance
60 abuse incidents, and homelessness.

61
62 BE IT FURTHER RESOLVED, NLC calls on the federal government to:

- 63
- 64 • Allocate funding and resources to enhance mental health training programs for 9-1-1 call
65 takers, dispatchers, and first responders, ensuring that they are equipped with the skills to
66 de-escalate situations, communicate effectively, and provide appropriate support.
 - 67 • Provide financial support and technical assistance to local governments seeking to
68 implement and expand specialized crisis response teams, mental health training
69 programs, and coordination efforts with community-based resources.
 - 70 • Facilitate and incentivize coordination between emergency services and community-
71 based resources, including mental health clinics, crisis centers, social services agencies,
72 and non-profit organizations, to ensure a seamless continuum of care for individuals in
73 crisis.
 - 74 • Collaborate with local governments to develop inclusive policies, practices, and training
75 programs within the 9-1-1 system that ensure everyone has equitable access to the
76 appropriate emergency services.

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NEW PSCP RESOLUTION 2

**ON ENHANCING PUBLIC SAFETY UNMANNED AIRCRAFT SYSTEMS (UAS)
OPERATIONS BEYOND VISUAL LINE OF SIGHT (BVLOS) AND MULTIPLE UAS
DEPLOYMENT**

PSCP Committee Recommendation: Adopt

WHEREAS, public safety agencies are increasingly relying on unmanned aircraft systems (UAS) for efficient emergency response, search and rescue missions, disaster assessment, and other critical operations; and

WHEREAS, the ability to operate UAS beyond visual line of sight (BVLOS) would significantly enhance the effectiveness of public safety agencies in responding to emergencies and conducting operations over large areas; and

WHEREAS, to support public UAS operators acting in an active first responder capacity, the FAA may approve “First Responder Tactical Beyond Visual Line of Sight” (TBVLOS) waivers to 14 CFR 91.113(b), the 1,500 foot distance limitations on the waiver may be too restrictive; and

WHEREAS, advancements in UAS technology, including reliable communication systems, sense-and-avoid capabilities, and remote piloting systems, have made BVLOS operations safer and more feasible; and

WHEREAS, existing regulations presently confine operators to the management of a single UAS per flight, necessitating public safety agencies to employ numerous operators for the simultaneous control of multiple UAS; and

WHEREAS, technological advancements enable public safety operators to command more than one UAS within a single flight effectively; and

WHEREAS, granting permission for public safety operators to manage multiple UAS during emergency incidents would significantly bolster their capacity for situational awareness, response effectiveness, and operational efficiency; and

WHEREAS, local governments have a paramount responsibility to protect their communities, residents, and businesses from various threats, including natural disasters, hazardous incidents, and public safety emergencies; and

WHEREAS, UAS technology has proven to be an invaluable asset for local governments in disaster response, recovery, and overall public safety management; providing real-time aerial surveillance, rapid situational assessment, and data collection capabilities that aid decision-making and resource allocation; and

45 **WHEREAS, BVLOS operations would empower local governments to extend the reach of UAS**
46 **surveillance and response, allowing them to efficiently cover vast areas, navigate challenging**
47 **terrains, and access remote locations that may be inaccessible through conventional means; and**
48

49 **WHEREAS, the deployment of multiple UAS during emergency incidents enables local**
50 **governments to gather diverse streams of information, assess evolving situations from multiple**
51 **perspectives, and facilitate seamless communication among response teams; and**
52

53 **WHEREAS, the use of UAS by public safety agencies must prioritize the protection of the**
54 **privacy rights of local residents and businesses, ensuring that surveillance and data collection**
55 **activities are conducted in compliance with applicable laws and regulations; and**
56

57 **WHEREAS, transparency requirements regarding the usage of UAS are essential to maintain**
58 **the public's trust and confidence, and to provide a clear understanding of how UAS are utilized**
59 **for public safety purposes; and**
60

61 **WHEREAS, the U.S. Department of Justice (DOJ) has a unique role in ensuring law**
62 **enforcement and public safety agencies in adhering to legal and ethical standards, including**
63 **privacy protections and transparency.**
64

65 **NOW, THEREFORE, BE IT RESOLVED, that the Federal Aviation Administration (FAA) is**
66 **urged to take the following actions to enhance public safety UAS operations:**

- 67 • The FAA is urged to establish clear and reasonable guidelines, standards, and procedures
68 that enable qualified public safety agencies to conduct UAS operations beyond visual line
69 of sight. This should include requirements for advanced communication systems,
70 collision avoidance technology, remote piloting expertise, and comprehensive risk
71 assessment strategies.
- 72 • The FAA is urged to permit public safety agencies to operate multiple UAS
73 simultaneously during emergency incidents, provided that these agencies adhere to
74 established safety protocols and demonstrate the ability to manage such operations
75 effectively. This capability will allow for enhanced coverage, data collection, and
76 coordination during critical situations.
- 77 • The FAA is encouraged to collaborate with public safety agencies to develop specialized
78 training and certification programs that equip UAS operators with the necessary skills to
79 conduct BVLOS operations and manage multiple UAS deployments safely. These
80 programs should focus on communication protocols, emergency procedures, and the
81 integration of new technologies.
- 82 • The FAA should review and potentially revise the distance limitations on the “First
83 Responder Tactical BVLOS” (TBVLOS) waivers to 14 CFR 91.113(b) to ensure that they
84 provide sufficient flexibility for first responder UAS operations in active emergency
85 scenarios.
- 86 • The FAA should foster collaboration between public safety agencies and UAS
87 manufacturers, technology developers, and airspace stakeholders to ensure the continuous
88 improvement of BVLOS capabilities, safety standards, privacy protections, waiver
89 flexibility, and transparency efforts. Additionally, the FAA should promote the sharing of
90 best practices and lessons learned among public safety agencies.

91
92 **BE IT FURTHER RESOLVED**, that the Department of Justice (DOJ) is urged to take the
93 following actions for privacy protections and transparency of public safety UAS operations:

- 94 • In collaboration with local governments, the DOJ should develop standard guidelines
95 local governments can implement to ensure their public safety UAS operations respect
96 residents' privacy rights.
- 97 • The DOJ should develop standard practices public safety agencies can implement to
98 maintain transparent records of UAS usage, outlining how UAS are deployed, the
99 purpose of each mission, and the data collected.

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NEW PSCP RESOLUTION 3

**URGING FEDERAL INVESTMENT IN SAFE AND EFFECTIVE COUNTER UAS
TECHNOLOGIES**

PSCP Committee Recommendation: Adopt

WHEREAS, the increasing prevalence of unmanned aerial systems (UAS) and drones has led to numerous safety and security concerns, including potential misuse by criminal organizations and terrorists; and

WHEREAS, the irresponsible operation of drones and their potential use for illegal activities such as drug smuggling, contraband delivery, and industrial espionage pose serious threats to public safety, security, and critical infrastructure; and

WHEREAS, the Federal Bureau of Investigation (FBI) has issued warnings about the rising risk of domestic drone attacks targeting critical infrastructure, landmarks, and mass gatherings; and

WHEREAS, local governments play a pivotal role in ensuring public safety and protecting their communities from emerging threats; and

WHEREAS, the development of counter-UAS or drone detection and mitigation technologies is crucial to addressing these evolving security challenges; and

WHEREAS, any counter-UAS solutions must adhere to certain criteria to ensure effectiveness, safety, and compatibility with existing communication systems; and

WHEREAS, it is essential to balance the deployment of counter-UAS technologies with the protection of public safety communication systems, cellular services, and the prevention of collateral damage; and

WHEREAS, the ability to deploy counter-UAS technologies swiftly and at an affordable cost is of utmost importance to local governments; and

WHEREAS, the establishment of geo-fences to prevent UAS systems from entering restricted areas is a valuable tool for maintaining security.

NOW, THEREFORE, BE IT RESOLVED, the National League of Cities (NLC) acknowledges the seriousness of incidents involving UAS in unlawful activities such as drug trafficking and the potential for domestic drone attacks on critical infrastructure facilities, landmarks, and high-profile mass gatherings, and we urge the Federal Government to invest in the research, development, and deployment of counter-UAS technologies that meet the following criteria:

- Non-interference: Counter UAS technologies must not interfere with or jam public safety communications systems, ensuring that emergency responders can effectively communicate during critical situations.

- Cellular Services: The development of counter-UAS solutions should not disrupt cellular services, thereby preserving the ability of residents to use their cellular devices to call for help.
- Mitigation of Damage: Counter-UAS technologies should be designed to limit potential damage from errant projectiles or falling drones to ensure the safety of bystanders and property.
- Rapid Deployment: The developed technologies should be quickly and easily deployed by local governments to address emerging threats promptly.
- Affordability: The federal government should prioritize the affordability of counter-UAS technologies, enabling local governments with varying resources to access and implement these solutions.
- Geo-fencing: Personal and commercial UAS technologies should allow local governments to establish geo-fences, thereby preventing UAS systems from entering restricted or sensitive areas.

BE IT FURTHER RESOLVED, NLC calls upon the federal government to collaborate with industry experts, law enforcement agencies, technology developers, and local governments to ensure the timely development and implementation of effective, safe, and responsible counter-UAS technologies.

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NEW PSCP RESOLUTION 4

**URGING THE FEDERAL GOVERNMENT TO SUPPORT LOCAL GOVERNMENT
EFFORTS TO PREVENT AND RESPOND TO MASS SHOOTINGS**

PSCP Committee Recommendation: Adopt

WHEREAS, the safety and security of our nation's communities are of paramount importance to the National League of Cities and its member municipalities; and

WHEREAS, mass shootings continue to pose a recurring and alarming threat to our cities and towns, resulting in immeasurable loss of life, physical and emotional trauma, and a profound impact on our social fabric; and

WHEREAS, local governments are on the front lines of preventing and responding to mass shootings, requiring comprehensive strategies and resources to address this issue effectively; and

WHEREAS, addressing the multifaceted challenges posed by mass shootings requires comprehensive and collaborative action at all levels of government to effectively prevent, respond to, and recover from such incidents; and

WHEREAS, it is imperative that our society takes a comprehensive approach to address mass shootings, encompassing prevention, response, recovery, and support for victims and survivors; and

WHEREAS, strengthening background checks, enhancing mental health initiatives, improving coordination and information sharing, increasing funding for community policing, and implementing comprehensive emergency response planning are key measures to prevent and respond to mass shootings; and

WHEREAS, victim and survivor support, research, data collection, and public awareness and education campaigns are essential components of addressing the multifaceted aspects of mass shootings; and

WHEREAS, the potential obstacles to the submission of mental health records to the National Instant Criminal Background Check System (NICS) reporting, as stipulated by the Health Insurance Portability and Accountability Act (HIPAA), should be evaluated and potentially amended to ensure effective information sharing.

NOW, THEREFORE, BE IT RESOLVED, the National League of Cities (NLC) calls on the federal government to:

- Recognize the urgent need for comprehensive action to provide substantial and sustained support to local governments in their efforts to prevent, respond to, and recover from mass shootings.
- Strengthen background checks, improve coordination and information sharing among law enforcement agencies, enhance mental health initiatives, increase funding for community

47 policing, and the development of comprehensive emergency response plans to mitigate
48 the risk and impact of mass shootings.

- 49 • Provide assistance to local governments in their endeavors to enhance victim and
50 survivor support, conduct research, gather data, and launch public awareness and
51 education campaigns.

52
53 **BE IT FURTHER RESOLVED, NLC urges Congress to:**

- 54 • Amend the Health Insurance Portability and Accountability Act (HIPAA) to remove any
55 obstacles to the submission of mental health records to the National Instant Criminal
56 Background Check System (NICS) reporting, ensuring effective sharing of relevant
57 information such as individual's current mental health diagnosis, risk assessments,
58 adjudication records, history of violent behavior or threats, and pertinent demographic
59 information to enhance the accuracy and effectiveness of background checks for firearm
60 purchases.
- 61 • Provide increased funding for mental health initiatives, recognizing that effective mental
62 health services and support can play a critical role in preventing individuals from
63 resorting to violence.
- 64 • Provide increased funding in the annual federal budget to help federal, state, and local
65 law enforcement agencies stop the illegal trafficking of guns and weapons into cities,
66 hold straw purchasers criminally liable, and permanently shut down “bad apple” gun
67 dealers.

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NEW PSCP RESOLUTION 5

**SUPPORT OF COMPREHENSIVE SUBSTANCE USE DISORDER SOLUTIONS,
ADDITIONAL RESOURCES FOR LAW ENFORCEMENT, AND COMBATING
FENTANYL AND XYLAZINE TRAFFICKING**

PSCP Committee Recommendation: Adopt

WHEREAS, the NLC recognizes the pressing need to address the ongoing challenges posed by substance use disorder within our communities; and

WHEREAS, the NLC acknowledges the importance of supporting programs that provide access to essential treatment, prevention, and recovery support services; and

WHEREAS, addressing the issue of dangerous substances, often found in illicit opioids and other drugs, remains a priority for our communities; and

WHEREAS, it is vital to eliminate unnecessary barriers to treatment for vulnerable populations and promote sustained access to medication-assisted treatment for those in need; and

WHEREAS, the NLC recognizes the significance of long-term recovery services, including workforce training and peer support services, in facilitating individuals' journey towards recovery; and

WHEREAS, resources and support are needed to assist communities significantly impacted by the overdose epidemic; and

WHEREAS, addressing the substance addiction crisis also requires the active involvement of law enforcement agencies at the federal, state, and local levels; and

WHEREAS, the trafficking of fentanyl, a potent synthetic opioid, poses a severe threat to public health and safety in cities, towns, and villages across the nation;

WHEREAS, Xylazine, an animal tranquilizer that has increasingly been found in illicit opioids and other drugs, and does not respond to overdose reversal medications, making overdoses involving Xylazine more fatal.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities fully supports comprehensive solutions to address substance use disorder in our communities; and

BE IT FURTHER RESOLVED that NLC will actively advocate for the following principles to guide these efforts:

- Allocation of resources and funding mechanisms that ensure local governments receive the necessary support to effectively combat substance use disorder at the community level;

- Integration of technical assistance into substance use disorder programs to guarantee that all communities, regardless of their size or resources, can establish and maintain essential services; and
- Maintenance of flexibility within funding mechanisms to empower cities, towns, and villages to address a wide range of substances impacting their communities according to their unique needs.

BE IT FURTHER RESOLVED that the National League of Cities calls on Congress to provide federal, state, and local law enforcement with the additional resources and technical assistance needed to address the substance addiction crisis in America's cities, towns, and villages; and

BE IT FURTHER RESOLVED that the NLC recognizes the urgent need to provide support to local governments to help stop the trafficking of fentanyl into cities, towns, and villages, thereby safeguarding the well-being of our residents and communities.

BE IT FURTHER RESOLVED NLC supports appropriately scheduling Xylazine under the Controlled Substances Act to aid law enforcement in keeping this dangerous substance off the streets.

BE IT FURTHER RESOLVED that NLC will continue to collaborate with federal, state, and local stakeholders to comprehensively address substance use disorder, prioritize the well-being of our residents, and promote healthier, more vibrant communities.

BE IT FURTHER RESOLVED that NLC supports legislation that would restart benefits for Medicaid-eligible incarcerated individuals 30 days prior to their release, with the following objectives:

- Facilitating Access to Addiction Treatment and Services: By allowing for the provision of effective addiction treatment and services, addressing substance abuse issues and promoting healthier reintegration into society.
- Reducing the Risk of Overdose Deaths: By ensuring access to essential healthcare services, including addiction treatment, before and after release, we aim to reduce the risk of overdose deaths among formerly incarcerated individuals and promote their long-term wellbeing.
- Maintaining Medicaid and CHIP Eligibility: Facilitating a smooth transition back into the community for individuals who are already eligible, thereby enhancing their access to essential healthcare services.

Proposed Policy Amendments and Resolutions of the

Information Technology and Communications Committee

ITC

Proposed ITC 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 7.02 – Public Safety**
 - E. Emergency Notices
 - F. Next Generation 9-1-1
- **Section 7.04 – Consumer Protection**
 - G. Emerging Technologies

Section 7.02 Public Safety

E. Emergency Notices

The federal government must ensure that homes and businesses have access to the same emergency information as is offered by the Emergency Alert System, without regard to which communications technology is used to serve a location. The federal government must also preserve access to AM radio, including provision of AM radio as a standard safety feature of new vehicles. AM radio stations serve a critical purpose of transmitting emergency and safety information across long distances, through power outages or natural disasters, without requiring an opt-in from residents or the possession of a functional landline or mobile phone.

F. Next Generation 9-1-1

NLC urges the federal government to ensure that all communities have timely access to Next Generation 9-1-1 technologies, which allow public safety answering centers, first responders and residents to share text, photo, and video information for safer, timelier emergency response. Congress and the Administration should dedicate additional ongoing grant funding and technical assistance to ensure all communities can upgrade to modern 9-1-1 technologies. (See related policy under PSCP section 6.02(C) Public Safety Technology and Intelligence.)

Section 7.04 Consumer Protection

G. Emerging Technologies

The rapid evolution of technology, such as the development of blockchain, digital currency, artificial intelligence 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 manage 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.)*

Proposed ITC Resolutions

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 2023 resolutions that originated in the ITC Committee to determine recommendations for 2024. 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 2023 at City Summit with recommendations for 2024 are:

Resolution	ITC Committee Recommendation
NLC RESOLUTION 2023-40: Local Government Support of Community/Municipal Broadband Networks	Renew with edits
NLC RESOLUTION 2023-41: Federal Investment in Broadband Access: A Call for Universal Availability, Affordability and World-Class Quality	Renew with edits
NLC RESOLUTION 2023-42: Local Government Support for Fairness and Truth in Advertising for Internet Service Providers	Expire – Incorporated into policy
NLC RESOLUTION 2023-43: Preserving Local Control of Broadband Infrastructure Siting	Renew with edits
NLC RESOLUTION 2023-44: Calling for Updated Federal Safety Standards for Radiofrequency Emissions of Wireless Facilities	Renew with edits
NLC RESOLUTION 2023-45: In Support of Municipal Data Ownership and Protection	Renew with edits
NLC RESOLUTION 2023-46: In Support of Digital Equity for American Communities	Renew with edits
NEW ITC RESOLUTION 1: Local Principles for the Governance of Generative Artificial Intelligence	Adopt
NEW ITC RESOLUTION 2: Local Principles for Modernization of the Universal Service Fund	Adopt

1 **NLC RESOLUTION 2023-40**

2
3 **LOCAL GOVERNMENT SUPPORT OF COMMUNITY/MUNICIPAL**
4 **BROADBAND NETWORKS**

5
6 **ITC Committee Recommendation:** Renew with edits

7
8 **WHEREAS**, the universal availability of affordable broadband access for all citizens has been
9 identified as a national priority; and

10
11 **WHEREAS**, community/municipal broadband networks are an essential option for education,
12 healthcare, market competition, consumer choice, economic development, and universal,
13 affordable Internet access nationwide; and

14
15 **WHEREAS**, historically, local governments have ensured access to essential services and
16 utilities by banding together to provide those services and utilities that were not offered by the
17 private sector at a reasonable and competitive cost. This involvement has included electrification,
18 public libraries, and other important public needs; and

19
20 **WHEREAS**, local governments may be able to build and operate broadband infrastructure to
21 serve the public interest; and

22
23 **WHEREAS**, according to the Federal Communications Commission, most American homes
24 only have two options of Internet service providers for basic broadband and for faster speeds, a
25 majority of households only have one choice, or none at all¹; and

26
27 **WHEREAS**, publicly owned broadband infrastructure, including open-access and conduit
28 networks, has served an important role in increasing broadband market competition among
29 private providers by reducing the cost of entry to those communities, particularly for smaller
30 broadband providers; and

31
32 **WHEREAS**, the economic health of municipalities depends on public and private investment to
33 connect their communities; and

34
35 **WHEREAS**, municipal governments consider broadband to be a critical form of infrastructure,
36 and more than 900 communities have therefore made significant investments in publicly-owned
37 broadband infrastructure²; and

38
39 **WHEREAS**, attempts continue to be made to limit or stop further local government deployment
40 of municipal broadband services, which has the potential of reducing the ability of local

¹ [Federal Communications Commission, Internet Access Services: Status as of June 30, 2019, March 2022.](#)

² [Institute for Local Self-Reliance, "Community Network Map," September 2021.](#)

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 barriers³; 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 Internet⁴; 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-

³ National League of Cities, "Removing Barriers to Expanding Broadband in American Communities," June 27, 2023. National League of Cities, "City Rights in an Era of Preemption: A State-by-State Analysis," April 2, 2018.

⁴ Consumer Reports, "Broadband: A Nationally Representative Multi-Mode Survey," July 2021.

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. 2552/S. 1197) 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.

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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 Report⁵ that 14.5 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 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 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

⁵ Federal Communications Commission, Fourteenth Broadband Deployment Report, January 13, 2021.

46
47 **WHEREAS**, the availability and adoption of quality, affordable broadband service can vary
48 dramatically from one neighborhood to another and between single family and multifamily
49 homes, even in heavily populated urban areas, and a substantial number of individuals in poor
50 and rural communities have limited Internet access and where broadband access is limited,
51 citizens have limited access to information, education and tools for economic independence⁶;
52 and
53

54 **WHEREAS**, 15% of households with children in school currently lack a broadband connection,
55 while the majority of teachers assign homework that requires broadband, and roughly a quarter
56 reported challenges accessing broadband at home to complete schoolwork, or were forced to use
57 a cellphone to do schoolwork during the COVID-19 pandemic⁷ leaving millions of students
58 behind in modern education; and
59

60 **WHEREAS**, current availability and adoption is insufficient to meet present and future needs.
61

62 **NOW, THEREFORE, BE IT RESOLVED** that NLC asks the federal government to recognize
63 and work through public-private partnerships, municipal broadband providers and municipalities
64 to achieve the goals of equitable broadband access by providing:

- 65 • Affordable and competitively priced broadband access; and
- 66 • Appropriate standards for symmetrical broadband speed, reliability, and connectivity that
67 allow America to compete in the global economy and open more opportunities to deliver
68 robust services more economically and universally;
- 69 • Granular, accurate data on broadband availability, affordability, and adoption available to
70 local officials to assist in planning and local investments; and
- 71 ~~• Funding, including federal, state and local dollars, to support digital inclusion programs~~
72 ~~and home broadband adoption throughout the United States.~~

73
74 **BE IT FURTHER RESOLVED** that NLC urges the federal government to include and to
75 incorporate federal investment in broadband in any federal infrastructure proposal, to strengthen
76 the nation's infrastructure network while promoting economic development and social equity in
77 our communities; and
78

79 **BE IT FURTHER RESOLVED** that NLC urges the federal government to continue to
80 incorporate an effective challenge process for local governments to use in the grant application
81 and award process and in general correction of faulty data or discrepancy with the federal
82 broadband maps; and:-
83

84 **BE IT FURTHER RESOLVED** that NLC supports the FCC revisiting the benchmarks for
85 broadband speeds on a more frequent basis because of the evolving nature of technology and the
86 needs of communities for faster and symmetrical speeds; and
87

⁶ [Brookings Metropolitan Policy Program, "Broadband subscriptions are up, but too many households are still disconnected," September 28, 2018.](#)

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 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 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 Community 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

134
135 **BE IT FURTHER RESOLVED** that NLC urges the federal government to take a leadership
136 role in convening together all interested parties, including, but not limited to, all levels of
137 government (local, state, tribal, and federal), consumer organizations, representatives of
138 underserved communities (rural, urban and suburban), all segments of the communications
139 industry interests, representatives of private sector, and not-for-profit sector organizations, to
140 promote ubiquitous symmetrical broadband access.

NLC RESOLUTION 2023-42

LOCAL GOVERNMENT SUPPORT FOR FAIRNESS AND TRUTH IN ADVERTISING
FOR INTERNET SERVICE PROVIDERS

ITC Committee Recommendation: Expire – Incorporated into Policy

~~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 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 Group 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 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” 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 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.—

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ITC Committee Recommendation: Renew with edits

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;³ and

³ [Brief of Local Government Intervenor in Support of Respondents, Sprint Corporation v. Federal Communications Commission \(nos. 19-70123, 19-70124, 19-70125, and 19-70326\).](#)

33 **WHEREAS**, in August 2020, the Ninth Circuit Court decided to largely uphold these
34 preemptive regulations,⁴ and in June 2021 the Supreme Court declined to take up the case,⁵
35 reinforcing the need for Congress to provide an immediate lasting legislative remedy.

36
37 **NOW, THEREFORE, BE IT RESOLVED** that NLC opposes efforts by the FCC and
38 Congress to preempt municipal authority over all broadband infrastructure, wired or wireless,
39 including small cell infrastructure; and

40
41 **BE IT FURTHER RESOLVED** that NLC calls on the FCC and Congress to protect local
42 authority over their rights-of-way, municipal authority to protect neighborhood character and
43 public safety, to require collocation, maintain control of aesthetic and undergrounding
44 requirements, and existing authority to assess fair compensation for private use of public assets,
45 including the rights-of-way and other public lands and facilities, which should not be limited to
46 the cost of maintaining the rights of way; and

47
48 **BE IT FURTHER RESOLVED** that NLC calls on the FCC to overturn its 2018 small cell
49 rulemaking and identify effective collaborative solutions and effective administrative practices
50 for the siting of wireless infrastructure, including increased local representation on advisory
51 committees, instead of implementing a one-size-fits-all preemptive regulatory approach; and

52
53 **BE IT FURTHER RESOLVED** that NLC opposes efforts by the FCC to favor specific
54 technologies through regulation, or adopting regulations that further expand the digital divide by
55 preempting local governance; and

56
57 **BE IT FURTHER RESOLVED** that NLC opposes any efforts by the FCC to implement the
58 digital discrimination prevention provisions of the Infrastructure Investment and Jobs Act in a
59 way that would limit or recommend limiting local authority over infrastructure siting or
60 permitting, or otherwise limit the ability of local governments to exercise local control over
61 franchises or rights of way management, which are critical tools for preventing digital
62 discrimination; and

63
64 **BE IT FURTHER RESOLVED** that NLC supports legislation to overturn the FCC preemption
65 of local authority and affirm the authority of local governments to determine usage of and
66 appropriate fees for usage of local rights-of-way and opposes legislation further limiting local
67 oversight, including the American Broadband Deployment Act of 2023 (H.R. 3557); and

68
69 **BE IT FURTHER RESOLVED** that NLC calls on the FCC to examine all best practices and
70 potential obstacles to expanded broadband deployment and adoption, including obstacles created
71 by federal or industry practices that stymie local and consumer efforts to expand broadband
72 access.

⁴ [City of Portland v. USA, Case No. 18-72689, 9th Cir. 2020.](#)

⁵ [City of Portland v. USA, Case No. 20-1254, Supreme Court of the United States 2021.](#)

1 NLC RESOLUTION 2023-44

2
3 **CALLING FOR UPDATED FEDERAL SAFETY STANDARDS FOR**
4 **RADIOFREQUENCY EMISSIONS OF WIRELESS FACILITIES**

5
6 **ITC Committee Recommendation:** Renew with edits

7
8 **WHEREAS**, increased usage of wireless communications services has resulted in greater
9 deployment of wireless communications facilities in cities; and

10
11 ~~**WHEREAS**, Congress and the Federal Communications Commission (FCC) are considering~~
12 ~~legislation and regulations, respectively, addressing the deployment of small wireless~~
13 ~~communications infrastructure in public rights-of-way; and~~

14
15 **WHEREAS**, states and local governments throughout the United States are preempted by
16 Section 332(c)(7) of the Communications Act of 1934 from taking into consideration the health
17 effects of radio frequency emissions (RF) when regulating the placement of wireless facilities or
18 small wireless facilities with their jurisdictions; and

19
20 **WHEREAS**, Americans have expressed significant concerns with the health effects of RF
21 emissions associated with wireless facilities, particularly small wireless facilities placed in public
22 rights-of-way often in very close proximity to residents' homes, places of work and where they
23 recreate; and

24
25 **WHEREAS**, there is limited public-facing information about the safety and health impacts of
26 RF emissions related to infrastructure, versus emissions from personal devices, making it
27 challenging for local governments to provide residents with timely, relevant information from
28 the federal government in response to their concerns; and

29
30 **WHEREAS**, cities and counties employ methods to avoid providing certain environmental
31 related services near residents with particular sensitivities; and

32
33 **WHEREAS**, the FCC is required by the National Environmental Policy Act of 1969, among
34 other things, to evaluate the effect of emissions from FCC-regulated transmitters on the quality
35 of the human environment; and

36
37 **WHEREAS**, the FCC adopted a proceeding in 2013 to reassess RF exposure limits;¹ and closed
38 this docket in 2019, reaffirming the safety of personal RF-emitting devices such as cell phones,
39 but declining to address the safety of small wireless infrastructure or to provide local

¹ [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 of Inquiry, ET Docket 13-84 \(rel. March 29, 2013\).](#)

40 governments with updated resources and guidance on assessing the safety of small wireless
41 structures in their communities or addressing the rising tide of questions and concerns from
42 residents about their safety;² and

43
44 **WHEREAS**, numerous states, local governments and tribes have urged the FCC to revisit and to
45 update FCC standards for RF emissions, with input and support from other federal agencies,
46 including the Environmental Protection Agency and the Food and Drug Administration; and

47
48 **WHEREAS**, NLC, the National Association of Counties (NACo), National Association of
49 Telecommunications Officers and Advisors (NATOA) the U.S. Conference of Mayors (USCM),
50 and the National Association of Towns and Townships (NATaT) on behalf of their respective
51 constituencies, jointly submitted comments urging that the FCC take action to perform a
52 comprehensive review of RF emission standards and guidance for local government officials,
53 particularly with respect to small wireless technologies;³ and

54
55 ~~**WHEREAS**, the FCC closed its RF exposure docket in 2019, reaffirming the safety of personal~~
56 ~~RF emitting devices such as cell phones, but declining to address the safety of small wireless~~
57 ~~infrastructure or to provide local governments with updated resources and guidance on assessing~~
58 ~~the safety of small wireless structures in their communities or addressing the rising tide of~~
59 ~~questions and concerns from residents about their safety;~~⁴ and

60
61 **WHEREAS**, in 2021, the DC Circuit Court of Appeals remanded this decision, finding that the
62 FCC decision failed to meet Administrative Procedure Act and National Environmental Policy
63 Act requirements.⁵

64
65 **WHEREAS**, public concern about 5G and RF emissions has increased exponentially in the wake
66 of this agency inaction, making it more difficult for local governments and wireless providers to
67 site small wireless facilities in communities and leading to vandalism or destruction of structures
68 and threats to telecommunications workers' safety; and

69
70 **NOW, THEREFORE, BE IT RESOLVED** that NLC urges the federal government to update
71 antiquated standards and to perform a comprehensive review of the standards for RF emissions,
72 particularly in light of the deployment of small wireless technologies in public rights-of-way in
73 close proximity to residents' homes, schools, workplaces, and places of recreation; and

74

² [Federal Communications Commission, Proposed Changes in the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields; Reassessment of Federal Communications Commission Radiofrequency Exposure Limits and Policies, ET Dockets 03-137 and 13-84, Released December 4, 2019.](#)

³ [Letter from the National League of Cities, National Association of Telecommunications Officers and Advisors, National Association of Counties, The United States Conference of Mayors, and the National Association of Towns and Townships to the FCC, July 20, 2020.](#)

⁵ [Environmental Health Trust, et. al., v. FCC, Case No. 20-1025, DC Cir. 2021.](#)

75 **BE IT FURTHER RESOLVED** that the federal government should continuously update and
76 refresh these standards, based on changes in technology, spectrum usage, device usage, and
77 infrastructure deployment, to ensure that standards are recent enough to maintain public
78 confidence; and

79

80 **BE IT FURTHER RESOLVED** that NLC calls on the FCC to develop an updated resource for
81 local governments' use in education for residents about these updated RF emissions standards
82 and the safety of commonly deployed wireless equipment, particularly small cell wireless
83 equipment and 5G deployment.

NLC RESOLUTION 2023-45

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 ~~almost half of all ransomware attacks targeted at local governments~~ roughly two thirds of all local governments experiencing a ransomware attack in the past year,¹ and most local information technology officers report insufficient budgetary resources to adequately protect local government networks.²

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

¹ [Sophos, "The State of Ransomware in State and Local Government 2023," August 1, 2023.](#) ~~Think Digital Partners, "Local governments biggest target of ransomware attacks in 2020," August 28, 2020.~~

² [Public Technology Institute, "PTI/CompTIA 2022 Local Government Cybersecurity Survey, December 8, 2022.](#) ~~Public Technology Institute, "PTI/CompTIA 2020 National Survey of Local Government Cybersecurity Programs," 2020.~~

39
40 **BE IT FURTHER RESOLVED** that the federal government should institute, expand and
41 promote basic cybersecurity requirements for companies and governments to ensure that
42 residents' data is appropriately protected from breach or theft; and
43

44 **BE IT FURTHER RESOLVED** that the federal government should establish robust, dedicated
45 grant and technical assistance programs to assist municipalities of all sizes in preventing,
46 preparing for, and recovering from cyberattacks; and
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48 **BE IT FURTHER RESOLVED** that the federal government should acknowledge the resource
49 limitations facing municipalities and not impose new unfunded mandates around cybersecurity;
50 and
51

52 **BE IT FURTHER RESOLVED** that federal data privacy policy should require companies to
53 enable municipalities to export their data on demand, and should not require municipalities to
54 pay again to access or export their own data; and
55

56 **BE IT FURTHER RESOLVED** that federal privacy principles should not impinge on the
57 ability of municipal governments to collect and use data to complete critical government
58 functions, such as transportation service, utility operation, public safety, and providing equitable
59 access to these services.

1 NLC RESOLUTION 2023-46

2
3 IN SUPPORT OF DIGITAL EQUITY FOR AMERICAN COMMUNITIES

4
5 ITC Committee Recommendation: Renew with edits

6
7 **WHEREAS**, access to fast, affordable broadband and devices in the United States is not evenly
8 distributed across geographic, racial, or socioeconomic lines, disproportionately harming rural
9 communities, low-income communities, and communities of color; and

10
11 **WHEREAS**, 18 million households in America lack broadband access, including 14 million
12 households in urban areas and 4 million households in rural areas, reflecting an enormous un-
13 and underserved urban and suburban population; and

14
15 **WHEREAS**, while 80% of households with incomes above \$100,000 use broadband at home,
16 only 50% of households with incomes below \$25,000 do;¹ and

17
18 **WHEREAS**, household broadband access lags for communities of color, with 82% of white
19 residents having in-home broadband service, while only 77% of Black and Hispanic residents
20 do² and only 67% of tribal lands in the Continental U.S. have access to broadband internet³, and
21 white residents have only a 12% dependency on smartphones for access to the Internet, versus
22 17% Black residents and 25% Hispanic residents solely relying on smartphones. ⁴ and

23
24 **WHEREAS**, at least 83.3 million Americans can only access broadband through a single
25 provider, with 47 million of those in a monopoly market for a single cable company, while
26 another 33 million can only access broadband through a single DSL provider, leaving many with
27 little or no market or regulatory downward pressure on pricing;⁵ and

28
29 **WHEREAS**, federal broadband policy has increasingly targeted federal dollars solely to
30 building infrastructure in unserved rural areas, neglecting communities with inadequate or
31 decaying telecommunications infrastructure and ignoring the impact of affordability on
32 broadband access, disproportionately disadvantaging communities of color;⁶ and

33

¹ [National Telecommunications and Information Administration, NTIA Internet Use Survey, “Fixed + Mobile Internet in Household by Family Income, Percent of Age 3+ Persons, 2017-2021,” May 11, 2022.](#)

² [National Telecommunications and Information Administration, NTIA Internet Use Survey, “Internet Use by Race or Ethnicity, Percent of Age 3+ Persons, 1998-2001,” May 11, 2022.](#)

³ [Rutgers New Jersey Policy Lab, “Bridging the Digital Divide in Native American Communities,” January 13, 2022.](#)

⁴ [Pew Research Foundation, Internet/Broadband Fact Sheet, “% of U.S. adults who say they do not use broadband at home but own smartphones, by race/ethnicity, April 7, 2021.](#)

⁵ [Institute for Local Self-Reliance, “Profiles of Monopoly: Big Cable and Telecom,” August 2020.](#)

⁶ [National Digital Inclusion Alliance, “Limiting Broadband Investment to “Rural Only” Discriminates Against Black Americans and Other Communities of Color,” June 2020.](#)

~~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 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; 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 making permanent the Infrastructure Investment and Jobs Act’s Affordable Connectivity Program and calls on Congress to sustainably fund this 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

77 **BE IT FURTHER RESOLVED** that broadband infrastructure programs should not be limited
78 to rural communities, and should incorporate suburban and urban communities, many of which
79 have been subjected to decades of disinvestment, monopolization, and digital redlining; and
80

81 **BE IT FURTHER RESOLVED** that the U.S. Treasury should allow digital inclusion as an
82 eligible community support service under the requirements of the Community Reinvestment Act,
83 ensuring that low to moderate income communities do not go unbanked due to lack of broadband
84 access or low digital literacy; and
85

86 **BE IT FURTHER RESOLVED** that Congress and federal agencies should affirmatively
87 uphold and protect the authority of local governments to control their agreements with the cable,
88 wireline, and wireless telecommunications companies operating in their jurisdictions, to ensure
89 their appropriate usage of public resources such as municipal rights-of-way, promote digital
90 equity, and adequate investment in and contribution to the community; and
91

92 **BE IT FURTHER RESOLVED** that Congress and federal agencies should remove barriers to
93 cooperative and municipal investment in and provision of broadband service, to ensure local
94 governments are empowered to close gaps in communities with inadequate or unaffordable
95 broadband service.

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NEW ITC RESOLUTION 1

LOCAL PRINCIPLES FOR THE GOVERNANCE OF GENERATIVE ARTIFICIAL INTELLIGENCE

ITC Committee Recommendation: Adopt

WHEREAS, generative artificial intelligence (AI) technologies, which are algorithms capable of producing new outputs such as text, images, or other content, based on a set of training data, continue to advance at a rapid pace and are being deployed by federal, state, and local governments and private businesses for a variety of uses; and

WHEREAS, AI technologies have the potential to unlock new efficiencies and service models for local governments and spur local economic growth and activity; and

WHEREAS, AI technologies may also potentially negatively impact local economies and labor markets, government cybersecurity, equity, and resident vulnerability to criminal scams or disinformation; and

WHEREAS, Congress, the Administration, and nongovernmental organizations are currently exploring approaches to governing and regulating the public and private use of AI, including through the National Institute of Standards and Technology’s AI Risk Management Framework,¹ the White House Office of Science and Technology Policy’s Blueprint for an AI Bill of Rights,² the Senate SAFE Innovation Framework,³ and statements by the Institute for Electrical and Electronics Engineers;⁴ and

NOW, THEREFORE, BE IT RESOLVED that Congress and the federal government should enact a regulatory framework that promotes innovation and investment in AI technology, while protecting local decision making, civil liberties, digital privacy, security, and transparency; and

BE IT FURTHER RESOLVED that technology solutions vendors should be required to provide full transparency to clients on their sources of training data for all AI-enabled tools, as well as the extent to which municipal client data is used, either jointly with other municipalities or independently, as further training data for AI tools; and

BE IT FURTHER RESOLVED that federal standards should require vigorous detection and removal of bias within AI tools, as well as strict enforcement of these requirements to ensure human accountability for all decisions made in the development and use of AI; and

¹ National Institute of Standards and Technology, “AI Risk Management Framework,” January 26, 2023.

² The White House, “Blueprint for an AI Bill of Rights: Making Automated Systems Work for the American People,” October 2022.

³ Press release, “Majority Leader Schumer Delivers Remarks To Launch SAFE Innovation Framework For Artificial Intelligence At CSIS,” June 21, 2023.

⁴ IEE-USA, “Effective Governance of Artificial Intelligence,” June 25, 2021.

39 **BE IT FURTHER RESOLVED** that the federal government should require AI tools to be
40 adequately tested for safety, reliability, and security according to valid third-party standards prior
41 to being released for public use; and

42
43 **BE IT FURTHER RESOLVED** that a federal regulatory framework should protect public trust
44 and privacy by requiring the disclosure of AI-generated or altered material, protecting the
45 privacy of residents and the safety of children, and preventing the promotion of mis- or
46 disinformation; and

47
48 **BE IT FURTHER RESOLVED** that a federal regulatory framework must be developed with a
49 focus on social responsibility and the input of all stakeholders, including communities likely to
50 be most impacted by advancements in AI; and

51
52 **BE IT FURTHER RESOLVED** that local governments must retain the authority to decide on
53 behalf of their own communities the extent to which they adopt artificial intelligence
54 technologies for municipal operations, including piloting innovative new solutions and enacting
55 local prohibitions on the usage of certain technologies; and

56
57 **BE IT FURTHER RESOLVED** that Congress and the Administration should clearly define the
58 legal rights, liabilities, and responsibilities involved in handling AI reference data, the ownership
59 of reference data, and the requirements for disclosure, transparency, and accountability for AI
60 models between the providers of AI tools and the users, including municipal governments; and

61
62 **BE IT FURTHER RESOLVED** that Congress should explore ways to foster regional economic
63 growth, accelerate domestic research and development of AI; and expand local government
64 capacity for managing and deploying AI through incentives-based comprehensive funding
65 models, such as that used in the CHIPS Act of 2022; and

66
67 **BE IT FURTHER RESOLVED** that Congress and federal agencies should proactively explore
68 the impact of artificial intelligence on the employment market and invest in technical assistance
69 and capacity-building, particularly for smaller local governments, assist negatively affected
70 regions, create an AI education pipeline, and encourage diversity within the AI workforce.

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NEW ITC RESOLUTION 2

LOCAL PRINCIPLES FOR MODERNIZATION OF THE UNIVERSAL SERVICE FUND

ITC Committee Recommendation: Adopt

WHEREAS, the Telecommunications Act of 1996 (Communications Act) created the framework for telecommunications regulation and infrastructure funding that persists to the current day; and

WHEREAS, the Federal Communications Commission's (FCC) Universal Service Fund (USF) has served as a valuable tool for ensuring access to critical communications for millions of households and community institutions since its creation by the Communications Act of 1996; and

WHEREAS, the High Cost Support, Lifeline, E-rate, and Rural Health Care programs have supported telecommunications and broadband access in numerous communities where it would otherwise be unavailable, and

WHEREAS, despite many large-scale unanticipated changes in technology, the American economy, and society, the major elements of the Communications Act have remained unchanged for more than 20 years; and

WHEREAS, the actions taken by Congress and the FCC in response to the COVID-19 pandemic and corresponding connectivity crisis, including temporary expansions in the usage of some USF programs for telehealth and community anchor institution broadband, and the establishment of the Emergency Connectivity Fund, Emergency Broadband Benefit, and Affordable Connectivity Program, have enabled access for millions of households;¹ and

WHEREAS, the shifts in technology and the communications marketplace, including technological convergence between cable, phone, and broadband services, the consumer shift away from traditional copper landline calling services to Voice over Internet Protocol (VOIP) and mobile services, the rise of streaming video, and other changes, have left the existing regulatory structure ill-suited to promote fair market competition and fund universal access to both telecommunications and broadband services;² and

WHEREAS, while the use of the USF has expanded to address modern technologies, including mobile and fixed broadband and internet access services (BIAS), the current contribution base for the USF has remained limited to wireline and mobile voice (telecommunications) services and has

¹ Federal Communications Commission, "FCC Announces That More Than 20 Million Households Enrolled In Affordable Connectivity Program," August 14, 2023.

² INCOMPAS, NTCA, SHLB, "FCC Must Reform USF Contributions Now: An Analysis of the Options," September 2021.

dramatically declined over the years due to market share shifts and provider shifts to bundling of telecommunications and BIAS services;³ and

NOW, THEREFORE, BE IT RESOLVED that Congress must meet its statutory obligation to reauthorize and modernize certain aspects of the Communications Act, starting with universal service; and

BE IT FURTHER RESOLVED that any updates to the Communications Act must acknowledge technological convergence and accommodate future advances in communications technology that are as yet unknown; and

BE IT FURTHER RESOLVED that Congress should use updates to the Communications Act to better empower local governments help reach universal service by including the Community Broadband Act (H.R. 2552/S. 1197) to enable community broadband; and

BE IT FURTHER RESOLVED that Congress should broaden the USF's contribution base to reflect a modern critical technology mix and the rapid growth of the fixed and mobile BIAS markets, including fee collection from BIAS and edge services; and

BE IT FURTHER RESOLVED that Congress should build on the successes of the Affordable Connectivity Program, the first universal service program to adapt to the changes in the modern connectivity landscape, and permanently it as a program within the USF, rather than forcing it to rely on inconsistent periodic congressional appropriations; and

BE IT FURTHER RESOLVED that incorporation of the Affordable Connectivity Program within the USF should not be at the cost of ease of access to the program for beneficiaries or level of benefits allocated; and

BE IT FURTHER RESOLVED that Congress and the FCC should increase flexibilities in the E-rate program to acknowledge the crucial role of secure off-campus connectivity, including funding wireless connectivity for use where people live and work through solutions such as hotspots and bus-mounted wireless access; and

BE IT FURTHER RESOLVED that Congress should provide dedicated funding within USF for supportive activities that help beneficiaries access and use connectivity programs, such as the establishment of digital navigator services and technical support for users; and

BE IT FURTHER RESOLVED that Congress and the FCC should address the often-overlooked needs of urban and suburban residents by creating alternative pathways for non-rural healthcare providers to access USF support to assist in connectivity for patient care, regardless of rurality; and

³ Congressional Research Service, "The Future of the Universal Service Fund and Related Broadband Programs," July 11, 2023.

80

81 **BE IT FURTHER RESOLVED** that Congress and the FCC should seek ways to expand local
82 government engagement in USF programs, including through incorporating local feedback on
83 infrastructure funding needs, encouraging and enabling the participation of local governments as
84 direct funding recipients, and using local governments as partners to ensure the accountability of
85 High Cost Support subsidy recipients in meeting their buildout and service obligations.