



2019 Proposed National Municipal Policy Amendments & Resolutions

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National League of Cities
Proposed By-Laws Amendments

Amendment 1 to NLC's By-Laws
Executive Committee

ARTICLE III.

OFFICERS AND BOARD OF DIRECTORS

Section 2. BOARD OF DIRECTORS. The affairs of the National League of Cities shall be governed by a Board of Directors consisting of: the President, the First Vice President, the Second Vice President; ~~the Chief Executive Officers from eight (8) member leagues; the Designated~~ Officer of each of the five (5) NLC Constituency Groups (Asian Pacific American Municipal Officials, Hispanic Elected Local Officials, Lesbian, Gay, Bisexual, Transgender Local Officials, National Black Caucus of Located Elected Officials and Women in Municipal Government) or if the President does not meet the qualifications set forth in Article III, Section 6, any officer of the respective NLC Constituency Group that is qualified; all Past Presidents still in elective office in a member city; and the Chair of each NLC standing Federal Advocacy Committee. In addition, ~~and thirty-five forty~~ (3540) additional at-large members whom are elected in the manner provided for in Article IV and meet the qualifications set forth, all selected in the manner provided in Article III, Section 6. and Article IV. In addition, all Past Presidents still in elective office in a member city, and the Chair of each NLC standing Federal Advocacy Committee shall serve on the Board of Directors. The Board of Directors shall conduct the affairs of NLC when representatives of the membership are not assembled, including by a majority vote of Board of Directors members, determination or modification of national municipal policies, or adoption of resolutions on national legislation affecting cities. The Board of Directors may refer to the membership through the mail or electronically on any matter which is not otherwise provided for in these bylaws, the voting thereon to be as provided in Article IV, Section 5.

Section 3. TERMS. At-large members of the Board of Directors (referred to here in this Section 3 as “Director”) shall serve a term of two (2) years from the date of their election. Directors shall take office immediately following the close of the annual meeting at which they are elected. No Director shall serve more than two (2) two-year terms. Fulfilling an incomplete term is not considered part of the term limit. Director terms shall be staggered so that approximately half the number of Directors will end their term in any given year.

Section 6. QUALIFICATIONS. Each elected officer of the National League of Cities shall be, at the time of their election, an elected official of a member city. Except for the Board Members from the eight (8) member leagues, ~~e~~Each Board member shall be, ~~at the time of their election,~~ an elected official of a member city. As for the eight (8) member leagues, , the designated Board Members shall be the ~~or a~~ chief executive officer or equivalent officer of ~~the~~ ~~a~~ member league. The “Designated Officer” of each of the 5 NLC constituency groups shall mean the one officer chosen from among the two highest ranked officials for that specific group

Section 7. ELECTIONS. The elected officers and other members of the Board of the National League of Cities (except Past Presidents still in elective office in a member city, the Chairs of each standing Federal Advocacy Committee and the Designated Officer of the five (5) NLC Constituency Groups) shall be elected in the manner provided for in Article IV. Nominations for all officers and Board members, except Past Presidents still in elective office in a member city, ~~and~~ the Chairs of each standing Federal Advocacy Committee and the Designated Officer of the five (5) NLC Constituency Groups, shall be made by a nominating committee of not less than six (6) nor more than fourteen (14) members from member leagues and member cities and the most Immediate Past President, all of whom shall be appointed by the President. Nominations shall take into consideration the diversity of the membership. The Immediate Past President shall serve as

Chair of the Nominating Committee. The Nominating Committee shall make its report in writing at least four hours before the scheduled election.

Section 8. VACANCIES. A vacancy shall occur in any office of the National League of Cities in the event that the person holding the office resigns or ceases to possess the essential qualifications for election to office as provided in Article III, Section 6. A vacancy in the office of President shall be filled by the succession of the First Vice President to that office. A vacancy in the office of the First Vice President shall be filled by the succession of the Second Vice President to that office. A vacancy in the office of the Second Vice President or other elected member of the Board of Directors shall continue until a new qualified person is elected under Article III, Section 6, unless it is filled for the unexpired term by a person selected by a majority vote of the remaining members of the Board of Directors. A vacancy which occurs for a person serving as a member of the Board of Directors as a Past President, a Designated Officer of a Constituency Group, a Federal Advocacy Committee Chair, or a Chief Executive Officer of a member league because that person ceases to possess the essential qualifications provided in Article III, Section 6 shall continue until a new, qualified Past President, Designated Officer, Chair or Chief Executive Officer assumes such position on the Board of Directors.

**FINANCE, ADMINISTRATION AND
INTERGOVERNMENTAL RELATIONS
FEDERAL ADVOCACY COMMITTEE
FAIR**

PROPOSED POLICY AMENDMENTS

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

Please note:

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

POLICY

- Section 1.03 Intergovernmental Relations

1.03 Intergovernmental Relations

~~B. E-Fairness~~

~~Federal legislation must be enacted permitting states and localities to require remote sellers to collect state and local sales and use taxes on orders made within their boundaries.~~

~~NLC calls on Congress to close the online sales tax loophole by enacting e-fairness legislation which will level the playing field between online and brick-and-mortar retailers and does not introduce any new taxes.~~

~~C. B Collection of Local Taxes~~

NLC opposes federal legislative efforts effecting local taxing authority including the collection of tax from local businesses and the collection of franchise fees.

C. Sales Tax Parity

NLC supports the autonomy of state and local governments to impose destination-based sales tax collection requirements on retailers that have an economic presence in their community, including on brick-and-mortar stores physically located within the state and remote retailers that solicit and fulfill sales into the state.

Arbitrary restrictions, such as the physical presence test and “single rate per state” rules create market distortions that unfairly disadvantage certain retailers over others.

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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, an increasing number of states have passed or are considering voter referenda or legislation to authorize the legal growth and distribution of cannabis for adults' recreational use; and

WHEREAS, nearly all states have passed voter referenda or legislation authorizing the legal growth, distribution, possession and use of cannabis for a variety of medical conditions for patients suffering from serious and chronic diseases; 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, increase the risks of theft crimes and tax evasion, and deny large groups of business owners the capital needed to enter the market; and

WHEREAS, the federal government has rescinded guidance that previously provided a minimal level of confidence for financial institutions looking to provide services to this growing industry.

NOW, THEREFORE, BE IT RESOLVED that, while it does not endorse the use or growth of cannabis, NLC urges the federal government to resolve the conflict between state and federal cannabis laws, and to provide guidance to financial institutions that results in the cannabis market having access to the federally regulated banking system.

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

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

WHEREAS, the perpetual underfunding could jeopardize city services as a growing percentage of budgets are forced to reconcile these shortfalls; and

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

BE IT FURTHER RESOLVED, NLC calls upon the U.S. Department of the Treasury to expeditiously promulgate clarifying guidelines or rules that ensure favorable tax treatment of certain retirement plan contributions picked up by governmental employers when employees are given an option to choose a lower-cost plan.

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PRESERVING THE TAX-EXEMPT STATUS OF MUNICIPAL BONDS

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) calls on Members of Congress and the President to state their support for maintaining the tax exemption for municipal bonds to promote employment and investment in our nation's cities and towns.

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

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

BE IT FURTHER RESOLVED that NLC supports reinstating the tax exemption on advance refunding bonds that allow cities to respond to market fluctuations, achieve lower interest rates, responsibly save local taxpayer dollars and free up capital to make additional infrastructure improvements; and

BE IT FURTHER RESOLVED that NLC supports efforts to reduce the cost and redundant burdens of issuance and administration by eliminating redundant rules on arbitrage and private use; and

BE IT FURTHER RESOLVED that NLC supports Congress and the Administration providing greater certainty to municipal issuers of tax credit and other federally subsidized bonds by exempting subsidies from sequestration rules.

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47 **BE IT FURTHER RESOLVED** that NLC supports the preservation of tax incentives when no
48 similar tool is available in the private market, including the Historic Tax Credit (HTC), which
49 encourages the redevelopment of historic and abandoned buildings in unique and challenging
50 circumstances, and the New Markets Tax Credit (NMTC), which is a modest tax incentive that
51 significantly increases the availability of private capital to small businesses and local
52 entrepreneurs working in distressed communities; and
53

54 **BE IT FURTHER RESOLVED** that NLC calls on Members of Congress and the President to
55 ensure that future changes to the tax code do not undermine the nation's social safety net and
56 path to the middle class by maintaining and improving tax credits including the Low-Income
57 Housing Tax Credit, the Earned Income Tax Credit, and the Work Opportunity Tax Credit.

1 **NLC RESOLUTION #5**

2
3 **IN SUPPORT OF CRITICAL U.S. CENSUS BUREAU SURVEYS AND THE**
4 **2020 DECENNIAL CENSUS**
5

6 **WHEREAS**, the U.S. Census Bureau serves as the leading source of quality data about the
7 nation's people and economy; and
8

9 **WHEREAS**, the U.S. Census Bureau is authorized by the U.S. Constitution and Federal law to
10 collect and disseminate data guided by scientific objectivity to provide information about the
11 nation and its people; and
12

13 **WHEREAS**, the U.S. Census Bureau conducts the decennial census to fulfill the constitutionally
14 mandated enumeration of all persons living in the United States once a decade; and
15

16 **WHEREAS**, the U.S. Census Bureau conducts a host of other related surveys to collect and
17 distribute data to policy makers at all levels of government, including but not limited to the
18 American Community Survey (ACS), Economic Census, and Census of Governments; and
19

20 **WHEREAS**, the data collected through the decennial census and related surveys are the basis
21 for defining federal, state and local political districts; determining how more than \$800 billion of
22 federal funding is distributed and allocated across state and local governments; and informing
23 much of our research, planning and decision-making processes; and
24

25 **WHEREAS**, the 2020 decennial census will encourage and prioritize online submission for
26 approximately 80 percent of American households; and
27

28 **WHEREAS**, Title 13 of the United States Code requires the Census Bureau to keep personally
29 identifiable information strictly confidential and ensure only necessary information is being
30 collected.
31

32 **NOW, THEREFORE BE IT RESOLVED**, that the National League of Cities (NLC) supports
33 the U.S. Census Bureau's mission to produce complete and accurate data that meets the needs of
34 America's cities; and
35

36 **BE IT FURTHER RESOLVED**, that NLC supports the U.S. Census Bureau's use of sound
37 scientific and objective methods to apply statistical samplings, conduct surveys, and collect
38 preliminary and supplemental statistics; and
39

40 **BE IT FURTHER RESOLVED**, that NLC supports the U.S. Census Bureau's authority to
41 collect data that provides timely estimates to inform America's local governments in their
42 decision-making; and
43

44 **BE IT FURTHER RESOLVED**, that NLC recognizes the importance and necessity of the
45 decennial census, American Community Survey, Economic Census, Census of Governments,
46 Annual Population Estimates, and other related surveys and statistics to local governments across
47 the nation; and

BE IT FURTHER RESOLVED, that NLC supports funding for and robust implementation of the decennial census and related surveys; and

BE IT FURTHER RESOLVED, that NLC opposes the addition of a citizenship question and other untested questions to the census, which are projected to depress self-reporting rates and lower the quality of data, to the decennial questionnaire; and

BE IT FURTHER RESOLVED, that NLC opposes legislation that would make the American Community Survey a voluntary survey, as well as any other bills that would eliminate the American Community Survey, Economic Census, Census of Governments, Annual Population Estimates, and other related surveys and statistics relevant to local governments across the nation; and

BE IT FURTHER RESOLVED, that NLC urges Congress, the administration, the U.S. Census Bureau and other federal agencies to ensure that personally identifiable information produced through the decennial census and related surveys will only be handled in compliance with Title 13 statutes; and

BE IT FURTHER RESOLVED, that NLC urges the U.S. Census Bureau and Department of Commerce to address the continuing challenges many of our communities face as a result of the digital divide when planning and executing the decennial census and related surveys.

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WHEREAS, a national effort is underway to pass state resolutions calling for a constitutional convention to include a Balanced Budget Amendment to the U.S. Constitution, which would result in dangerous cuts to the federal budget and to vital programs upon which so many Americans depend.

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**ENERGY, ENVIRONMENT AND
NATURAL RESOURCES
FEDERAL ADVOCACY COMMITTEE
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PROPOSED POLICY AMENDMENTS

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POLICY:

- Section 2.05 Water Quality and Supply
- Section 2.09 Public Lands
- Section 2.11 Health-Focused Local Food Systems

2.05 Water Quality and Supply

C. Funding

2. Grants and Loans

NLC calls on Congress to increase grant funding to assist cities. Cities should be eligible for any combination of federal loans and grants to meet their water pollution control and drinking water supply needs. The use of loans and/or grants should be tailored to the specific needs and capacity of each municipal applicant. Allocation of funds to municipalities should take into consideration a community's ability to pay and past local efforts to address the problem.

Congress should provide funding to ensure adequate resources for water treatment facilities in small, rural communities and to assist all cities in remediating their aging water infrastructure. Congress should provide full appropriation to the Water Infrastructure Finance and Innovation Act (WIFIA) for loans and loan guarantees for water infrastructure projects, ~~as well as permanently establish the program beyond a pilot program.~~

2.09 Public Lands

A. Conservation Funds

The Land and Water Conservation Fund (LWCF) was established as a visionary and bipartisan program in 1964 to create parks and open spaces, protect wetlands and refuges, preserve wildlife habitat, promote environmental stewardship, and enhance recreational opportunities for all Americans. NLC urges Congress to honor this commitment by fully and permanently funding the LWCF and related programs such as the Urban Park and Recreation Recovery Program (UPARR) and the Outdoor Recreation Legacy Partnership program.

2.09 Public Lands

B. Parks and Natural Areas

Parks, natural areas and green infrastructure provide a multitude of community benefits, including stormwater management, recreation opportunities, positive impacts on public health, and community resilience and well-being. NLC supports federal programs that help cities create and jointly manage parks and natural areas. In addition, NLC supports efforts to connect children to federally managed lands and natural areas, such as the Every Kid Outdoors program to provide fourth graders free access to publicly accessible federal lands and waters.

2.11 Health-Focused Local Food Systems

NLC urges Congress and the Administration to:

- Support policies and programs that reduce the prevalence of obesity and improve the overall health and wellness of those in our communities;
- Ensure that all people have access to healthy, affordable and locally grown food;
- Support efforts to establish, promote and expand local farmers markets and school and community gardens;
- Provide incentives for local farms to sell fresh produce to farmers markets;
- Encourage farmland conservation and sustainable farming, such as using less water and fertilizer and rotating crops, by providing incentives to small, local farms;
- Improve the quality of food in schools by supporting and promoting the purchase of unprocessed and minimally processed, locally grown and locally raised agriculture products, such as fresh fruits and vegetables, in schools;
- Maintain the Supplemental Nutrition Assistance Program as a federal grant program;
- Establish and maintain a national set of uniform, integrated food system metrics to help evaluate the effectiveness of existing programs and to plan innovative initiatives; and
- Enable an interagency partnership among the U.S. Environmental Protection Agency, U.S. Department of Health and Human Services, and U.S. Department of Agriculture to protect and improve human, animal, and environmental health as an integrated system, including food safety and production. *(See also the Human Development Policy Chapter.)*

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NLC RESOLUTION #7

CONGRESSIONAL ACTION TO SUPPORT PACE PROGRAMS

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

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

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

WHEREAS, a recent study that found default risks are on average 32 percent lower in energy efficient homes and recommends that the lower risks associated with energy efficiency should be taken into consideration when underwriting mortgages¹; and

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

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

WHEREAS, 34 states plus the District of Columbia have passed laws enabling local governments to develop PACE programs; and

WHEREAS, in 2010 the U.S. Department of Energy dedicated \$150 million to assist in the development of local PACE programs and in 2016 issued Best Practice Guidelines for Residential PACE Financing Programs to help state and local governments develop and implement programs and recommended protections that PACE programs should put in place for consumers and lenders²; and

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

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>

² *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>

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

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

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

WHEREAS, in July 2016, the U.S. Department of Housing and Urban Development released guidance allowing the Federal Housing Administration to insure mortgages on properties that include PACE assessments,³ which has since been withdrawn; and

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

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

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

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

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

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

BE IT FURTHER RESOLVED that NLC urges the Administration to adopt regulations that clearly reaffirms the right of state and local governments to exercise liens or assess special taxes

³ "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

87 or other property obligations to protect and improve housing stock for the public good, including
88 energy efficiency improvements, and establishes underwriting standards that are consistent with
89 guidelines issued by the U.S. Department of Energy for PACE financing programs or by
90 implementing any other appropriate measure.

1 NLC RESOLUTION #8

2
3 **SUPPORTING AND ADVANCING RESILIENT COMMUNITIES TO PREPARE FOR**
4 **EXTREME WEATHER EVENTS**
5

6 **WHEREAS**, across the country local governments are seeing the devastating effects associated
7 with a changing climate and recent extreme weather events, such as heat waves, droughts, heavy
8 downpours, floods, hurricanes, and changes in other storms have brought renewed attention to
9 the need for cities to anticipate, prepare for and adapt to these events; and
10

11 **WHEREAS**, these challenges are larger than individual communities can address on their own,
12 making it beneficial to coordinate regionally and across levels of government; and
13

14 **WHEREAS**, while all regions of the country are impacted by climate change, approximately
15 one third of the U.S. population—more than 100 million people—live in coastal communities
16 that are threatened by rising sea levels, which could impact economic development, land
17 availability, property values, insurance rates, beaches and tourism, and critical water,
18 transportation and energy infrastructure; and
19

20 **WHEREAS**, the 2014 National Climate Assessment reports that current evidence of climate
21 change appears in every region and impacts are currently visible in every state, and concludes
22 that the evidence of human-induced climate change continues to strengthen¹; and
23

24 **WHEREAS**, extreme weather events can have severe impacts on local and regional
25 infrastructure, economies, public safety, public health, population migration, natural landscapes,
26 water resources and environmental quality; and
27

28 **WHEREAS**, the impacts of extreme weather events pose an especially pressing threat to persons
29 with disabilities, economically disadvantaged households, the elderly and other vulnerable
30 populations; and
31

32 **WHEREAS**, the capability of maintaining energy availability is a critical first order priority in
33 maintaining critical infrastructure and building community resilience; and
34

35 **WHEREAS**, there is currently insufficient information, technical coordination or financial
36 assessment of the costs and mechanisms to rapidly retrofit and redesign local energy systems to
37 enable them to be more resilient to a range of potential disruptive events, such as extreme
38 weather, terrorism, and energy price escalation; and
39

40 **WHEREAS**, the United States has seen 230 separate billion-dollar-plus disasters since 1980,
41 including 15 in 2016 and 16 in 2017, with a cumulative cost exceeding \$300 billion in 2017
42 (CPI-adjusted)²; and
43

¹ National Climate Assessment (May 2014), *available at*: <http://nca2014.globalchange.gov/>

² National Climate Data Center, National Oceanic and Atmospheric Administration, *available at*:
<http://www.ncdc.noaa.gov/billions/>

44 **WHEREAS**, in 2005 Hurricane Katrina led to 1,833 deaths and more than \$153 billion in
45 losses,³ and a subsequent \$120 billion in supplemental disaster assistance and in 2012 Hurricane
46 Sandy led to 159 deaths and more than \$67 billion in damages,⁴ and a subsequent \$60.4 billion in
47 supplemental disaster assistance; and

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49 **WHEREAS**, in 2017 three Category 4 hurricanes made landfall in the U.S., with the death toll
50 from Hurricane Maria, which made landfall in Puerto Rico, estimated to be 2,975⁵; and

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52 **WHEREAS**, rising temperatures are lengthening the wildfire season and increasing wildfire
53 risks throughout the Western United States due to earlier snow melts and forests that are drier
54 longer,⁶ and the costs of putting out wildfires has increased dramatically, from \$560 million in
55 1985 to nearly \$3 billion in 2017⁷ (2017 dollars⁸), with the 2017 western wildfires costing over
56 \$18.2 billion (CPI-adjusted)⁹; and

57
58 **WHEREAS**, Congress approved over \$130 billion in emergency disaster spending for FY18;
59 and

60
61 **WHEREAS**, 2017 was the third hottest year on record behind 2016 (warmest) and 2015 (second
62 warmest),¹⁰ and extreme weather events including hurricanes, tornados, flooding, drought,
63 wildfires, and blizzards¹¹ affected every region of the country; and

64
65 **WHEREAS**, as extreme weather events such as these become more common, local governments
66 in all geographic and climatic regions require resources to assist them in anticipating, preparing
67 for and adapting to these events; and

68
69 **WHEREAS**, a preparedness response fund would provide financial assistance to accelerate the
70 development of adaptive success models and provide a far-reaching damage prevention initiative
71 that would help reduce the ultimate financial pressure on the federal government; and

⁵“Ascertainment of the Estimated Excess Mortality From Hurricane Maria in Puerto Rico,” Milken Institute School of Public Health, The George Washington University (August 2018), *available at*: <https://publichealth.gwu.edu/sites/default/files/downloads/projects/PRstudy/Acertainment%20of%20the%20Estimated%20Excess%20Mortality%20from%20Hurricane%20Maria%20in%20Puerto%20Rico.pdf>

⁶ 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

⁷ Federal Firefighting Costs (Suppression Only), National Interagency Fire Center, *available at*: https://www.nifc.gov/fireInfo/fireInfo_documents/SuppCosts.pdf

⁸ CPI Inflation Calculator, Bureau of Labor Statistics, U.S. Department of Labor, *available at*: http://www.bls.gov/data/inflation_calculator.htm

⁹ Billion-Dollar Weather and Climate Disasters, National Centers for Environmental Information, National Oceanic and Atmospheric Administration, *available at*: <https://www.ncdc.noaa.gov/billions/events/US/1980-2017>

¹⁰ National Oceanic and Atmospheric Administration (Jan. 18, 2018), *available at*: <http://www.noaa.gov/news/noaa-2017-was-3rd-warmest-year-on-record-for-globe>

¹¹ “Billion-Dollar Weather and Climate Disasters, National Centers for Environmental Information, National Oceanic and Atmospheric Administration, *available at*: <https://www.ncdc.noaa.gov/billions/>

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

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

WHEREAS, 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.

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 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 NLC calls on the federal government to outline strategies and actions to reduce the vulnerability of federal programs to the impacts of climate change; and

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

BE IT FURTHER RESOLVED that NLC calls on Congress to fully fund grant programs that help local governments prepare, respond and recover from extreme weather events and establish a preparedness and response fund to support local governments that are at the forefront of developing adaptive solutions; and

120 **BE IT FURTHER RESOLVED** that NLC urges the federal government to develop grant and
121 technical assistance programs to enable communities to develop community energy transition
122 plans that insure the capability of cities to maintain critical energy and infrastructure during
123 disruptions to local, regional or national energy infrastructure; and
124

125 **BE IT FURTHER RESOLVED** that NLC urges the federal government to develop a national
126 pilot project initiative to conduct detailed assessments and designs for resilient city energy
127 system retrofit and redesign across a range of different regions and city sizes.

1 NLC RESOLUTION #9

2
3 **SUPPORTING URGENT ACTION TO REDUCE CARBON EMISSIONS AND**
4 **MITIGATE THE EFFECTS OF CLIMATE CHANGE**
5

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

7
8 **WHEREAS**, the 2014 National Climate Assessment reports that current evidence of climate
9 change appears in every region and impacts are currently visible in every state, and concludes
10 that the evidence of human-induced climate change continues to strengthen¹; and
11

12 **WHEREAS**, while some impacts of climate change are inevitable, sharp reductions in
13 greenhouse gas emissions will reduce the severity of the impacts and limit the rate of climate
14 change; and
15

16 **WHEREAS**, the U.S. Environmental Protection Agency's (EPA) 2015 Clean Power Plan set
17 state-specific carbon emissions reductions goals that if fully implemented will reduce carbon
18 emissions from coal and natural gas fired power plants by 32 percent below 2005 levels by 2030,
19 but EPA is undergoing rulemakings to repeal and replace the Clean Power Plan; and
20

21 **WHEREAS**, in order to meet the carbon emissions reductions goals necessary to help mitigate
22 the effects of climate change on communities, improving energy efficiency, increasing energy
23 conservation and deploying renewable energy systems will be essential at the local, state and
24 federal levels; and
25

26 **WHEREAS**, improving energy efficiency, increasing energy conservation and deploying
27 renewable energy systems will save taxpayer dollars, boost the national and local economy,
28 enhance national security, increase our nation's energy independence, and improve
29 environmental quality; and
30

31 **WHEREAS**, technology exists and continues to be developed that will help families, businesses
32 and communities reduce energy use, but without standards to encourage adoption of new
33 technology, many of these technology options will be unavailable or unaffordable; and
34

35 **WHEREAS**, the transportation sector generates the largest share of greenhouse gas emissions,
36 nearly 28.5 percent of 2016 greenhouse gas emissions, in the United States²; and
37

38 **WHEREAS**, buildings account for nearly 40 percent³ of the nation's energy consumption, more
39 than 70 percent ⁴of its electricity use, and electricity production represents the second largest

¹ National Climate Assessment (May 2014), *available at*: <http://nca2014.globalchange.gov/>

² Sources of Greenhouse Gas Emissions, U.S. Environmental Protection Agency, *available at*:
<https://www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions>

³ U.S. Energy Information Administration, *available at*:
<http://www.eia.gov/tools/faqs/faq.cfm?id=86&t=1>

⁴ Environmental and Energy Study Institute, Buildings and Climate Change, *available at*:
<http://www.eesi.org/files/climate.pdf>

share of greenhouse gas emissions, 28.4 percent of 2016 greenhouse gas emissions, in the United States⁵; and

WHEREAS, indoor and outdoor lighting account for 8.3 percent⁶ of electricity consumed in the nation, and rapid conversion to efficient lighting would result in significant greenhouse gas reductions as well as a decrease in base load energy needs; and

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

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

WHEREAS, in 2014 the President’s Task Force on Climate Preparedness and Resilience, comprised of state, 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, 77 percent of millennial voters, ages 18-35, believe that the U.S. should try to stop or slow climate change⁷.

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

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

BE IT FURTHER RESOLVED that NLC opposes efforts to repeal the Clean Power Plan and supports the U.S.’s reengagement in the Paris Climate Agreement; and

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

⁶ 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>

⁷ Poll, Alliance for Market Solutions, (March 5, 2018), *available at*: <https://allianceformarketsolutions.org/public-opinion/>

BE IT FURTHER RESOLVED that NLC opposes efforts to lower 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 legislation to incentivize energy efficiency improvements in residential and commercial buildings, schools and federal buildings located in communities; and

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

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

BE IT FURTHER RESOLVED that NLC calls on Congress and the Administration to develop a partnership with local governments and provide sufficient funding through the energy block grant structure or other funding structures at the U.S. Department of Energy to further incentivize clean energy at the local level.

NLC RESOLUTION #10

**ADDRESSING LEAD CONTAMINATION AND CALLING FOR NATIONWIDE
FEDERAL SUPPORT FOR WATER INFRASTRUCTURE**

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

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

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

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

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

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

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

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

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

WHEREAS, recent analysis by the National Resources Defense Council found that over 5,300 water systems nationwide have elevated levels of lead¹ 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 replace²; 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

¹ "What's in your Water? Flint and Beyond," National Resource Defense Council (June 2016), *available at*: <https://www.nrdc.org/sites/default/files/whats-in-your-water-flint-beyond-report.pdf>

² "National Survey of Lead Service Line Occurrence," American Water Works Association (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>

43 **WHEREAS**, the U.S. Environmental Protection Agency (EPA) estimates the nation’s water
44 infrastructure capital needs over the next 20 years to be approximately \$655 billion in total³; the
45 American Society for Civil Engineers estimates the needed investment for water infrastructure to
46 be \$1.3 trillion over the next 20-25 years⁴; and other estimates put the cost at more than \$4
47 trillion to maintain and build a 21st century water system.

48
49 **NOW, THEREFORE, BE IT RESOLVED** that local planning and infrastructure decisions,
50 including those related to clean drinking water, should not be preempted and should be made by
51 locally elected leaders in coordination with state and federal officials; and

52
53 **BE IT FURTHER RESOLVED** that the National League of Cities (NLC) calls on Congress to
54 provide direct assistance to the City of Flint, Michigan, and for EPA and the federal government
55 to work directly with local officials, for as long as necessary, to resolve the drinking water crisis
56 through the provision of safe drinking water and to support economic recovery; and

57
58 **BE IT FURTHER RESOLVED** that NLC calls on Congress and the Administration to provide
59 long-term support for the families affected by lead drinking water contamination in Flint,
60 Sebring and nationwide, including in the areas of education and mental health; and

61
62 **BE IT FURTHER RESOLVED** that NLC calls on Congress and the Administration to support
63 robust funding for all water infrastructure funding mechanisms, including the Clean Water and
64 Drinking Water State Revolving Loan Fund programs and the Water Infrastructure Finance and
65 Innovation Act (WIFIA); and

66
67 **BE IT FURTHER RESOLVED** that NLC calls on Congress and the Administration to support
68 other mechanisms of infrastructure funding, including protecting the tax-exempt status of
69 municipal bonds; and

70
71 **BE IT FURTHER RESOLVED** that NLC calls on Congress and the Administration to support
72 grants to local governments, as well as school systems and daycare centers, for the replacement
73 of lead service lines, testing, planning, corrosion control, and public education campaigns, and to
74 assist small and disadvantaged communities in complying with the Safe Drinking Water Act.

³ “Clean Watershed Needs Survey,” U.S. Environmental Protection Agency, (Jan. 2016), *available at*:
<https://www.epa.gov/cwns> and “Drinking Water Needs Survey,” U.S. Environmental Protection Agency,
(April 2013), *available at*: <https://www.epa.gov/tribaldrinkingwater/drinking-water-infrastructure-needs-survey-and-assessment-fifth-report-congress>

⁴ “2017 Infrastructure Report Card,” American Society of Civil Engineers (March 2017), *available at*:
<https://www.infrastructurereportcard.org/>

NLC RESOLUTION #11

INCREASE FEDERAL INVESTMENT IN WATER INFRASTRUCTURE

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 contribute substantially to our citizens’ general welfare and the nation’s prosperity; and

WHEREAS, with much of our nation’s physical water infrastructure built in the post-World War II period—and some of it more than 100 years old—there are an estimated 240,000 water main breaks each year¹; and

WHEREAS, federal loan and grant assistance to cities and local governments to assist in maintaining and upgrading water infrastructure systems has continued to decline in real dollars since the mid-1990s; and

WHEREAS, local governments are responsible for the vast majority of investment in water and sewer infrastructure, investing over \$1.7 trillion between 1956-2010² (not adjusted for inflation) and over \$123 billion in 2016 alone³; 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 estimated \$271 billion is needed to meet current and future demands over the next 20 years for upgrading the nation’s wastewater infrastructure and an estimated \$1 trillion is necessary to maintain and expand service to meeting drinking water demands over the next 25 years⁴; and

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

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

¹ 2017 *Infrastructure Report Card*, American Society of Civil Engineers, *available at*: <https://www.infrastructurereportcard.org/cat-item/drinking-water/>

² Anderson, Richard F., *Growth in Local Government Spending on Public Water and Wastewater – But How Much Progress Can American Households Afford?* The U.S. Conference of Mayors (April. 2013), *available at*: http://www.circleofblue.org/wp-content/uploads/2013/06/USMayors_Growth-in-Local-Government-Spending-on-Water-and-Wastewater.pdf

³ 2016 *Annual Surveys of State and Local Government Finances*, U.S. Census Bureau (Sept. 2018), *available at*: <https://www.census.gov/programs-surveys/gov-finances.html>

⁴ 2017 *Infrastructure Report Card*, American Society of Civil Engineers, *available at*: <http://www.infrastructurereportcard.org/>

39 **WHEREAS**, public-private partnerships can provide options for communities to access sources
40 of private capital to meet water infrastructure needs, but are not a viable for all communities or
41 all types of projects; and
42

43 **WHEREAS**, private activity bonds or tax exempt facility bonds are a form of tax-exempt
44 financing that can be used for water infrastructure projects that utilize private capital instead of
45 public debt and shift the risk and long-term obligation from the municipality to the private equity
46 partner; and
47

48 **WHEREAS**, Congress provides to states a capped annual allocation (“volume cap”) of tax
49 exempt bonds, based on population, but historically, most of the tax-exempt bonds are issued to
50 short-term projects such as housing and education loans; and
51

52 **WHEREAS**, Congress has previously enacted legislation eliminating the state volume cap for
53 such municipal infrastructure projects such as airports, landfills, and ports; and
54

55 **WHEREAS**, eliminating the state volume cap is estimated to make available \$5-6 billion in
56 private capital for water projects, while the cost in foregone revenue to the federal government is
57 nominal⁵.
58

59 **NOW, THEREFORE, BE IT RESOLVED** that the National League of Cities (NLC) continues
60 to urge Congress and the Administration to reverse the decline in federal financial participation
61 in funding municipal water infrastructure needs by developing a financial option that strikes the
62 right balance between local responsibility and federal assistance; and
63

64 **BE IT FURTHER RESOLVED** that NLC calls on Congress and the Administration to support
65 robust funding for water infrastructure funding through the Clean Water and Drinking Water
66 State Revolving Loan Fund programs and to reauthorize the programs; and
67

68 **BE IT FURTHER RESOLVED** that Congress should provide full appropriation to the Water
69 Infrastructure Finance and Innovation Act (WIFIA) for loans and loan guarantees for water
70 infrastructure projects; and
71

72 **BE IT FURTHER RESOLVED** that NLC supports legislation removing the federal volume
73 cap on tax-exempt bonds for water and wastewater infrastructure projects; and
74

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

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

⁵ Testimony of Stephen L. Johnson, Administrator, U.S. Environmental Protection Agency, before the Senate Appropriations Committee, March 4, 2008.

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NLC RESOLUTION #12

**SUPPORT FOR INTEGRATED PLANNING AND NEW AFFORDABILITY
CONSIDERATION FOR WATER**

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

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

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

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

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

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

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

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

WHEREAS, National Pollutant Discharge Elimination System (NPDES) permits are increasingly stringent, the treatment technologies and approaches necessary to meet permit limits

have become exceedingly expensive and time-intensive to implement, and project construction timelines for clean water infrastructure projects can extend more than a decade.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) urges Congress to pass legislation to codify the U.S. Environmental Protection Agency’s 2012 *Integrated Municipal Stormwater and Wastewater Planning Approach Framework*; and

BE IT FURTHER RESOLVED, that NLC calls on EPA to reaffirm its commitment to working with local governments as partners and co-regulators in achieving the goals of the Clean Water Act in a more affordable and flexible manner through the use of the permitting process, rather than consent decrees, and utilizing green infrastructure techniques; and

BE IT FURTHER RESOLVED, that EPA should work with local governments to develop local integrated plans through the permit process that prioritize investment in wet weather overflows and flooding collectively, rather than individually, and that comprehensively deal with wastewater and stormwater investments, as well as unfunded mandates; and

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

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

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

BE IT FURTHER RESOLVED, that NLC calls on the federal government to explore options for addressing affordability and ratepayer assistance.

**COMMUNITY AND
ECONOMIC DEVELOPMENT
FEDERAL ADVOCACY COMMITTEE
CED**

PROPOSED POLICY AMENDMENTS

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

Please note:

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

Policy:

There are no proposed amendments to existing policy.

1 NLC RESOLUTION #13

2
3 **SUPPORTING A FEDERAL AGENDA FOR LOCAL ECONOMIC DEVELOPMENT,**
4 **ECONOMIC MOBILITY, AND ENTREPRENEURSHIP**
5

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

11 **WHEREAS**, NLC’s [2018 City Fiscal Conditions survey](#) indicates that local tax revenue growth
12 is experiencing a year-over-year slowdown, with the growth in service costs and other
13 expenditures outpacing it, which suggests that cities are approaching the limits of fiscal
14 expansion.; and
15

16 **WHEREAS**, the federal government has an essential role to play — in cooperation with local
17 leaders — to help address the social, economic and fiscal challenges weighing on the nation’s
18 cities; and
19

20 **WHEREAS**, economic development, in particular, stands out as the most prevalent major policy
21 issue for the majority of cities and towns, and has been for the past 5 years according to a
22 comprehensive analysis of mayoral state of the city speeches released by the National League of
23 Cities in the [2018 State of the Cities report](#). The report examines state of the city speeches in 100
24 cities representing a diverse cross section of
25 population sizes and geographic regions; and
26

27 **WHEREAS**, economic development, infrastructure, budgets, housing, and public safety are
28 consistently the top issues for the 5th year in a row of the State of the Cities report; and
29

30 **WHEREAS**, local entrepreneurs and small businesses lead a majority of economic growth and
31 are essential stakeholders in the success of neighborhoods, help create a community’s sense of
32 place, and serve as a vital link to connect communities to the larger, global economy; and
33

34 **WHEREAS**, successful neighborhood revitalization requires effective plans for both community
35 development and economic development, and
36

37 **WHEREAS**, in FY2018, federal funding for local community development far outpaced the
38 funding available for local economic development. For example, HUD’s Community
39 Development Block Grant program was funded at \$3.3 billion, while funding for the Department
40 of Commerce’s Economic Development Administration grants totaled just \$302 million; and
41

42 **WHEREAS**, the Community Reinvestment Act (CRA), a landmark civil rights law passed in
43 1977 to end discrimination in America’s banking and housing markets, remains a critical tool for
44 both community and economic development that ensures regulated financial institutions have
45 continuing and affirmative obligations to help meet the credit needs of the local communities in
46 which they are chartered; and

47 **WHEREAS**, working with Congress, the President has an opportunity to partner with local
48 officials to renew and reinvigorate federal economic development policies and programs that
49 local entrepreneurs have increasingly been unable to access; and
50

51 **WHEREAS**, in many cases federal programs and policies created in response to the great
52 recession have remained static and increasingly inaccessible or irrelevant to small businesses and
53 local entrepreneurs at the center of today's urban growth and revitalization; and
54

55 **WHEREAS**, high federal regulatory barriers to accessing capital in both public programs and
56 the private market are one reason why racial and ethnic wealth gaps have grown since the great
57 recession (Pew); and
58

59 **WHEREAS**, a well-balanced federal economic development policy should give equal weight to
60 the interests of Wall Street and main street entrepreneurs, as both are equally important for
61 creating sustainable economic growth and improving quality of life.
62

63 **NOW, THEREFORE, BE IT RESOLVED** that NLC urges the President and Congress to
64 place local economic development, economic mobility, and entrepreneurship at the top of the
65 national agenda; and
66

67 **BE IT FURTHER RESOLVED** that the federal government can make an immediate and
68 enormously positive impact on local economies by acting on the following five areas:
69

70 **BE IT FURTHER RESOLVED 1.)** that NLC urges federal lawmakers to help local
71 entrepreneurs by supporting policies that will increase the number of small banks and
72 community banks that specialize in serving the credit needs of local entrepreneurs and very small
73 businesses. To that end, Congress should:

- 74 • End the one size fits all approach to regulating financial institutions and provide
75 community banks better flexibility and discretion to serve the unique and specific needs
76 of the communities of which they are a member; and
- 77 • Create incentives that encourage community banks to serve the market currently
78 occupied by payday lenders through microloan and other financial products; and to create
79 or support programs for family and adult financial literacy.
80

81 **BE IT FURTHER RESOLVED 2.)** that NLC urges the federal government improve equity and
82 economic mobility by modernizing the Community Reinvestment Act (CRA) in a way that is fair
83 to both financial institutions and the residents of every city and towns in which they do business.
84 To that end, federal regulators should:

- 85 • Make CRA more relevant to the current landscape of financial institutions by covering
86 traditional banks, internet-only banks, and non-bank institutions including mortgage
87 companies, financial technology companies, and credit unions; and
- 88 • Support a CRA with a clearly-defined grading system that reduces uncertainty for banks
89 undergoing CRA reviews; and that emphasizes lending, bank branches, fair lending
90 performance, and responsible loan products for working class families; and

- Ensure that geographic assessment areas remain the focus of CRA tests in order to prevent any chance that banks would be permitted to “cherry-pick” communities with high housing values to meet their lending obligations under CRA at the expense of other distressed and vulnerable communities; and

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

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

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

- Restore full funding for the Community Development Block Grant Program, which serves as the first line of defense against local neighborhood decline and has been the bridge for countless families to the middle class; and
- Authorize significant annual increases in funding for economic development grants for cities and towns through the U.S. Economic Development Administration, beginning with a doubling of funding to \$600 million in the first year; 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 Economic Development Integration at U.S. EDA to fill the role central integrator of all federal economic development programs across federal agencies to streamline and simplify city access to those programs; and
- Support greater offerings of technical assistance and capacity building at federal agencies tasked with economic development, including HUD, EDA, and USDA, for small and mid-sized cities and towns to create and fill economic development positions within municipal governments – or to support NGO partners assisting local governments; and

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

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

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NLC RESOLUTION #14

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

WHEREAS, federal Fair Housing Act does not allow for any lender, landlord, or housing provider to institute policies or practices that could negatively affect a protected class (race, color, religion, national origin, sex, disability, and familial status); and

WHEREAS, many cities have the affirmative duty to further the Fair Housing Act which includes but not limited to anti-displacement mechanisms; and

WHEREAS, many cities have communities with diverse population of many races, colors, and national origin who have often chosen to live in communities that are like their own race, color, or national origin; and

WHEREAS, in many cities, certain communities, primarily communities of color, are facing gentrification leading to displacement of longtime residents to less desirable areas of the city or displaced entirely from the community; and

WHEREAS, in many communities facing gentrification by market and unaffordable housing, the only source of new housing affordable to the low-income residents is government subsidized housing; and

WHEREAS, the Fair Housing Act does not allow any preference to be given to residents of gentrifying communities being displaced upon the construction of a new housing affordable to low-income residents of that community; and

WHEREAS, if the residents could have preference to these better and safer affordable housing structures recently developed in their communities, the residents would be able to vacate the deteriorating structures which are the only ones they can afford, allowing for the redevelopment of the properties; and

WHEREAS, cities have a legitimate interest in protecting long-term residents as long-term residents are often engaged positively in the community, provide community stability, and stability often lends to less crime; and

WHEREAS, neighborhood/community preference is a very powerful anti-displacement tool which operation (interpretation) of the Fair Housing Act has taken away from municipalities.

NOW, THEREFORE, BE IT RESOLVED that NLC urges the Secretary of the Department of Housing and Urban Development (“HUD”) give municipalities guidance as to how a Fair Housing marketing plan can be set up with a neighborhood preference that will be acceptable to the department; and

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

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WHEREAS, in 2008, Congress passed the Mental Health Parity and Addiction Equity Act, which made available additional insurance benefits to people with substance abuse disorders; and

WHEREAS, an unintended consequence of the aforementioned benefits, stemming from the opioid crisis that has overtaken our country, has been the unplanned and rapid growth of “sober living homes” in cities where local authority over residential recovery facilities is limited by federal statutes in the Fair Housing Act (FHA) and the Americans with Disabilities Act (ADA); and

WHEREAS, there is little government oversight of the Sober Living Home industry beyond voluntary standards that are essentially self-policed; and

WHEREAS, the number of sober living homes operating in cities across the country is unknown because there is no mandatory registration at any level of government.

NOW, THEREFORE, BE IT RESOLVED that NLC supports federal legislation that re-examines these statutes and recognizes and enhances local authority to limit and regulate residential facilities in areas zoned residential; and that requires Sober Living Homes to obtain an operating license and meet minimum consumer protection standards to protect both the patients and the neighborhoods that support them.

1 NLC RESOLUTION #16

2
3 **URGING THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)**
4 **TO ENACT SAFEGUARDS AGAINST ABUSES IN CONTRACTS FOR DEEDS**
5

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

11
12 **WHEREAS**, over three million families have entered into a Contract for Deed to purchase a
13 home due to the inaccessibility of the traditional mortgage market; and

14
15 **WHEREAS**, a Contract for Deed is a seller finance method to purchase a home where the seller
16 retains the legal title to the property until the homebuyer finishes paying all principal payments
17 and interest owed under the contract. Contracts for Deeds are principally used by low-income
18 homebuyers who are unable to obtain a traditional mortgage or financing because of poor credit
19 ratings, inadequate income or other issues; and

20
21 **WHEREAS**, bad actors can abuse Contracts for Deeds to allow the seller to avoid health and
22 safety regulations, and crucial repairs to the property, while transferring the burden of property
23 taxes, property insurance, and repairs to the homebuyer; and

24
25 **WHEREAS**, in comparison to renting, the homebuyer must pay more per month for the property
26 under Contracts for Deeds, make a larger upfront payment, and take better care of the premises,
27 because the homebuyer is working toward ownership. However, sellers that abuse Contract for
28 Deeds rarely end up transferring the title to the prospective homebuyer; and

29
30 **WHEREAS**, Contracts for Deeds are often consummated between the homebuyer and the seller
31 without the benefit of a title search and title insurance, government regulatory protections and
32 standardized legal documents in many states including Texas, Illinois, Michigan, Minnesota,
33 West Virginia, South Dakota, Ohio, South Carolina, and Florida; and

34
35 **WHEREAS**, the proliferation and abuse of Contracts for Deeds presents the risk of creating yet
36 another large drain on African-American wealth comparable in impact to the housing finance
37 abuses that brought about the 2007-2009 subprime crisis.

38
39 **WHEREAS**, the National Black Caucus of Local Elected Officials, a constituency group of the
40 National League of Cities, has endorsed this resolution; and also strongly condemns the use of
41 Contracts for Deeds to exploit low-income homebuyers.

42
43 **THEREFORE, BE IT RESOLVED**, that the National League of Cities urges the U.S.
44 Department of Housing and Urban Development, the U.S. Department of Veterans Affairs, and
45 the Rural Housing Service of the U.S. Department of Agriculture to enact regulations and

46 safeguards against predatory uses of Contracts for Deeds, and to protect consumers from the
47 practice of using Contracts for Deeds to unjustly evict families from their homes.

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

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.

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

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

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

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

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

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

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

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

WHEREAS, on any given night, there are an average of 560,000 Americans experiencing homelessness, meaning they are sleeping outside, in an emergency shelter, or in a transitional housing program, including over 120,000 children and over 39,000 veterans; and

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

WHEREAS, NLC supports the national, multi-sector housing campaign “[OPPORTUNITY STARTS AT HOME](#)”, a long-term, multi-sector campaign to meet the rental housing needs of the nation’s lowest income people.

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

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

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

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

1 NLC RESOLUTION #19

2
3 SUPPORTING TRANSITIONAL AND SUPPORTIVE HOUSING PROGRAMS

4
5 **WHEREAS**, every American deserves the opportunity for a decent home in a suitable living
6 environment with adequate financial stability to maintain it; and

7
8 **WHEREAS**, there is an irreplaceable role for the federal government to assist local governments
9 in meeting our nation's distinct housing needs; and

10
11 **WHEREAS**, the distinct housing needs in our nation include opportunities for affordable
12 homeownership, affordable rental housing, transitional housing for the homeless, and supportive
13 housing for those with special needs; and

14
15 **WHEREAS**, the homeless condition is a critical issue, affecting nearly every community in this
16 nation; and

17
18 **WHEREAS**, it is recognized that the homeless condition impacts communities and local
19 economies, often negatively impacting local businesses and taxing current response infrastructure.
20 It is also recognized that any solution will require communities to provide increased access to
21 mental health services; and

22
23 **WHEREAS**, it is acknowledged that the homeless condition is a challenge that is complex
24 requiring long term strategic planning, and as the population continues to grow so too does the
25 potential for the homeless population to increase; and

26
27 **WHEREAS**, opportunities for affordable, supportive, and transitional housing are declining; and
28 the number of families and individuals experiencing homelessness are increasing; and

29
30 **WHEREAS**, for many reasons, individuals with special needs are often unable to directly benefit
31 from federal policies and programs aimed at permanent, affordable housing; and

32
33 **WHEREAS**, transitional and supportive housing meet distinct needs in our communities, and are
34 as essential as affordable, permanent housing for ending homelessness; and

35
36 **WHEREAS**, transitional housing directly assists individuals with a variety of challenges
37 including, but not limited to, mental health conditions, ex-offender status, and addiction recovery;
38 and

39
40 **WHEREAS**, supportive housing is an evidence-based housing intervention that combines non-
41 time-limited affordable housing assistance with wrap-around supportive services for people
42 experiencing homelessness, as well as other people with disabilities; and

43
44 **WHEREAS**, according to the United States Interagency Council on Homelessness, transitional
45 and supportive housing is a cost-effective solution to homelessness - that also improves public

46 health and lowers public costs by reducing the use of publicly-funded crisis services, including
47 shelters, hospitals, psychiatric centers, jails, and prisons.
48

49 **NOW, THEREFORE, BE IT RESOLVED** that considering the severity and complexity of the
50 homeless condition, NLC urges Congress to increase and prioritize funding for access to mental
51 health services for residents of supportive housing; and
52

53 **BE IT FURTHER RESOLVED** that NLC urges the federal government to adopt a national
54 policy of intervention that encourages localities to design their response to include, but not be
55 limited to, permanent supportive housing while assisting them to find more effective bridge
56 solutions.

**HUMAN DEVELOPMENT
FEDERAL ADVOCACY COMMITTEE
HD**

PROPOSED POLICY AMENDMENTS

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

Please note:

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

POLICY

- Section 4.02 Children and Learning
- Section 4.09 Poverty Reduction and Income Support
- Section 4.04 Employment
- Section 4.08 Health

4.02 Children and Learning

A. Early Childhood Development

NLC supports early childhood development programs that have the greatest potential for enriching a young child's life in the long term. Such programs should include:

- Health and nutrition for proper development;
- Parent training and support, including flexible child care arrangements; and
- Appropriate early learning experiences that focus on play-based learning, which develops a child's intelligence through experimentation and fosters collaboration with others.

4.03 Poverty Reduction and Income Support

D. Homelessness

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

- Expand the emergency and transitional food and shelter programs;
- Expand programs that provide emergency health services;
- Expand access to additional mental health services;
- Fund social services, especially outreach and counseling services;
- Provide transportation, life skills, education, job training, career counseling, and job placement services;
- Expand federal funding for programs such as HOME and CDGB and, where able, allocate federal funds directly to cities;
- Improve access to federal ~~entitlement~~ assistance programs such as Medicaid, Supplemental Nutrition Assistance Program, etc.; and
- Develop a unique set of services and programs to aid and assist homeless veterans.

See also CED Section 3.06 Housing (C)(7), Providing Transitional Housing and Comprehensive Services for the Homeless

4.04 Employment

NLC believes that the federal government should maintain an economic environment that promotes job creation and job access. To support America's workers and employers, the federal government should:

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

A. Workforce Development

The federal government should provide resources for a range of services, including basic educational and job skills training for welfare recipients, structurally unemployed individuals, dislocated workers, and at-risk youth, and job placement services for all Americans to ensure that all Americans have access to higher paying and higher skills jobs.

To ensure that these goals and objectives are met, Congress should fully fund workforce development programs like the Workforce Innovation and Opportunities Act (WIOA) and should:

- Allow cities and towns working individually or together to utilize funds in ways that reflect the local workforce, available jobs, and the needs of the business community;
- Ensure that a portion of the funds are targeted to those most in need: persons living in poverty, those who are structurally unemployed and are not likely to return to their previous jobs, ex-offenders, and disconnected youth who are at-risk of long-term poverty;
- Establish workforce development areas that are based on regional economies rather than arbitrary measures such as population or political boundaries;
- Prohibit states from diverting all federal funds toward those who are already employed or job ready rather than those in greatest need;
- Ensure that local elected officials play a significant role in the planning, development, and implementation of regionally-based workforce development programs;
- Encourage collaboration between governments, education agencies including community colleges, organized labor, and the private sector to provide job skills training that meets the needs of workers and employers alike;
- ~~• Establish a permanent summer jobs program for young people ages 14 through 24 that is designed to provide economically disadvantaged and disconnected youth with paid jobs that provide measurable world-of-work training and job skills development;~~
- Provide two-year base funding so that programs may provide long-term training and services across program years; and
- Allow local governments and workforce development programs to use a variety of training approaches including, but not limited to: individual training accounts, classroom training, and on-the-job training;
- Encourage greater use of apprenticeship programs with access to funding for local programs.

- Establish a permanent summer jobs program for young people ages 14 through 24 that is designed to provide youth, including economically disadvantaged and disconnected youth, with paid jobs that provide measurable world-of-work training and job skills development as well as wrap-around supports to engage them in the workforce system and learn the responsibilities and soft-skills that lead to better jobs;
- Expand the Pell Grant program to cover needed workforce skills training for short-term and certificate training programs;
- Ensure access to affordable, high-quality childcare and a portable benefits system to ensure all those able to engage in the workforce are able.

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

B. Job Creation

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

In addition, the federal government should assist in areas of high unemployment to promote job creation, including tax credits and other incentives to business and industry to ~~hire-disadvantaged youth and other hard-to-employ populations~~ locate new jobs in those areas.

NLC also supports transitional jobs, or public sector jobs that are designed to provide individuals with temporary employment that will lead to full-time permanent employment after a period of classroom, on-the-job, and other types of training consistent with permanent, full-time employment. The President and Congress should establish a national infrastructure program with the goal of stimulating job growth, retraining the workforce, and boosting local economies.

C. Job Elimination

When employers downsize, relocate or close businesses they should be required to give advance notice to employees and the local government in which the business resides so that appropriate preparations may be made to meet the needs of the dislocated workers.

Therefore, NLC supports federal laws that require public and private sector employers to:

- Provide advance notice of relocations, reductions in workforce or business closings;
- Consult with local municipal officials so that the individuals and communities affected can plan for needed adjustments; and
- Create incentives for individuals to be re-skilled/re-trained to obtain further employment within the local community; and
- Make supplemental financial contributions to support the unemployment insurance fund to assist in worker transition.

D. Wages and Benefits

NLC urges the federal government to increase the minimum wage and ~~Earned Income Tax Credit~~ EITC to levels that, in combination, allow families to support themselves above the poverty level.

NLC opposes a federal sub-minimum wage for ~~youth, and~~ youth and supports a minimum wage for all workers regardless of age, sex or job classification.

NLC urges the federal government to review the impact of any wage and overtime rule on cities and towns and to adjust the implementation as is necessary so as not to have an unintended impact on municipal budgets.

NLC opposes any wage and overtime rules that would have automatic updates without purposeful Congressional or Administrative study and action.

4.08 Health

H. Substance Abuse

The federal government should maintain the definition of substance use disorders ~~addiction and alcoholism~~ as illnesses and should ensure that there are enough facilities for those who need substance use disorder treatment, including children and infants who are born with prenatal substance exposure. ~~alcohol and/or drug treatment including infants born addicted and children.~~

According to the National Survey on Drug Use and Health (NSDUH, 2014), 21.2 million Americans needed treatment for a substance use disorder. However, only about 2.5 million people received the specialized treatment they needed.

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

Resources should include:

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

~~Currently, private facilities are expensive, and public ones lack the funding, space, and personnel to treat the growing number of individuals seeking treatment.~~

I. Protecting the Nation's Blood Supply

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

J. Mental Health Parity

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

K. Mental Illness

The federal government should ensure that the civil and constitutional rights of persons with mental health conditions and substance use disorders ~~of mentally ill people~~ are protected. In addition, the federal government should provide trauma-informed ~~funding and~~ support to local communities to increase protective factors that promote resilience in children and families ~~to improve mental health in schools generally and to prevent youth suicide particularly,~~ without regard to race, gender, sexual orientation, age, ethnicity, ability or gender identity.

The Federal government should:

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

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WHEREAS, disadvantaged youth, specifically male students of color, including African-Americans, Latinos and Pacific Islanders as well as immigrants, face unacceptably high dropout rates, low graduation rates and widening achievement gaps between themselves and those who graduate; and

WHEREAS, parents, educators, business and community leaders, local elected officials, state elected officials, and federal policymakers must put the educational needs of all school-age children first, but especially those of potential and actual dropouts, so that all children have the education and skills they need to adequately contribute to American society; and

WHEREAS, putting the interests of children first means using every educational tool at our disposal to improve the quality of education, and making every educational option available so that otherwise disadvantaged students are successful in school and society at-large, including investing in teacher quality and professional development efforts in communities with high poverty; and

WHEREAS, 90 percent of a child’s brain development has occurred by age five and for every dollar that is invested in high-quality early childhood programs for disadvantaged children, we can expect a 13 percent return on investment annually.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) calls upon the federal government to make the necessary investments in education, especially those targeted at early childhood education, reducing dropout rates, increasing graduation rates and addressing the achievement gap, to ensure that all children obtain the best education possible; and

BE IT FURTHER RESOLVED that NLC supports increased educational opportunities for all children, especially those who are disadvantaged, and supports scholarship tax credits and opportunity scholarship programs to help all disadvantaged students succeed in school.

1 NLC RESOLUTION #21

2
3 IN SUPPORT OF ACTION BY THE CENTERS FOR DISEASE CONTROL (CDC) TO
4 ADDRESS VIOLENCE AMONG AND AGAINST YOUNG AFRICAN-AMERICAN
5 MALES
6

7 **WHEREAS**, young men, generally, and African-American males, specifically, are dying at an
8 alarming rate due to homicides, 13 times higher than non-Hispanic white youth¹, and is the
9 number one cause of death for 15-24-year-old African American males², and
10

11 **WHEREAS**, research documents that daily exposure to violence among men, generally, and
12 African-American males, specifically, impacts traumatically and forever changes the lives of
13 these youths³; and
14

15 **WHEREAS**, beginning as early as 1979 with the landmark Surgeon General’s report *Healthy*
16 *People: The Surgeon General's Report on Health Promotion and Disease Prevention*, the
17 consequences of violent behavior on the health of children and young adults was documented⁴;
18 and
19

20 **WHEREAS**, the loss of African American males in the community because of homicide and
21 high rates of incarceration further impacts the community by reducing the number of males who
22 may serve as role models for young African-American males⁵; and
23

24 **WHEREAS**, increased federal, state and local attention to this matter can help reduce the
25 violence that plagues many young males, generally, and African-American males, specifically.
26

27 **NOW, THEREFORE, BE IT RESOLVED**, that the National League of Cities calls upon the
28 United States Congress to direct the Centers for Disease Control, whose primary responsibilities
29 are to monitor public health; detect and investigate health problems, foster safe and healthy
30 environments, and implement prevention strategies, to monitor, detect, and prevent violence
31 among young males, generally, and young African-American males, specifically; and
32

¹ Massetti, Greta M., and Corinne David_Ferdon. Preventing Violence Among High-Risk Youth and Communities with Economic, Policy, and Structural Strategies. Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, February 12, 2016, Vol. 65, No. 1.

² Centers for Disease Control, “Leading Causes of Death by Age Group, Black Males-United States,” 2006.

³ Fred M. Hechinger, “Saving youth from violence: Charting new paths to safety,” National Civic Review, 2007.

⁴ Dahlberg LL, Mercy JA. History of violence as a public health issue. AMA Virtual Mentor, February 2009. Volume 11, No. 2: 167-172.

⁵ Mauer, Marc, “The Crisis of the Young African American Male and the Criminal Justice System,” The Sentencing Project, Washington, DC, 1999.

33 **BE IT FURTHER RESOLVED**, that the Centers for Disease Control, develop a holistic
34 intervention designed to address the health-related aspects and implications of violence among
35 young males, generally, and young African-American males, specifically; and
36

37 **BE IT FURTHER RESOLVED**, that the Centers for Disease Control develop short- and long-
38 term health care strategies to bring back health to the African-American community in a way that
39 promotes the longevity of African-American males.
40

41 **BE IT FURTHER RESOLVED**, that Congress and the President increase funding for the
42 Centers for Disease Control and Prevention in the federal budget to support data and indicators
43 that will inform local strategy in cities and towns across our country as they address the issue of
44 violence among young men, generally, and African-American males, specifically, in their
45 communities.

1 NLC RESOLUTION #22

2
3 SUPPORTING EFFORTS TO END VETERAN AND CHRONIC HOMELESSNESS

4
5 **WHEREAS**, the women and men who have sacrificed for our country through military service,
6 and their families, should be honored with a safe place to call home; and
7

8 **WHEREAS**, people experiencing chronic homelessness are our most disabled and vulnerable
9 citizens and most likely to die on the streets of our communities; and
10

11 **WHEREAS**, federal partners through the leadership of the United States Interagency Council on
12 Homelessness (USICH) and, as outlined in *Home Together*, have agreed to address the issue of
13 homelessness in a strategic manner, addressing Veteran and chronic homelessness as distinct
14 subpopulations; and
15

16 **WHEREAS**, NLC and more than 500 elected officials across 42 states, the District of Columbia
17 and Puerto Rico have shown their commitment to Veteran homelessness by accepting the
18 Mayors Challenge to End Veteran Homelessness with the support of federal partners at the
19 Department of Housing and Urban Development (HUD), the Department of Veterans Affairs
20 (VA), and USICH as well as national partners at the National Alliance to End Homelessness
21 (NAEH), National Coalition for Homeless Veterans (NCHV), and Community Solutions; and
22

23 **WHEREAS**, local communities are on the front lines of the response to Veteran and chronic
24 homelessness; and
25

26 **WHEREAS**, the specific focus on Veteran homelessness, the leadership of local officials, the
27 availability of federal programs and technical assistance supports have led to a 47 percent decline
28 in Veteran homelessness since 2010; and
29

30 **WHEREAS**, the progress on Veteran homelessness has helped national and local stakeholders
31 learn lessons that are improving the quality of life for everyone in the community, housed and
32 homeless alike; and
33

34 **WHEREAS**, the 19 percent reduction in chronic homelessness since 2011 nationally comes
35 despite an increase in homelessness by 3 percent in major city Continuum of Care programs,
36 which account for 48 percent of all homeless people in the United States; and
37

38 **WHEREAS**, homelessness in many cities has reached crisis proportions leading to an increase
39 in the prevalence of homeless encampments and emergency declarations; and
40

41 **WHEREAS**, city officials cannot implement known best-practices, nor reach the goal of
42 “functional zero” on Veteran or chronic homelessness as defined by the criteria and benchmarks
43 designated by federal partners without the necessary federal resources; and
44

45 **WHEREAS**, communities cannot make sustained progress across all homeless subpopulations
46 without an increase in new affordable housing; and

47 **WHEREAS**, city leaders recognize their ability to create local regulatory environments that can
48 promote the development of new affordable housing, but without an increase in federal resources
49 the overall shortage of affordable housing will not only continue, but further be exacerbated; and
50

51 **WHEREAS**, NLC endorses and encourages local communities to develop and implement plans
52 to end homelessness that include the field-tested, evidence-based national innovations such as
53 client assessments and prioritization tools to direct resources to those most in need, the
54 development of a community shared and unified by-name-list, Housing First/Rapid Re-housing
55 strategies among all community partners, and the engagement of local landlords to house
56 Veterans and the chronically homeless who are using federal housing program supports.
57

58 **NOW, THEREFORE, BE IT RESOLVED** that NLC, to maintain the progress made on
59 veteran homelessness, urges Congress to permanently authorize the Supportive Services for
60 Veteran Families (SSVF) program at the level of no less than \$500,000,000; and
61

62 **BE IT FURTHER RESOLVED** that NLC opposes the unfunded mandate proposed in H.R.
63 1511 and S. 611 requiring communities to serve families living in “doubled up” situations
64 through the Continuum of Care program without additional resources; and
65

66 **BE IT FURTHER RESOLVED** that non-Veteran specific resources funded through the U.S.
67 Department of Housing and Urban Development and the U.S. Department of Labor receive
68 funding as appropriated in Fiscal Year 2019 Senate appropriations language; and
69

70 **BE IT FURTHER RESOLVED** that NLC supports the 50 percent expansion of the Low-
71 Income Housing Tax Credit Program’s authorization as outlined in S. 548, the Affordable
72 Housing Credit Improvement Act of 2017; and
73

74 **BE IT FURTHER RESOLVED** that NLC affirms the value of USICH and urges Congress to
75 maintain funding levels at no less than \$3.6 million; and
76

77 **BE IT FURTHER RESOLVED** that NLC supports the bipartisan goal of S. 3231 to assess the
78 impact of the nation’s affordable housing crisis.

1 NLC RESOLUTION #23

2
3 IN SUPPORT OF COMPREHENSIVE IMMIGRATION REFORM

4
5 **WHEREAS**, historically, the cities and towns of the United States are a cultural mosaic of
6 multiple cultures and nationalities based on our nation’s history of welcoming immigrants; and
7

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

13 **WHEREAS**, failure on the part of the federal government to secure the borders, track visa
14 recipients in the interior, or enforce worksite laws allows illegal immigration to thrive, with an
15 estimated 11.3 million residents, 3.5% of the nation’s population, living and working in the
16 United States without legal authorization or proper documentation¹; and
17

18 **WHEREAS**, since 2009, there have been an average of 350,000 new unauthorized immigrants
19 to the United States each year²; and
20

21 **WHEREAS**, the worksite enforcement program does not adequately deter employers who
22 willingly hire unauthorized workers because they face little likelihood that the federal
23 government will investigate, fine, or criminally prosecute them; and it does not help employers
24 who genuinely want to follow the law because their employee verification efforts are hindered by
25 the extensive use of fraudulent documents; and
26

27 **WHEREAS**, the lack of infrastructure and capacity at the federal level makes the federal
28 government unable to adequately track the entry and exit of visitors and temporary workers, and
29 it creates unacceptable application backlogs and long delays, which provide strong disincentives
30 for foreign nationals to abide by the legal means to enter or remain in the country; and
31

32 **WHEREAS**, 177,828 workers in 2015³, equal to about half of the undocumented seasonal
33 workers in the United States⁴, used the current temporary, unskilled worker programs (the H2-A
34 and H2-B visas); and
35

¹ Jens Manuel Krogstad and Jeffrey S. Passel, “5 facts about illegal immigration in the U.S.,” Pew Research Center (Nov. 2015).

² Jeffrey S. Passel and D’Vera Cohn, “Unauthorized immigrant population stable for half a decade,” Pew Research Center (July 2015)

³ U.S. Department of State, *Report of the Visa Office 2015, Nonimmigrant Visas Issued by Classification Fiscal Years 2011-2015*.

⁴ Steven Zahniser et. al, “The Potential Impact of Changes in Immigration Policy on U.S. Agriculture and the Market for Hired Farm Labor: A Simulation Analysis,” U.S. Department of Agriculture, Economic Research Service (May 2012).

36 **WHEREAS**, the current immigration system inadequately addresses the growing numbers of
37 individuals wishing entrance to the United States through a temporary work visa program or as
38 legal permanent residents; and
39

40 **WHEREAS**, roughly two-thirds of undocumented adult immigrants have lived in the United
41 States for ten years or more, 1 million unauthorized immigrants are children, and another 4.5
42 million U.S.-citizen children have at least one undocumented parent⁵; and these families are
43 forced to live “underground,” unable to get drivers’ licenses or car insurance in most states,
44 unlikely to obtain health insurance, and afraid to report crimes to local law enforcement; and
45

46 **WHEREAS**, since immigrants are barred from most federal public assistance, the burden of
47 providing social services, education, and health care falls to the state and local governments, who
48 are increasingly feeling the fiscal impact of both legal and illegal immigrants living in their
49 communities.
50

51 **WHEREAS**, with the signing on the executive order, “Affording Congress an Opportunity to
52 Address Family Separation”, the President called for modification of the 1997 *Flores v.*
53 *Reno* court settlement to enable Immigration and Customs Enforcement (ICE) to detain families
54 together longer than 20 days, resulting in nearly 2,000 children having been separated from their
55 parents in a six-week time period, many of whom are being sent to cities and facilities across the
56 country⁶; and
57

58 **WHEREAS**, with guidance from the U.S. Citizenship and Immigration Services (USCIS)
59 updating policy for the accrual of unlawful presence of those in student (F nonimmigrant),
60 exchange visitor (J nonimmigrant) or vocational student (M nonimmigrant), visa overstay
61 penalties will include harsher penalties impacting students and families⁷; and
62

63 **WHEREAS**, with a reduced number of visas available through the H-2A program, which allows
64 U.S. employers to bring foreign nationals to the United States to fill temporary agricultural jobs,
65 many employers struggling to find qualified workers; and
66

67 **WHEREAS**, the federal government is considering expansion of its public charge rule, which
68 would impact the way in which immigrants access means-tested government programs that
69 promote the health and wellbeing of their families and support earnings, employment and
70 homeownership that ultimately impact the economic vitality of cities; and
71

72 **WHEREAS**, there are 511,000 immigrant veterans in the United States of which, 94,000 are
73 waiting to be naturalized and are at risk of deportation.
74

⁵ Paul Taylor et. al, “Unauthorized Immigrants: Length of Residency, Patterns of Parenthood,” Pew Hispanic Center (Dec. 2011).

⁶ <https://www.nytimes.com/2018/06/15/us/politics/trump-immigration-separation-border.html>

⁷ https://www.uscis.gov/sites/default/files/USCIS/Outreach/Draft%20Memorandum%20for%20Comment/AccrualofUnlawfulPresenceFJMNonimmigrantsMEMO_v2.pdf

75 **NOW, THEREFORE, BE IT RESOLVED** that the federal government enforce its current
76 immigration laws consistently and vigorously to eliminate illegal entry at the borders, visa
77 overstays, working without proper documentation, and employing undocumented workers; and
78

79 **BE IT FURTHER RESOLVED** that local personnel, such as police officers, fire inspectors,
80 educators, health personnel and social service personnel, should not be conscripted into federal
81 service because the federal government has not adequately funded and staffed its immigration
82 enforcement agencies; and the federal government must not transfer the responsibility of
83 enforcing U.S. immigration laws to local personnel by making undocumented status in the U.S. a
84 criminal offense; and
85

86 **BE IT FURTHER RESOLVED** that the federal government must strengthen its worksite
87 enforcement capacity and dramatically increase enforcement efforts at places of employment, as
88 well as providing employers with a universal, reliable, effective, secure, non-discriminatory, and
89 non-counterfeitable employee verification system, using the most up-to-date technology that will
90 minimize fraud; and
91

92 **BE IT FURTHER RESOLVED** that the federal government must increase its capacity and
93 infrastructure, including funding levels and number of judges, to enforce the laws and provide
94 efficient means for foreign nationals to obtain legal authorization for visas or legal permanent
95 residency as well as to be processed when making a border crossing; and
96

97 **BE IT FURTHER RESOLVED** that the federal government must provide an appropriate, legal
98 means of immigration, as is determined to be necessary and effective for the United States, for
99 foreign nationals that want to work here temporarily, become legal permanent residents, or gain
100 citizenship as well as consider impacts to students and families for harsh penalty policies for
101 visas overstays; and
102

103 **BE IT FURTHER RESOLVED** that the federal government should reexamine its policies
104 regarding seasonal workers given its impact on local business and the economic vitality of cities
105 and towns across America; and
106

107 **BE IT FURTHER RESOLVED** that NLC supports establishment of a process whereby
108 undocumented immigrants currently living in the United States may earn legalized status through
109 payment of appropriate fees and back taxes, background checks, absence of criminal or gang
110 activity, consistent work history, and meeting English and civics requirements; and that the
111 immigrants who have earned such legal status should also be able to apply for citizenship
112 through additional processes, as appropriate and practical, as long as they do not move ahead of
113 applicants with proper documentation waiting to adjust their status or those waiting on lists in
114 their home countries; and
115

116 **BE IT FURTHER RESOLVED** that the federal government should provide local governments
117 with financial and technical assistance to alleviate the local impact of new immigrants, including
118 the costs of providing social services, health care, education, language services, and civic
119 integration; and
120

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 opposes any further expansion of the public charge definition that would preempt cities from offering services to all residents in their communities; and

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

BE IT FURTHER RESOLVED, legal 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.

1 **NLC RESOLUTION #24**

2
3 **IN SUPPORT OF A NATIONAL HOLIDAY CELEBRATING THE 13TH AMENDMENT**

4
5 **WHEREAS**, the Thirteenth Amendment to the United States Constitution abolished slavery and
6 involuntary servitude, except as punishment for a crime; and
7

8 **WHEREAS**, in the United States Congress, the Thirteenth Amendment was passed by the
9 Senate on April 8, 1864, and by the House on January 31, 1865; and
10

11 **WHEREAS**, the Thirteenth Amendment was ratified by the required number of states on
12 December 6, 1865; and
13

14 **WHEREAS**, on December 18, 1865, Secretary of State William H. Seward proclaimed the
15 adoption of the Thirteenth Amendment; and
16

17 **WHEREAS**, President Abraham Lincoln's resolution to adopt the Thirteenth Amendment is
18 celebrated as an observance on February 1st but is not a federal holiday; and
19

20 **WHEREAS**, liberated countries customarily celebrate their independence with a national
21 holiday; and
22

23 **WHEREAS**, human freedom is an inalienable right superior to any other; and
24

25 **WHEREAS**, human bondage and trafficking continues to be an epidemic worldwide; and
26

27 **WHEREAS**, the United States of America has deployed, and continues to deploy, its armed
28 forces to promote and establish freedom around the world; and
29

30 **WHEREAS**, it behooves every responsible society to celebrate human freedom and to commit
31 to ensuring that freedom everywhere.
32

33 **NOW, THEREFORE, BE IT RESOLVED**, that the National League of Cities calls upon the
34 United States Congress to declare a national holiday celebrating the adoption and enacted of the
35 Thirteenth Amendment to the United States Constitution to be celebrated on the second Monday
36 of December, falling between the date of its ratification and adoption.

1
2
3 **NLC RESOLUTION #25**

4 **SUPPORTING EFFORTS TO INCREASE EMPLOYMENT AMONG TRANSITION**
5 **SERVICEMEMBERS, VETERANS, AND THEIR FAMILIES**

6 **WHEREAS**, the strength of the United States Armed Services is a matter of critical national
7 security and is due, in part, to the maintenance of an all-volunteer force; and
8

9 **WHEREAS**, supporting the successful transition from service for existing military personnel is
10 an essential component to maintaining an all-volunteer force in the future; and
11

12 **WHEREAS**, estimates regarding the size of military personnel levels have heretofore
13 anticipated the United States' Armed Services transitioning approximately 250,000 military
14 personnel from active duty every year for the next 10 years; and
15

16 **WHEREAS**, the women and men who have sacrificed for our country through military service,
17 and their families, should be honored with a safe place to call home; and
18

19 **WHEREAS**, these women and men must have adequate and regular education and employment
20 opportunities that create career-establishing possibilities; and
21

22 **WHEREAS**, 52 cities that are a part of NLC's Military Communities Council (MCC) represent
23 communities adjacent to military installations which face unique challenges and opportunities
24 due to an estimated one-third of exiting personnel remaining in these communities; and
25

26 **WHEREAS**, providing military personnel with an ability to complete up to 20 weeks of non-
27 military work experience, certified industry training, internships, higher education, or other
28 career skills programs prior to transitioning from service enhances the chance of civilian
29 employment; and
30

31 **WHEREAS**, federal partners through programs such as the Department of Defense's
32 SkillBridge Program and the Department of the Army's Career Skills Program facilitate post-
33 military employment as personnel transition from service; and
34

35 **WHEREAS**, the Workforce Innovation and Opportunity Act (WIOA) calls for the prioritization
36 of service for all U.S. Department of Labor-funded job training programs for veterans and
37 eligible spouses, including access to Jobs for Veterans State Grants (JVSG) and the National
38 Dislocated Worker Grants (DWG) program for transitioning service members and their spouses;
39 and
40

41 **WHEREAS**, the identification of service members and eligible spouses as dislocated workers,
42 and the resulting application for DWGs, has resulted in an increase in available resources to local
43 Workforce Development Boards in support of employment-training opportunities for
44 transitioning military families in Washington State, Maryland, Washington, D.C., Texas,
45 Georgia, and Colorado.
46

47 **NOW, THEREFORE BE IT RESOLVED** that the National League of Cities (NLC) in support
48 of increasing employment opportunities for veterans, transitioning service members, and their
49 families, urges Congress to provide increased funding to Workforce Innovation and Opportunity
50 Act Title I employment and training programs at the levels set forth in the House FY17
51 appropriations bill to provide for adequate investment in job training and adult education for this
52 critical community and other critical populations in our nation's cities and towns.

NLC RESOLUTION #26

IN SUPPORT OF EFFORTS TO PREVENT SEXUAL HARASSMENT AND ASSAULT

WHEREAS, according to the Equal Employment Opportunity Commission and the Centers for Disease Control and Prevention, 1 in 4 women and 1 in 7 men are victims of severe physical violence by an intimate partner; 1 in 5 women and 1 in 71 men are raped in their lifetime; 1 in 5 women report harassment by a boss and 1 in 4 were harassed by a coworker; 1 in 6 women and 1 in 19 men were stalked in their lifetime; 81% of women experienced verbal harassment; and 25% say they have received lewd texts or emails¹; 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 retaliation²; 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 sector³; and

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

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) calls upon the federal government to take meaningful action to prevent sexual harassment for all individuals, regardless of gender or sexual orientation, and to adopt improved reporting practices as an example for cities to follow; and

BE IT FURTHER RESOLVED that NLC supports the intention and vision of the #MeToo movement and calls on Congress to provide support to programs and initiatives that create

¹ EEOC and CDC, National Intimate Partner and Sexual Violence Survey 2011

² EEOC June 2016 Report

³ <https://www.justice.gov/opa/pr/justice-department-launches-initiative-fight-sexual-harassment-workplace>

42 pathways to healing as well as direct resources towards training, counseling and other
43 appropriate measures that address both prevention efforts and resources for survivors of sexual
44 violence and harassment.⁴

⁴ <https://metoomvmt.org/>

**TRANSPORTATION AND
INFRASTRUCTURE SERVICES
FEDERAL ADVOCACY COMMITTEE
TIS**

PROPOSED POLICY AMENDMENTS

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

Please note:

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

POLICY

- Section 5.01 Transportation Policies
- Section 5.05 Rail

5.01 Transportation Policies

C. Federal Responsibility for Planning and Funding Freight Mobility

The U.S. goods movement system needs greater federal leadership. Freight bottlenecks can be found all over the country, but the task of 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 is critical in order to maintain the efficiency of the transportation system and the U.S. economic competitiveness. NLC urges the federal government to adopt the following specific measures;

1. National Freight Strategy:

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

2. Senior, Focused Freight Leadership:

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

3. Dedicated Freight Program and Funding: A dedicated, formula-based goods movement program with dedicated funding should be created within the Department of Transportation. Ports should be eligible to seek funding from this program for freight projects both inside and outside their terminals.

4. Projects of Regional/National Significance:

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

5. Freight Eligibility for Existing Programs: Eligibility requirements for existing surface transportation programs should be expanded to better address freight requirements.

a. Congestion Mitigation and Air Quality (CMAQ): Although freight projects are currently eligible for CMAQ funding, they are not major recipients of funds. CMAQ criteria should be

refined to more appropriately recognize freight's potential to contribute to air quality improvements.

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

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

6. Tax Credit for Rail Infrastructure Investment:

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

7. States' Freight Planning:

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

5.05 Rail

B. Passenger Rail

NLC urges Congress and the Administration to develop a long-range vision and fund for passenger rail in the United States. Amtrak, in cooperation with state and local transportation officials, citizen groups, and other stakeholders, must develop such a plan as expeditiously as possible. National passenger rail plans should include acquiring and improving rail lines that would otherwise be abandoned. NLC urges the Administration to prioritize the safety review and approval of the use of information technology and crashworthy vehicles, such as passenger rail cars on low speed urban dual use passenger and freight lines.

NLC recommends the following:

1. Amtrak's Self Sufficiency Requirement

NLC urges repeal of Amtrak's statutory self-sufficiency requirement, since no known passenger rail system operates without government subsidies.

2. Development of and Access to a High-Speed Rail Network

NLC supports the investment in high-speed rail development as an important part of our national transportation network. Networks should be developed only after detailed analysis of their operational and financial feasibility and with local consent. NLC urges Congress to support creation of new high-speed rail.

3. Funding Options for Amtrak and High-Speed Rail

NLC supports the development of a long-term funding mechanism for infrastructure acquisitions, improvements, and rights-of-way and operating costs. In addition to appropriations, options include:

- Increasing the federal funding sources specifically for passenger rail;

- Directing the diesel fuel tax currently levied for rail operations and deposited into the general fund be moved into a newly created Trust Fund for rail improvements;
- Allowing state, regional and local government entities the option to spend a portion of their federal transportation allocation on intercity rail; and
- Allowing federal and state governments to issue tax-exempt or tax-credit bonds for financing rail improvements.

4. Ensure Adjustments Do Not Jeopardize Passenger Service

NLC urges Congress and the Federal Railroad Administration (FRA) to ensure that the expectations set in the Rail Passenger Service Act of 1970 (RPSA) for reasonable cooperation between intercity passenger rail providers and railroad companies is upheld. Adjustments to existing passenger rail service should not be subjected to unreasonable compensation requests and unjustifiably delay, and the FRA should utilize their authority to achieve the intent of law.

NLC RESOLUTION #27

**MODIFY FEDERAL RAILROAD ADMINISTRATION’S TRAIN HORN NOISE RULE
FOR SAFE IMPLEMENTATION OF RAILROAD QUIET ZONES**

WHEREAS, the Federal Railroad Administration’s (FRA) Train Horn Rule requires that locomotive horns be sounded at public highway-rail grade crossings and preempts state and local train whistle bans, and

WHEREAS, FRA rules for establishing a quiet zone seek a balance between safety for motorists, rail employees and passengers at public highway-rail grade crossings; and

WHEREAS, the process for establishing a quiet zone involves an agreement between state and local authorities, the railroad and the federal government; and

WHEREAS, establishment of a quiet zone is costly for a community; and

WHEREAS, communities have different circumstances for establishing a quiet zone.

NOW, THEREFORE, BE IT RESOLVED, that the National League of Cities calls on FRA and the US Congress to finalize the Retrospective that was initiated by the FRA in March 2016 and initiate new rulemaking on the Train Horn Rule to decrease barrier for local communities in establishing quiet zones while ensuring safety at highway-rail grade crossings; and

BE IT FURTHER RESOLVED, that FRA determine how local communities can implement quiet zones that are less burdensome and allow for differences in community circumstances while continuing to protect public safety; and

BE IT FURTHER RESOLVED, that Congress provide federal funds for the express purpose of establishing quiet zones; and

BE IT FURTHER RESOLVED, that FRA considers new and emerging technologies which may enhance the safety of quiet zone.

NLC RESOLUTION #28

REBUILD AMERICA’S INFRASTRUCTURE WITH CITIES AND FIX THE BROKEN TRUST FUND FOR TRANSPORTATION

WHEREAS, the National League of Cities (NLC) has called on Congress and the Administration to [REBUILD WITH US](#) by partnering with cities to rebuild and reimagine America’s infrastructure; and

WHEREAS, the economic wellbeing of our cities is dependent on a safe and efficient multi-modal network of roads, bridges, transit, rail, ports, sidewalks, and bike paths; and

WHEREAS, according to the NLC State of the Cities 2018 report, economic development and infrastructure were the top priorities of city leaders; and

WHEREAS, failing to step up efforts to fix America’s poor infrastructure is costing each American \$3,400 per year; and

WHEREAS, the Highway Trust Fund (Trust Fund), was created to provide dedicated, consistent federal funding for the highway and mass transit accounts, which together fund the majority of federal surface transportation programs; and

WHEREAS, the primary method of revenue generation for the Trust Fund is the federal fuel tax of 18.4 cents per gallon on gasoline and 24.4 cents per gallon of diesel fuel, and has not been changed since 1993; and

WHEREAS, The Congressional Budget Office projects that the Trust Fund will exceed revenues by 2021 without Congressional action; and

WHEREAS, Congress has relied on non-transportation related funding patches and bailouts from the general fund, which will total more than \$100 billion by 2020; and

WHEREAS, the current long-term transportation authorization, the Fixing Americas Surface Transportation (FAST) Act of 2016 will expire in fiscal year 2020; and

WHEREAS, the Congressional Budget Office projects that the Trust Fund will exceed revenues by 2021 without Congressional action; and

WHEREAS, while federal funding dwindles, local governments who are prioritizing innovation, performance, safety and congestion relief with citizen’s clear support and continuing to do their part to maintain 78 percent of the nation’s road miles, 50 percent of the nation’s bridges and operate the majority the nation’s transit systems; and

WHEREAS, federal lawmakers should support rather than hamper state and local efforts to raise necessary infrastructure funding in a manner that best serves their citizens and economies; and

WHEREAS, the lack of sufficient revenue into the Trust Fund and continued uncertainty of federal funding for long-term infrastructure projects creates unnecessary additional administrative costs; and burdens on locals.

NOW, THEREFORE, BE IT RESOLVED the NLC urges Congress and the President to prioritize infrastructure and follow through on implementing a long-term funding solution to keep the Trust Fund solvent and ensure federal funding certainty for local partners; and

BE IT FURTHER RESOLVED that the President and Congress should increase the federal fuel tax or implement a similar fee, indexed to inflation and the corporate average fuel economy (CAFE) standards to ensure the near-term viability of the Trust Fund, and begin steps to implement long-term solutions such as a mileage-based user fee; and

BE IT FURTHER RESOLVED that NLC continues to support a long term comprehensive national transportation plan and funding that would:

- Include local governments, who are closest to their citizens, as stakeholders in decision making on all transportation programs that impact their communities; and
- Ensure the role of local governments in statewide and regional planning is increased as the nation's transportation system becomes more multimodal and integrated; and
- Increase the overall funding directly available to local governments such as an increase in the suballocated share of the Surface Transportation Block Grant Program (STBGP) and Transportation Alternatives set aside under the STBGP currently available for local decision-making and developing sharing opportunities with local decision makers within other federal programs; and
- Create and expand revenue-generating mechanisms that are developed collaboratively by federal, state, and local governments, reflect the true cost to the infrastructure of every mode of transportation, and utilize new methods of revenue generation; and
- Increase investment in and maintenance of historically supported and emerging transportation modes including regional and intercity rail connections, safe biking and walking infrastructure, transit of all forms including autonomous vehicles and modern buses; and
- Continue to move toward a performance-based transportation structure where local governments can decide the right mix of transportation options that achieve the best results for their citizens and their goals for economic development, sustainability, safety, innovation, equity, and regional connectivity; and
- Integrate and sustain the highway, rail, air, and port freight systems of the North American trade bloc to enable the U.S. to remain a competitive economy and to connect urban and rural communities to each other and to the global economy; and,
- Recognize the essential connections between transportation and land use planning, housing, energy, the economy, public health and the environment; and
- Support affordable public transportation systems of all sizes and modes as well as ensure that U.S. wages keep up with costs of providing transportation services and living costs; and
- Advances Vision Zero goals for safety across all modes of transportation and utilizes safety as a criteria for prioritizing investments; and
- Increase the transparency of the federal regulatory processes for both localities and the general public and streamline federal processes that are duplicative or do not provide additional benefits.

1 **NLC RESOLUTION #29**

2
3 **CITIES EMBRACE DRONES AS AN EMERGING TRANSPORTATION INNOVATION**

4
5 **WHEREAS**, cities are embracing the innovation and potential for the safe and effective
6 integration of Unmanned Aircraft Systems (UAS or drones) into our cities' transportation
7 ecosystems; and
8

9 **WHEREAS**, drones continue to be seen by industry and government as an effective tool that can
10 be leveraged into existing transportation systems in the sky and on the ground that will be
11 operating in municipalities; and
12

13 **WHEREAS**, Congress has reinforced their support for the Federal Aviation Administration
14 (FAA) Drone Integration Pilot Program in the five-year reauthorization of the FAA and provided
15 cities certainty that they can continue to advance pilots and extended the use cases for drones in
16 partnership with the FAA; and
17

18 **WHEREAS**, currently there are more drone registrations by the FAA than manned aircraft; and
19

20 **WHEREAS**, cities will continue to use their existing authorities of land use, zoning, privacy,
21 trespass, and law enforcement operations to seamlessly integrate and optimize drone operations;
22 and
23

24 **WHEREAS**, cities have seen the potential of drones to perform valuable tasks for both industry
25 and cities that range from assisting with search and rescue, fighting wildfires, inspecting
26 infrastructure and responding to emergencies to expediting medical shipments, providing images
27 for construction, real estate and weather; and perhaps more significantly reducing congestion
28 during peak times and reducing wear and tear on the nation's roads; and
29

30 **WHEREAS**, cities' law enforcement professionals are viewed by the U.S. Department of
31 Transportation, FAA and U.S. Department of Homeland Security (DHS) as the primary
32 emergency response for improper and dangerous uses of drones yet unlike DOJ and DHS, they is
33 no provision in the FAA reauthorization for piloting or engaging local law enforcement in
34 counterdrone operations.
35

36 **NOW, THEREFORE, BE IT RESOLVED**, the integration of drones into cities' skies must be
37 a partnership among communities, their citizens, drone operators, researchers and the FAA to be
38 effective in integrating these new flyers into the low altitude airspace; and
39

40 **BE IT FURTHER RESOLVED**, NLC urges Congress and the Administration to respect and
41 uphold local authority over land use, zoning, privacy and law enforcement operations as they
42 relate to the effective operations and integration of drones in any rulemaking, legislative action,
43 or executive order; and
44

45 **BE IT FURTHER RESOLVED**, the FAA should continue to bring various stakeholders
46 together through the Drone Advisory Committee comprised of technology, commerce, and

47 transportation companies in addition to government stakeholders in order to provide relevant and
48 timely recommendations to the FAA related to fulfilling the directives of Congress through the
49 FAA Reauthorization Act of 2018 and continue piloting of integration of drones into the national
50 airspace; and

51
52 **BE IT FURTHER RESOLVED**, the DHS should consult directly with local and state
53 governments in the testing and preparation of counterdrone technology; and

54
55 **BE IT FURTHER RESOLVED**, cities are willing and able to assist in the development of
56 effective federal, state and local laws and regulations that appropriately balance the desires of
57 citizens, the needs of industry, and the promise of new technologies.

**PUBLIC SAFETY AND
CRIME PREVENTION
FEDERAL ADVOCACY COMMITTEE
PSCP**

PROPOSED POLICY AMENDMENTS

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

Please note:

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

POLICY

- Section 6.01 Crime Prevention

Section 6.01 Crime Prevention

M. Improve Policing in the 21st Century

NLC believes that trust between law enforcement agencies and the people they protect and serve is essential to the stability of our communities, the integrity of our criminal justice system, and the safe and effective delivery of policing services. Unfortunately, high-profile officer-involved killings have exposed racially divisive issues in the relationships between local police and the communities they protect and serve, especially in communities of color.

In December 18, 2014, President Barack Obama signed Executive Order 13684 establishing the Task Force on 21st Century Policing to examine ways of fostering strong, collaborative relationships between local law enforcement and the communities they protect and to make recommendations to the President on ways policing practices can promote effective crime reduction while building trust. The final report of the Task Force was delivered to the President on March 2, 2015 that included a total of 63 recommendations, most of which were directed at the approximately 18,000 state and local law enforcement agencies spread throughout the country.

NLC supports the report's findings that encourage collaboration with community members, especially in communities and neighborhoods disproportionately affected by crime, to develop policies and strategies for deploying resources that aim to reduce crime by improving relationships, increasing community engagement, and fostering cooperation.

NLC calls on Congress and the Administration to provide financial and technical assistance to local governments to help implement the applicable recommendations of the Task Force on 21st Century Policing and to assist municipalities with their efforts to make sure law enforcement training provides the foundation to cultivate police officers as leaders in – and guardians of – their communities by providing increased training in racial and implicit bias, intelligent restraint and de-escalation tactics and the use of nonlethal force.

N. Federal Asset Forfeiture Program

The criminal and civil asset forfeiture has long been an effective law enforcement tool to fight against illegal profiteering and to deter crime. The federal asset forfeiture program, when it is properly managed and regulated, redirects illegally gained property to be used by law enforcement to combat criminal activity consistent with federal and state regulations. When Congress passed the Civil Asset Forfeiture Reform Act of 2000 (CAFRA), P.L. 106-185, it made significant reforms to the Department of Justice's asset forfeiture program to ensure property owners are afforded adequate due process before their property was forfeited.

NLC strongly supports the provision in the law that authorizes the Attorney General to transfer or share seized assets with other federal, state, local, or foreign law enforcement agencies who have participated in the investigation or proceedings that resulted in confiscation. The civil asset forfeiture program provides millions in additional funding to support local law enforcement

46 agencies ability to continue to participate in federal task forces targeting criminal and gang
47 activity.

48
49 NLC is concerned that Congress’s continued scrutiny of the civil asset forfeiture’s peculiarities
50 in greater detail because of ongoing allegation of misconduct by local law enforcement agencies
51 it may once again consider legislation to change or limit the Department of Justice’s ability to
52 transfer property and funding to state and local law enforcement agencies through the civil asset
53 forfeiture program. NLC believes the reforms already implemented by the Department of Justice
54 address many of the concerns that have been raised regarding asset forfeiture and that any further
55 steps to reform the program should only be taken after careful consideration as to not further
56 weaken this valuable tool that aids state and local law enforcement in protecting our
57 communities.

58
59 NLC opposes federal legislation that would limit local law enforcements ability to participate in
60 the Federal civil asset forfeiture program. We strongly believe and future efforts to change or
61 severely limit local law enforcements ability to participate in the federal civil asset forfeiture
62 program should not give safe harbor to the cartels and professional criminals who engage in drug
63 trafficking, human trafficking and child pornography. NLC believes Congress should maintain
64 the method for reimbursement of state and local agencies that have committed resources
65 participate in joint Federal task forces, while also establishing appropriate requirements that
66 safeguard individual rights and remove financial incentives for potential misconduct. The
67 Department of Justice should also pursue sanctions against local law enforcement agencies that
68 habitually misuse the federal civil asset forfeiture program.

1 NLC RESOLUTION #30

2
3 **IN SUPPORT OF FEDERAL EFFORTS TO REDUCE GUN VIOLENCE AND**
4 **PREVENT PROHIBITED PERSONS FROM SHIPPING, TRANSPORTING,**
5 **RECEIVING, OR POSSESSING FIREARMS OR AMMUNITION**
6

7 **WHEREAS**, since January 2017, there have been 282 mass shootings involving four or more
8 victims in 37 states and 167 cities, killing 357 people and wounding 1334¹; and
9

10 **WHEREAS**, this year alone, there have been more than 48,863 gun-related incidents, killing
11 12,217 people and wounding 24,877²; and
12

13 **WHEREAS**, after several years of decline in the rate of gun violence, many cities around the
14 country are now reporting a significant rise in the level of gun violence, including mass
15 shootings; and
16

17 **WHEREAS**, persons with adjudicated mental illness³, violent criminals, drug dealers, gang
18 members, domestic abusers and now homegrown terrorists are some of the leading contributors
19 to the increase in gun violence; and
20

21 **WHEREAS**, many states and federal agencies are not currently complying with the data entry
22 requirements to the National Instant Background Check System to adequately prevent prohibited
23 persons from buying a firearm; and
24

25 **WHEREAS**, under current law, there are ten classes of persons prohibited from shipping,
26 transporting, receiving, or possessing firearms or ammunition:
27

- 28 1. persons convicted in any court of a crime punishable by imprisonment for a term
29 exceeding one year;
30 2. fugitives from justice;
31 3. unlawful users or addicts of any controlled substance as defined in Section 102 of the
32 Controlled Substances Act (21 U.S.C. §802));
33 4. persons adjudicated as “mental defective” or committed to mental institutions⁴;

¹ <https://www.massshootingtracker.org/data>

² <http://www.gunviolencearchive.org>

³ Under 27 C.F.R. Section 478.11, the term “adjudicated as a mental defective” is defined to include a determination by a court, board, commission, or other lawful authority that a person, as a result of marked subnormal intelligence or a mental illness, incompetency, condition, or disease, (1) is a danger to himself or others, or (2) lacks the mental capacity to manage his own affairs. The term also includes (1) a finding of insanity by a court in a criminal case and (2) those persons found incompetent to stand trial or found not guilty by reason of lack of mental responsibility pursuant to articles 50a and 72b of the Uniform Code of Military Justice, 10 U.S.C. Sections 850a, 876(b).

⁴ Under 27 C.F.R. Section 478.11, the term “adjudicated as a mental defective” is defined to include a determination by a court, board, commission, or other lawful authority that a person, as a result of marked subnormal intelligence or a mental illness, incompetency, condition, or disease, (1) is a danger to himself or others, or (2) lacks the mental capacity to manage his own affairs. The term also includes (1) a finding of insanity by a court in a criminal case and (2) those persons found incompetent to

5. unauthorized immigrants and nonimmigrant visitors;
6. persons dishonorably discharged from the U.S. Armed Forces;
7. persons who have renounced their U.S. citizenship;
8. persons under court-order restraints related to harassing, stalking, or threatening an intimate partner or child of such intimate partner;
9. persons convicted of a misdemeanor crime of domestic violence and
10. persons under indictment in any court of a crime punishable by imprisonment for a term exceeding one year; and

WHEREAS, it is unlawful for any person to transfer, sell or otherwise dispose of a firearm or ammunition to any of the prohibited persons enumerated above, if the transferor has reasonable cause to believe that the transferee is prohibited from receiving those items; and

WHEREAS, federal firearms licensees (FFLs) are prohibited from transferring a long gun or long gun ammunition to anyone less than 18 years of age, or a handgun or handgun ammunition to anyone less than 21 years of age; and

WHEREAS, since 1994, it has been a federal offense for any unlicensed person to transfer a handgun or handgun ammunition to anyone less than 18 years of age, and has also been illegal for anyone under 18 years of age to possess a handgun or handgun ammunition (there are exceptions to this law related to employment, ranching, farming, target practice, and hunting); and

WHEREAS, under current law, FFLs are required to verify through the Federal Bureau of Investigation (FBI) and the National Instant Background Check System (NICS) that non-licensed persons are eligible to possess a firearm before subsequently transferring a firearm to them⁵, and FFLs must also verify the identity of non-licensed transferees by inspecting a government-issued photo identity document (e.g., a driver's license); and

WHEREAS, since 1986, it has been a federal offense for non-licensees to knowingly transfer a firearm or ammunition to any prohibited persons (18 U.S.C. §922(d)); and

WHEREAS, firearms or ammunition transfers initiated by FFLs through the Internet or at gun shows are subject to the same federal laws as transfers initiated in any other manner;⁶ and

WHEREAS, under the permanent provisions of the Brady Act (December 1998 through 2014), more than 271 million checks were completed, resulting in nearly 3 million denials, for a denial rate of less than 1.1%;⁷ and

stand trial or found not guilty by reason of lack of mental responsibility pursuant to articles 50a and 72b of the Uniform Code of Military Justice, 10 U.S.C. Sections 850a, 876(b).

⁵ FFLs currently do have discretion to transfer a firearm to an individual if a background check has not been completed by FBI through NICS within three business days. Many FFLs do not exercise this discretion and, like Walmart, the largest FFL in the US, have adopted a policy since 2002 to not transfer a firearm until they positively affirm an approved background check through FBI and NICS.

⁶ For further information, see CRS Report R42687, Internet Firearm and Ammunition Sales, by Vivian S. Chu.

⁷ U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, available at

<http://bjs.ojp.usdoj.gov/index.cfm?ty=pbse&sid=13>

72 **WHEREAS**, federal law does not require background checks for intrastate (in-state) firearms
73 transfers between unlicensed persons; and
74

75 **WHEREAS**, almost all firearms used criminally in the United States were diverted at some
76 point from legal channels of commerce;⁸ and
77

78 **WHEREAS**, most prohibited persons obtain firearms and ammunition from the following types
79 of illegal gun trafficking activities:

- 80 • straw purchasers or straw purchasing rings;
- 81 • trafficking in firearms by corrupt federally licensed gun dealers;
- 82 • trafficking in firearms by unlicensed dealers (i.e., persons who deal in firearms illegally
83 as the principal source of their livelihood);
- 84 • trafficking in stolen firearms; and
- 85 • trafficking of secondhand firearms acquired from unlicensed persons at gun shows, flea
86 markets, online and other private venues;⁹ and
87

88 **WHEREAS**, the illegal transfer of guns from licensed and unlicensed sellers is a significant
89 threat to public safety and law enforcement.
90

91 **NOW, THEREFORE, BE IT RESOLVED** that the National League of Cities (NLC) calls on
92 Congress to pass legislation that would prohibit any person from knowingly transferring,
93 purchasing, or attempting or conspiring to purchase or transfer, any firearm or ammunition
94 from licensed or an unlicensed person on behalf of or at the request or demand of a prohibited
95 person, known or unknown; and
96

97 **BE IT FURTHER RESOLVED**, Congress should pass legislation that requires a fully
98 federally funded and completed background check within a reasonable time frame consistent
99 with state and local laws for all gun sales or transfers, and requires that all unlicensed or private
100 sellers use an FFL or participating law enforcement agency to facilitate a firearms background
101 check through NICS on the purchase or transfer of any firearm to anyone; and
102

103 **BE IT FURTHER RESOLVED**, that the legislation should provide increased funding and
104 assistance to state and local governments to upload standardized real-time data to NICS; and
105

106 **BE IT FURTHER RESOLVED**, that legislation should provide funding to the Center for
107 Disease Control to conduct comprehensive research to identify the underlying causes that lead
108 to gun violence and mass shooting in communities; and
109

110 **BE IT FURTHER RESOLVED**, that legislation should provide federal funding for education
111 and training in safe effective handling and secured storage of legal firearms; and
112

⁸ Greg Ridgeway, Glenn L. Pierce, and Anthony A. Braga et al., *Strategies for Disrupting Illegal Firearms Markets: A Case Study of Los Angeles*, RAND Corporation, 2008, p. 1.

⁹ U.S. Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, *Following the Gun: Enforcing Federal Laws against Firearms Traffickers*, June 2000, p. 11.

113 **BE IT FURTHER RESOLVED** – NLC urges the Department of Justice to work closely with
114 State and local law enforcement to aggressively target and hold accountable licensed and
115 unlicensed individuals who break the law by knowingly selling or transferring firearms or
116 ammunition to prohibited persons, gun traffickers or straw purchasers; and
117

118 **BE IT FURTHER RESOLVED**, that NLC calls on the Congress and the Administration to
119 appoint a bipartisan commission by the end of 2018 that consists of federal, state, and local
120 officials, gun rights advocates, survivors of gun violence, law enforcement officials, and medical
121 and mental health providers to recommend legislation to reduce gun violence in the United
122 States.

NLC RESOLUTION #31

IN SUPPORT OF LEGISLATION TO REAUTHORIZE THE SECOND CHANCE ACT

WHEREAS, according to the Bureau of Justice Statistics (BJS), about 6.74 million people were under some form of adult correctional supervision in the U.S. at year end, 2015.¹; and

WHEREAS, according to the most recent data from the Office of National Drug Control Policy, over 9 million offenders cycle through local jails, while an additional 700,000 people are released from state and federal prisons every year back into their local communities²; and

WHEREAS, according to the most recent study by BJS, “an estimated two-thirds (68 percent) of the 405,000 prisoners released in 30 states were arrested for a new crime within three years of release from prison, and three-quarters (77 percent) were arrested within five years. More than a third (37 percent) of prisoners who were arrested within five years of release were arrested within the first six months after release, with more than half (57 percent) arrested by the end of the first year”³; and

WHEREAS, there are a number of barriers that prevent offenders from becoming productive members in their communities, including drug and alcohol addiction, mental illness, unemployment, and lack of housing; and

WHEREAS, “when offenders are released from incarceration, many of them have difficulty finding a job and a place to live, and more than two-thirds return to a life of crime because of the lack of opportunities”⁴; and

WHEREAS, without sufficient federal and state support and funding for local programs aimed at transitioning offenders back into the community, cities will see a rise in crime levels which will lead to an increase in recidivism rates; and

WHEREAS, city leaders across the country are looking at ways to support local programs that help offenders reenter into society and one of the key challenges is to create a sustainable system that will provide opportunities for offenders to find jobs and affordable housing⁵; and

¹ “Correctional Populations in the United States, 2015” Department of Justice Bureau of Justice Statistics, https://www.bjs.gov/content/pub/pdf/p15_sum.pdf, accessed October 16, 2017.

² “In-Custody Treatment and Offender Reentry,” White House Office of National Drug Control Policy, <http://www.whitehouse.gov/ondcp/in-custody-treatment-and-reentry>, accessed September 17, 2014.

³ “3 in 4 Former Prisoners in 30 States Arrested within 5 Years of Release,” Department of Justice Bureau of Justice Statistics press release, <http://www.bjs.gov/content/pub/press/rpts05p0510pr.cfm>, April 22, 2014.

⁴ Council of State Governments Justice Center and Bureau of Justice Assistance, U.S. Department of Justice, “Integrated Reentry and Employment Strategies: Reducing Recidivism and Promoting Job Readiness,” November 2012.

⁵ Katherine Sayre, “New Orleans Mayor Mitch Landrieu Pushes Workforce Reentry for Returning Ex-offenders,” NOLA.com | The Times-Picayune, June 25, 2014.

35 **WHEREAS**, a study from the National Reentry Resource Center, created under the Second
36 Chance Act, shows that recidivism rates can be significantly reduced when states and local
37 communities commit to jailing only people who present a risk to public safety and to helping
38 newly released prisoners find drug treatment, psychiatric counseling and the other services they
39 need for a successful reentry back into their local communities.

40
41 **NOW, THEREFORE, BE IT RESOLVED**, that the National League of Cities urges Congress
42 to quickly pass the Second Chance Reauthorization Act that helps municipalities develop
43 successful and sustainable programs aimed at reducing recidivism and reintegrating offenders
44 back into the community.

1 NLC RESOLUTION #32

2
3 IN SUPPORT OF FEDERAL EFFORTS TO COMBAT THE EPIDEMIC OF HEROIN
4 AND PRESCRIPTION OPIOID ABUSE
5

6 **WHEREAS**, cities throughout the nation – both urban and rural – are dealing with the tragic
7 effects of the epidemic of heroin and prescription opioid abuse; and
8

9 **WHEREAS**, heroin and opioid addiction is an epidemic ravaging urban, suburban, and rural
10 communities in our country;¹ and
11

12 **WHEREAS**, according to the Centers for Disease Control and Prevention, opioids (including
13 prescription opioids, heroin, and fentanyl) killed more than 42,000 people in 2016²; and
14

15 **WHEREAS**, cities are supplying their law enforcement, fire and emergency medical personnel
16 with naloxone to reverse heroin and opioid overdose, which rapidly restores normal respiration
17 to a person who has stopped breathing as a result of overdose; and
18

19 **WHEREAS**, local governments have been aggressively developing policies and programs to
20 address substance abuse disorders in their communities but many lack the necessary resources to
21 mount a comprehensive response to the opioid and heroin epidemic; and
22

23 **WHEREAS**, efforts to reduce the number of opioid and heroin overdoses in our cities require a
24 strong partnership between local, state and federal health and law enforcement programs; and
25

26 **WHEREAS**, Congress passed the Comprehensive Addiction and Recovery Act (CARA) of 2016
27 (Public Law No: 114-198) and the 21st Century Cures Act (Public Law 114-255), which
28 authorizes additional funding for local opioid abuse prevention and education efforts, expands
29 the availability of naloxone to local law enforcement, fire and emergency medical personnel, and
30 supports local prescription opioid and heroin treatment and intervention programs; and
31

32 **WHEREAS**, in FY 2017 and FY 2018 the Department of Health and Human Services (HHS)
33 awarded more than \$1 billion in grants – authorized by the CARA and the Cures Act – to states
34 and territories to help combat the opioid epidemic by funding local programs for prevention and
35 treatment to those affected; and
36

37 **WHEREAS**, lack of clarity from Congress and the Administration on how States should use the
38 money has left millions of dollars in federal funding unspent; and
39

40 **WHEREAS**, local governments are best positioned to quickly put the unspent funding and any
41 additional funding that Congress provides for opioid abuse prevention and treatment programs to
42 immediate use.
43

¹ Cicero, T., Ellis, M., Surratt, H., Kurtz, S. The Changing Face of Heroin Use in the United States: A Retrospective Analysis of the Past 50 Years, July, 2014.

² <https://www.cdc.gov/drugoverdose/index.html>

44 **NOW, THEREFORE, BE IT RESOLVED** that the National League of Cities (NLC) urges
45 Congress to require States to submit a distribution plan on how they will use unspent FY 2017
46 and 2018 Cures and CARA funding by distributing to local programs for prevention and
47 treatment of substance abuse disorders by the end of the first quarter of 2019; and
48

49 **BE IT FURTHER RESOLVED**, NLC calls on Congress to include statutory language in future
50 substance abuse disorder prevention, intervention, treatment and recovery funding that would
51 require federal agencies to allocate at least 20 percent of the appropriated funding towards
52 competitive grant funding to local government efforts or require States that receive a federal
53 block grant for substance use prevention, intervention, treatment and recovery services to pass
54 through 80 percent of the funding within 60 days of receiving the award to local governments
55 and programs; and
56

57 **BE IT FURTHER RESOLVED**, that once a State receives a federal block grant for substance
58 abuse disorder prevention, intervention, treatment and recovery it should be required to inform
59 all local governments in the State on how the State intends to distribute the funding to support
60 local programs.

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NLC RESOLUTION #33

**IN SUPPORT OF LEGISLATION TO REAUTHORIZE THE NATIONAL FLOOD
INSURANCE PROGRAM (NFIP)**

WHEREAS, Congress created the National Flood Insurance Program (NFIP) in 1968 to make affordable flood insurance available to homeowners, renters, and business owners in exchange for using Federal Emergency Management Agency (FEMA) generated and specified Flood Insurance Rate Maps (FIRMS) for floodplain management by a participating community; and

WHEREAS, the Flood Disaster Act of 1973 requires the purchase of flood insurance as a condition of receiving any form of federal or federal-related financial assistance for acquisition or construction purposes with respect to the insurance buildings; and

WHEREAS, the NFIP provides affordable flood insurance to property owners by encouraging local governments to adopt and enforce floodplain and water management regulations, best practices and techniques; and

WHEREAS, these mitigation efforts reduce and prevent flooding on new and improved structures, thereby saving lives and reducing injuries, reducing economic losses, maintaining and protecting critical infrastructure, and reducing the liability borne by local governments and elected officials; and

WHEREAS, in July 2012, the Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12) was enacted (PL 112-141) to extend the authorization of the NFIP through September 30, 2017; and

WHEREAS, the NFIP collected more than \$1.2 billion in 2015 and paid out more than \$791 million in losses to 20,208 homeowners and businesses¹; and

WHEREAS, as of June 30, 2016, there were 5,085,771 homeowners and businesses that were issued a flood insurance policy through the NFIP²; and

WHEREAS, there is still no viable private market for homeowners and businesses to acquire sufficient flood insurance coverage; and

WHEREAS, it is incumbent upon all of us to have a long-term, sustainable and viable NFIP with rates that are affordable; and

WHEREAS, accurate mapping is fundamental for local governments to assess and communicate risk to their communities and homeowners; and

¹ Federal Emergency Management Agency. (2016, May 11). National Flood Insurance Program: Statistics by Calendar Year. Retrieved from Federal Emergency Management Agency: <https://www.fema.gov/statistics-calendar-year>

² FEMA (2016, June 30)

42 **WHEREAS**, the current mapping process often results in local governments having to fight
43 inaccurate maps that do not take into account locally built flood protection features and
44 communities building off of outdated mapping, which results in artificially inflated risk. Further,
45 many areas of the country are not mapped or mapped accurately, which results in communities
46 who are at risk of flooding unaware of the risk; and

47
48 **WHEREAS**, unless Congress reauthorizes the NFIP by September 30, 2017, millions of home-
49 owners and businesses will lose their flood insurance coverage and could default on their loans.

50
51 **NOW, THEREFORE, BE IT RESOLVED**, that the National League of Cities (NLC) urges
52 Congress to reauthorize the NFIP and to keep flood insurance rates affordable for primary, non-
53 primary and business properties while balancing the fiscal solvency of the program; and

54
55 **BE IT FURTHER RESOLVED** that NLC urges the federal government to work with state and
56 local governments, the insurance industry, and other stakeholders to develop an incentive-based
57 disaster insurance and mitigation system that would encourage property owners to retrofit
58 existing structures to reduce future losses from natural disasters; and

59
60 **BE IT FURTHER RESOLVED** that NLC urges the federal government to encourage lending
61 institutions to incorporate mitigation provisions as conditions for loans; and

62
63 **BE IT FURTHER RESOLVED** that in order for local governments to help their communities
64 and homeowners to adequately prepare for risk, Congress should provide additional resources to
65 FEMA to utilize the best technology and methods available to improve the mapping process,
66 including seeking the input from local government officials prior to approving any flood map
67 that could impact local zoning rules.

1 **NLC RESOLUTION #34**

2
3 **IN OPPOSITION TO FEDERAL EFFORTS TO WITHHOLD FUNDING FROM**
4 **SANCTUARY CITIES**

5
6 **WHEREAS**, Since the inception of the United States of America, lawful immigrants and
7 refugees have played a vital role in the civic, economic and social life of cities; and
8

9 **WHEREAS**, cities strive to make their communities safe by rejecting racial and religious
10 profiling; and
11

12 **WHEREAS**, cities expect local law enforcement officers to respond to the needs of their
13 community and to respect, protect and serve all residents, documented and undocumented, to
14 ensure safety for all people they serve; and
15

16 **WHEREAS**, local governments address issues associated with federal immigration laws in a
17 variety of ways that best meet the needs of all their residents; and
18

19 **WHEREAS**, some cities choose not to dedicate municipal resources to enforce federal
20 immigration laws against undocumented immigrants who do not violate state or local laws; and
21

22 **WHEREAS**, there is no federal statute that clearly defines a sanctuary city; and
23

24 **WHEREAS**, some cities are wrongfully characterized as safe havens for undocumented
25 immigrants who violate state and local laws; and
26

27 **WHEREAS**, the power to enforce federal immigration laws remains exclusively a federal
28 power; and
29

30 **WHEREAS**, Congress is considering legislation that would impose sanctions on local
31 governments if the local government adopts a statute, policy, or practice that prohibits or restricts
32 information sharing about an individual's immigration status or compliance when a detainer
33 request is issued by the Department of Homeland Security; and
34

35 **WHEREAS**, such detainer requests can result in a potentially unconstitutional violation of the
36 Fourth Amendment by mandating local law enforcement to maintain custody of a person for an
37 additional 48 hours or longer without criminal charges; and
38

39 **WHEREAS**, the Tenth Amendment of the U.S. Constitution states that the powers not delegated
40 to the United States are reserved to the states, including deployment of local law enforcement;
41 and
42

43 **WHEREAS**, the Supreme Court in *Galarza v. Szalczyk*, held that “[u]nder the Tenth
44 Amendment, immigration officials may not order state and local officials to imprison suspected
45 aliens subject to removal at the request of the federal government.” (745 F.3d 634 (2014).)
46

47 **WHEREAS**, in states like Texas, according to reports filed with the Texas Commission on Jail
48 Standards, the total number of inmates with Immigration Detainers in local jails was 5,031 for
49 the month of August 2017. The policy of detaining undocumented immigrants in Texas county
50 jails for the month of August cost \$6.5 million, diverting local resources away from creating
51 economically stable, healthy and safe neighborhoods; and
52

53 **WHEREAS**, the reasons why cities are implementing policies to limit cooperation with federal
54 immigration enforcement efforts include the fiscal concerns related to the costs of enforcing
55 immigration laws, logistical concerns related to training, and the potential for civil liability; and
56

57 **WHEREAS**, cities work closely with their city attorneys to consider various approaches to
58 writing policies that declare an acceptance of diversity and inclusion while complying with
59 established state and federal law; and
60

61 **WHEREAS**, while many cities have policies that limit law enforcement officers' ability to
62 investigate, detain, or enforce laws based on immigration status, they also require the officers to
63 cooperate with federal officials.
64

65 **NOW, THEREFORE, BE IT RESOLVED**, that the National League of Cities opposes federal
66 legislation that would impose harmful sanctions on local governments that have in affect a
67 statute, ordinance, policy, or practice that prohibits or restricts compliance when a detainer
68 request or administrative warrant is issued by the Department of Homeland Security; and
69

70 **BE IT FURTHER RESOLVED**, that Congress should ensure that the Department of Homeland
71 Security's detainer requests and administrative warrant comply with of the U.S. Constitution's
72 Fourth and Tenth Amendments; and
73

74 **BE IT FURTHER RESOLVED**, that Congress should provide additional resources and
75 funding to the Department of Homeland Security to meet the statutory requirements to enforce
76 our Nation's immigration laws and not force local governments to take on the financial
77 responsibilities and duties of federal immigration enforcement agents.

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NLC RESOLUTION #35

**IN SUPPORT OF FEDERAL EFFORTS TO ENSURE STATE AND LOCAL
GOVERNMENTS HAVE THE AUTHORITY TO REGULATE THE
MANUFACTURING, DISTRIBUTION AND SALE OF MEDICAL AND ADULT-
USE CANNABIS**

WHEREAS, in 1970, President Nixon signed the Controlled Substance Act (CSA) and listed “marijuana (cannabis)” in the most restrictive category, Schedule I, which was designated for substances that “have no currently accepted medical use in the United States, a lack of accepted safety for use under medical supervision, and a high potential for abuse;” and

WHEREAS, the listing of cannabis as a Schedule I substance was supposed to be temporary pending a federal review by the newly formed National Commission on Marihuana and Drug Policy (more commonly known as the Shafer Commission)¹; and

WHEREAS, despite the Shafer Commission's 1972 report concluded that "neither the marihuana user nor the drug itself can be said to constitute a danger to public safety," and recommended that cannabis possession for personal use no longer be considered a criminal offense², cannabis remains as a Schedule I substance today; and

WHEREAS, throughout the 1980s, because cannabis was listed as a Schedule I substance, federal and state criminal penalties for cannabis became stricter and mandatory-minimum sentences were established³; and

WHEREAS, the annual number of cannabis arrests in the U.S. increased from 327,000 in 1990 to more than 697,000 in 2002⁴; and

WHEREAS, since 2002, public support for legalizing cannabis has increased from 34% to 64% in 2017⁵; and

WHEREAS, since 1996, 30 states and the District of Columbia have legalized the medical use of cannabis and since 2012, nine states and the District of Columbia have also legalized the adult-use of cannabis; and

¹ Amy Nordrum, "Why Is Marijuana A Schedule I Drug?," ibtimes.com, Feb. 19, 2015

² National Commission on Marihuana and Drug Abuse & Raymond P. Shafer, Marihuana: A Signal of Misunderstanding, 1972

³ Eric Schlosser, "Marijuana and the Law," The Atlantic, Sep. 1994

⁴ Ryan S. King and Marc Mauer, "The War on Marijuana: The Transformation of the War on Drugs in the 1990s," sentencingproject.com, May 2005

⁵ Justin McCarthy, "Record-High Support for Legalizing Marijuana Use in U.S.," Gallup, October 2017

36 **WHEREAS**, the cannabis industry in the United States could exceed \$24 billion in revenue by
37 2025⁶ and for every \$1.00 spent in the marijuana industry, between \$2.13 and \$2.40 in economic
38 activity is generated⁷; and
39

40 **WHEREAS**, the millions of dollars in tax revenues that have been collected in states that have
41 legalized medical and adult-use cannabis provide funding to local police, drug treatment and
42 mental health centers, housing programs, and school program⁸; and
43

44 **WHEREAS**, more than 122,814 jobs have been created in states that have legalized the medical
45 and adult-use of cannabis⁹; and
46

47 **WHEREAS**, more than half of US adults, over 128 million people, have tried cannabis, despite
48 it being an illegal drug under federal law¹⁰; and
49

50 **WHEREAS**, despite the increased number of states that have legalized cannabis, a study from
51 the Centers for Disease Control (CDC) found that marijuana use among kids ages 12 to 17
52 decreased by 17%, from 15.8% in 2002 to 13.1% in 2014 including a nearly 12% drop in
53 marijuana use just two years after adult use was legalized in Colorado, according to the National
54 Survey on Drug Use and Health¹¹; and
55

56 **WHEREAS**, the rising concerns about the conflict between federal and state laws on cannabis
57 use led to a 2013 memo by Deputy Attorney General James M. Cole stated “that so long as states
58 had good regulations, then the federal government would hold off on challenging marijuana
59 legalization”¹²; and
60

61 **WHEREAS**, the roll back of Department of Justice’s 2013 Cole memo in 2018 by Attorney
62 General Jeff Sessions is raising new questions about whether the federal government will crack
63 down on states that legalized medical and adult-use of cannabis by instructing federal
64 prosecutors to determine for themselves when to prosecute marijuana activities; and
65

66 **WHEREAS**, the threat of increased federal enforcement of the Controlled Substances Act has
67 resulted in uncertainty of states and local governments ability to regulate the manufacturing,
68 distribution and retail sale of cannabis for the safety and health of its residents; and
69

⁶ Alicia Wallace, "Report: America's Marijuana Industry Headed for \$24 Billion by 2025,"
thecannabist.co, Feb. 22, 2017

⁷ Troy Antonuci, "The Economics of Legalization," Daily Marijuana Observer, Apr. 6, 2017

⁸ Josh Hamilton, "The Economic and Social Benefits of Taxing Marijuana," medium.com, Sep. 26, 2017

⁹ Bruce Barcott and Gage Peake, "Part 2, How Many Jobs Depend on Legal Cannabis?," leafly.com, Jan.
5, 2017

¹⁰ MaristPoll, "Yahoo News/Marist Poll: Weed & The American Family," marist.edu, Apr. 17, 2017

¹¹ Alejandro Azofeifa, et al., "National Estimates of Marijuana Use and Related Indicators - National
Survey on Drug Use and Health, United States, 2002–2014," cdc.gov, Sep. 2, 2016

¹² Department of Justice, "Justice Department Announces Update to Marijuana Enforcement Policy,"
justice.gov, Aug. 29, 2013

70 **WHEREAS**, On June 7, 2018, Senator Elizabeth Warren (D-MA) and Senator Cory Gardner (R-
71 CO) introduced the Strengthening the Tenth Amendment Through Entrusting States (STATES)
72 Act, which would ensure that each State has the right to determine for itself the best approach to
73 marijuana within its borders; and

74
75 **WHEREAS**, rescheduling of cannabis would allow greater federal, state and local regulation of
76 the industry to ensure the cannabis people are buying is not covered with mold, fungus,
77 pesticides, or other harmful substances¹³; and

78
79 **WHEREAS**, rescheduling of cannabis would allow the federal, state and local governments to
80 set rules and regulations that would restrict driving under the influence, set age restrictions on
81 buyers and regulate the entire supply chain of cannabis, including growers, distributors, retailers,
82 and testing laboratories¹⁴; and

83
84 **WHEREAS**, rescheduling of cannabis should also allow local governments to establish zoning
85 restrictions on the manufacturing, distribution and retail sales of cannabis.

86
87 **NOW, THEREFORE, BE IT RESOLVED** that the National League of Cities (NLC) calls on
88 the White House, U.S. Department of Justice and the U.S. Drug Enforcement Administration to
89 reschedule cannabis by removing it from the list of Schedule I substances under the CSA; and

90
91 **BE IT FURTHER RESOLVED**, NLC urges Congress to pass legislation that would ensure
92 states and local governments have the ability to establish laws and regulations on the
93 manufacturing, distribution, and sale of medical and adult-use cannabis within the state; and

94
95 **BE IT FURTHER RESOLVED**, calls on the U.S. Department of Justice's Bureau of Alcohol,
96 Tobacco, Firearms and Explosives (ATF), Drug Enforcement Administration, and the United
97 States Department of Health and Human Services Food and Drug Administration to establish
98 federal regulations for the manufacturing, distribution and sale of legal medical and adult-use
99 cannabis.

¹³ American Public Health Association (APHA), "Regulating Commercially Legalized Marijuana as a Public Health Priority," Nov. 18, 2014

¹⁴ Bureau of Cannabis Control, "Medicinal and Adult-Use Cannabis Regulation," bcc.ca.gov

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NLC RESOLUTION #36

**IN SUPPORT OF FEDERAL LEGISLATION TO INCENTIVIZE STATES TO ENACT
EXTREME RISK PROTECTION ORDER LAWS AND TO ENACT A FEDERAL
EXTREME RISK PROTECTION ORDER LAW TO REDUCE FIREARM RELATED
SUICIDES, MURDER-SUICIDES AND FAMILY FIRES**

WHEREAS, a majority of the discussion in Congress regarding gun violence prevention overlooks the leading causes of firearm related deaths and injuries in the United States – suicide, murder-suicide and family fire; and

WHEREAS, according to the Center for Disease Control and Prevention’s Annual Fetal Injury Report, 62 percent (218,735) of the firearm related deaths from 2006 to 2016 were due to a person using a firearm to commit suicide¹; and

WHEREAS, in 2015, more than 32 percent of homicide victims were killed by a family member or someone they knew (acquaintance, neighbor, friend, boyfriend, etc.) and more than 71 percent of the homicides for which the Federal Bureau of Investigations received weapons data in 2015 involved the use of firearms²; and

WHEREAS, more than 65 percent of the murder-suicides involve an intimate partner and nine out of ten use a firearm³; and

WHEREAS, if a firearm is present in the home when a domestic violence incident takes place, the risk of homicide increases by 500 percent⁴; and

WHEREAS, the lifetime medical and work-loss costs for suicide in 2013 was estimated to be above \$50 billion⁵ and the total societal cost of suicides in 2013 was estimated to exceed more than \$93 billion; and

WHEREAS, we lose twenty-two military veterans a day to suicide and 2/3’s of such suicides are gun suicides, and

WHEREAS, more than 50% of all suicides in the United States are gun suicides, and

¹ United States Suicide & Homicide Firearm Deaths and Rates, Centers for Disease Control and Prevention - Fatal Injury Reports, National, Regional and State, 1999 – 2016

² Federal Bureau of Investigations Uniform Crime Report (UCR) – Expanded Homicide Data, 2015. (Note: 2016 and 2017 UCR data did not delineate victim’s relationship.)

³ Violence Policy Center, American Roulette: Murder-Suicide in the United States, Sixth Edition, 2018, <http://vpc.org/studies/amroul2018.pdf>

⁴ National Coalition Against Domestic Violence, “Guns and Domestic Violence,” https://ncadv.org/assets/2497/guns_and_dv.pdf

⁵ Florence C, Simon T, Haegerich T, Luo F, Zhou C. Estimated lifetime medical and work-loss costs of fatal injuries-United States, 2013. MMWR Morb Mortal Wkly Rep. 2015;64(38):1074-1077.

36 **WHEREAS**, most people who survive a suicide attempt never try again, only 10% of those who
37 attempt suicide with a gun survive, and less than 50% of those who attempt suicide by any other
38 means die, and
39

40 **WHEREAS**, suicide, murder-suicide and family fire are often associated with known risk
41 factors that family members, cohabitants, law enforcement and other qualified professionals can
42 use to alert public safety and health officials through petitioning the courts when an individual is
43 in crisis and could use a firearm to harm themselves or others. Such risk factors may include:
44

- 45 • a history of depression, suicidal ideations, violent outbursts or threats of violence, and
46 exhibiting other such risky or threatening behaviors such as hopelessness, substance
47 abuse, Post Traumatic Stress Disorder and other such health conditions, previous suicide
48 attempts, violence victimization and perpetration, and genetic and biological
49 determinants.
- 50 • high conflict or violent relationships, sense of isolation and lack of social support, family/
51 loved one's history of suicide, financial and work stress
- 52 • inadequate community connectedness, barriers to health care (e.g., lack of access to
53 providers and medications); and
54

55 **WHEREAS**, Extreme Risk Protection Orders, also called Gun Violence Restraining Orders,
56 have been enacted in several states since first being implemented in Connecticut in 1999 (for law
57 enforcement only) and in California in 2014 (for family and law enforcement), and have been
58 found to greatly reduce the incidence of gun suicide and other gun related violence, and
59

60 **WHEREAS**, permitting law enforcement, immediate family members, co-habitants and other
61 qualified professionals to petition a court to allow law enforcement to temporarily remove
62 firearms, and temporarily prohibit the purchase or possession of firearms from an individual that
63 is determined by the court to be a danger to themselves or others has proven to dramatically
64 reduce the rate of gun violence where enacted and could greatly reduce gun violence in the
65 United States, saving federal, state and local governments billions of dollars while saving lives.
66

67 **NOW, THEREFORE, BE IT RESOLVED**, the National League of Cities urges Congress to
68 pass legislation that would allow certain immediate family members, co-habitants, law
69 enforcement and other qualified professionals to petition a court to temporarily prohibit an
70 individual from purchasing or possessing a firearm and direct local law enforcement to
71 temporarily confiscate firearms from those same individuals who the court finds are at risk of
72 committing suicide, murder-suicide, family fire or other gun related violence as a danger to
73 themselves or to others; and
74

75 **BE IT FURTHER RESOLVED**, the legislation should also further prevent these individuals
76 from purchasing or possessing firearms by requiring that their names be entered into the National
77 Instant Criminal Background Check System until such time it has been determined by the court
78 that they no longer pose a threat to themselves or to others; and
79

80 **BE IT FURTHER RESOLVED**, the legislation must ensure that any effort to confiscate
81 firearms from individuals who may pose a threat to themselves or others requires local law
82 enforcement to follow federal and state notification and due process protections; and
83

84 **BE IT FURTHER RESOLVED**, an individual that makes a malicious claim against another
85 person to have their firearms removed and prohibit them from purchase or possession of firearms
86 should be subject to appropriate legal action by the state and local governments.

**IN SUPPORT OF FEDERAL EFFORTS TO HELP LOCAL GOVERNMENT REDUCE
FIREFIGHTER EXPOSURE TO HAZARDOUS CONTAMINANTS THAT MAY
INCREASE HEALTH RISK**

WHEREAS, the NLC report, however, concluded the cancer research studies did provide solid groundwork from which future studies can be developed and improved and recommend collaborative efforts by government, scientists, firefighters, municipalities, national associations, and others to undertake additional research, establish a firefighter cancer database, and seek more federal funding for research; and

WHEREAS, NFPA studies have concluded that firefighters are exposed to highly toxic substances (including a variety of carcinogens) on the fireground; and

WHEREAS, firefighter exposure to dirty, soiled, and contaminated personal protective equipment (PPE) is an increasing concern for long-term firefighter health; and

WHEREAS, a new law that requires the Centers for Disease Control and Prevention (CDC) to develop and maintain a registry to collect data on firefighter cancer was signed on July 9, 2018 by President Trump.

WHEREAS, it is important to the health of firefighters to properly clean PPE following a fire to prevent the transfer of carcinogens, particulates and biohazards; and

45 **WHEREAS**, the high cost of realizing a comprehensive PPE cleaning program may limit some
46 municipal fire departments, especially in small cities and towns with volunteer fire services,
47 from implementing standard PPE cleaning procedures; and
48

49 **NOW THEREFORE BE IT RESOLVED**, the National League of Cities urges Congress to
50 authorize additional funding as a part of the Assistance to Firefighters Grants to support local
51 governments in implementing comprehensive municipal fire firefighter PPE cleaning program;
52 and
53

54 **BE IT FURTHER RESOLVED**, NLC calls on Congress to provide sufficient funding to ensure
55 national firefighter registry is properly maintained and the data is validated to provide an
56 accurate account of firefighter cancer rates and causes; and
57

58 **BE IT FURTHER RESOLVED**, the National League of Cities (NLC) should consider
59 updating the “Assessing the State Firefighter Cancer Presumption Laws and Current Cancer
60 Firefighter Cancer Research” that it conducted in 2009 to determine what linkages there are
61 between firefighting and an elevated incidence of cancer.

**INFORMATION TECHNOLOGY AND
COMMUNICATIONS
FEDERAL ADVOCACY COMMITTEE
ITC**

PROPOSED POLICY AMENDMENTS

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

Please note:

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

POLICY

- Section 7.01 Local Control and Authority
- Section 7.02 Public Safety
- Section 7.03 Consumer Protection

7.01 Local Control and Authority

B. ~~Tower Siting~~ Communications Infrastructure Siting

C. Rights of Way Management

Municipal requirements for users of the rights-of-way including but not necessarily limited to the following should be clearly recognized in federal law as appropriate exercises of municipal authority:

- Complying with emergency orders issued by a municipality for public safety in exercise of police powers;
- Posting bonds as determined necessary to ensure compliance;
- Indemnification;
- Notifying the municipality of excavations;
- Notifying the municipality of time, place, and manner of entry into rights-of-way;
- Complying with municipality requirements regarding excavation methods;
- Complying with municipality requirements regarding maintenance of traffic, pedestrian, or bicycle infrastructure;
- Complying with municipality requirements regarding aesthetics and undergrounding;
- Participating in the costs of street reconstruction;
- Coordinating with other providers and utilities to minimize rights-of-way disruption;
- Qualification requirements for contractors and subcontractors;
- Demonstrating ability to guarantee the quality of restoration work as using the same surface material or restoring landscaping to previous condition;
- Submitting as-built documentation and other information for entry into GIS systems;
- Provisions for abandonment of equipment;
- Complying with regulations specifying the frequency of when ~~a street~~ rights-of-way can be excavated, including dig-once policies; or
- Being subject to special assessments for street paving.

The type of requirements listed above should never be classified under federal law as illegally discriminatory practices or as barriers to market entry.

NLC believes that the rare and justified use of moratoria is a critical rights-of-way and zoning management tool for municipalities and that the use of this tool should not be preempted by State or Federal policy or law. A moratorium is a temporary pause on development orders including permits imposed by a local government. In the context of advanced telecommunications deployment it may be used for the purposes of project planning and coordination, providing time to develop appropriate regulations to implement new state and federal law and address new technology, and to address significant public safety and welfare issues.

D. Municipal Broadband

1. ~~Wireline/Fiber Communications~~ Municipal Broadband Infrastructure

Municipalities must not be prevented from installing and operating municipally owned wireline/fiber or wireless communications systems, regardless of whether the intended use is

governmental and/or private. -NLC supports federal policies that facilitate the development of multiple, competitive wireline communications providers and that protect the use of spectrum for public wifi networks-

Section 7.02 Public Safety

A. Interoperability

Having the capability to transmit vital information to different emergency response personnel among all levels of government without interference and delay is key to communications for public safety. No man, woman, or child should lose his/her life because public safety officials cannot communicate with one another. The federal government should take immediate action to provide local governments with the broadcast channels needed to enhance their communications capabilities. Reliable and interoperable wireless communications are essential to public safety's mission to protect life and property. *(See related policy under PSCP Section 6.02(C) Public Safety Technology and Intelligence-Goals.)*

B. Standards

The federal government should encourage regional planning for public safety communication needs and address the current shortage of spectrum channels with a long-term plan that ensures sufficient and appropriate spectrum to meet future public safety needs across the nation, communications equipment with open standards, and funding for the necessary building, operation, and maintenance of a national interoperable emergency communications system. If federal reallocation of radio spectrum forces a municipality to change radio frequencies and/or channels to preserve its public safety and emergency communications services, there should be prompt and fair compensation made for transfer costs, such as new equipment and additional personnel and training. *(See related policy under PSCP Section 6.02(C) Public Safety Technology and Intelligence-Goals.)*

Section 7.03 Consumer Protection

A. Abusive Practices

5. Unsolicited Communications

NLC ~~supports federal~~ calls on the federal government to expand efforts to curtail unsolicited communications, including, but not limited to, cell and landline phone calls, texts, faxes, e-mails, pop-up Internet ads and abandoned phone calls, except in situations where an established business relationship exists. In addition to being a nuisance, the costs of such unsolicited communications are often passed on to consumers and businesses. However, federal actions, such as national "do not call" registries, should not preempt or weaken existing state or local laws.

The federal government should also encourage responsible use of broadband technology services. Identity theft, bullying, cyber stalking, the mis-management of consumer data, hacking or infecting government and other lawful websites and networks, and broadband schemes to defraud seniors and vulnerable populations should be prohibited and discouraged through appropriate government policies, enforcement, and technology solutions that address both broadband providers and consumers, and through appropriate education. A large reason

many Americans do not adopt and use broadband services more readily is the fear of being subject to abusive practices. To be accepted, broadband must be safe for users.

E. Privacy

1. Privacy and Consumer Protection

Federal law must not limit the ability of municipalities to protect consumers from the misuse of personally-identifiable information. The consequences to individuals from the use and misuse of personal information and shifting public expectations for information privacy should be at the forefront of federal policy decision-making. The collection, maintenance, use and dissemination of personal information have been facilitated by the vast capabilities of modern information technology.

F. Cybersecurity

NLC supports federal efforts in cybersecurity related to national security, protection of sensitive information and intellectual property, and the availability and continuity of infrastructure. The increasing presence of the Internet of Things throughout cities and the increased attempts to interfere with election processes presents an increased threat to city residents and necessitates increased federal action. (See related policy under PSCP Section 6.03(I) Protect Against and Respond to Cyber Threats.)

G. Network Neutrality

The federal government should mandate compliance with the following principles by all companies owning networks or offering Internet access, regardless of technology they employ:

- Internet users and creators of services should have unrestricted access to and use of their choice of lawful Internet content, applications, and services;
- Internet users are entitled to connect their choice of legal devices to the network;
- Internet service providers should not engage in prioritization or throttling of content unrelated to public safety needs; ~~and~~
- While network owners define the cost and technical limits of their service, consumers must receive meaningful information regarding their service plans, including but not limited to information about anticipated upload and download speeds.

Each of these principles should apply regardless of an Internet user's income, race, geographic location, or disability. ~~and~~ Enforcement of these principles and similar principles are essential to ensure that the public receives the maximum diversity of information and the maximum competition among providers of services, equipment, content, and Internet access. Municipal broadband networks represent an important alternative to communities that find privately owned networks are unable to comply with these principles.

1 NLC RESOLUTION #38

2
3 LOCAL GOVERNMENT SUPPORT OF COMMUNITY/MUNICIPAL
4 BROADBAND NETWORKS
5

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

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

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

18 **WHEREAS**, according to the Federal Communications Commission, half of American homes
19 only have two options of Internet service providers for basic broadband and for faster speeds, a
20 majority of households only have one choice¹; and
21

22 **WHEREAS**, the economic health of municipalities depends on public and private investment to
23 connect their communities; and
24

25 **WHEREAS**, municipal governments consider broadband to be a critical form of infrastructure,
26 and more than 750 communities have therefore made significant investments in publicly-owned
27 broadband infrastructure²; and
28

29 **WHEREAS**, attempts continue to be made to limit or stop further local government deployment
30 of municipal broadband services, which has the potential of reducing the ability of local
31 government to provide important information and services to their citizens in a timely, efficient,
32 and cost-effective manner; and
33

34 **WHEREAS**, opponents of community and municipally provided broadband have proposed
35 various administrative procedures that they claim are designed to protect citizens and consumers
36 from unwieldy local governments; however, these safeguards really place over-burdensome
37 requirements on municipalities and act as unnecessary barriers³; and
38

39 **WHEREAS**, in the vast majority of community/municipal broadband networks built to date, the
40 private sector has been involved in helping design, build, and operate the network – creating new
41 business opportunities and jobs in the process; and

¹ [Federal Communications Commission, *Internet Access Services: Status as of December 31, 2016*, February 2018.](#)

² [Institute for Local Self-Reliance, “Community Network Map,” January 2018.](#)

³ [National League of Cities, “City Rights in an Era of Preemption: A State-by-State Analysis,” April 2, 2018.](#)

42 **WHEREAS**, local governments should not be preempted by states from being able to offer
43 broadband services, high speed Internet, and other communications services which could
44 advance the deployment of broadband throughout our nation.

45
46 **NOW, THEREFORE, BE IT RESOLVED** the National League of Cities (NLC) urges the
47 federal government to encourage deployment of broadband networks in a competitive manner
48 via a variety of conduits (satellite, wireless, and wireline); and

49
50 **BE IT FURTHER RESOLVED** NLC opposes any actions that seek to burden cities through
51 unnecessary procedural requirements and safeguards that duplicate the democratic process by
52 which cities govern themselves; and

53
54 **BE IT FURTHER RESOLVED** NLC embraces local governments' ability to work
55 cooperatively with the private sector to offer broadband services and does not believe such
56 public/private partnerships are incompatible with private sector competition; and

57
58 **BE IT FURTHER RESOLVED** NLC supports federal proposals that promote
59 community/municipal broadband, that preserve the authority of local governments to act in the
60 interest of their citizens by offering high speed Internet and other communications services, and
61 preempt states from barring local governments from offering such services in their communities.

1 NLC RESOLUTION #39

2
3 BROADBAND ACCESS: A CALL FOR UNIVERSAL AVAILABILITY,
4 AFFORDABILITY AND WORLD-CLASS QUALITY
5

6 WHEREAS, despite the Internet being an invention of the United States, Americans pay the
7 most in the world for broadband access that is not on par with the speeds of other countries¹; and
8

9 WHEREAS, according to the Federal Communications Commission, half of American homes
10 only have two options of Internet service providers for basic broadband and for faster speeds, a
11 majority of households only have one choice²; and
12

13 WHEREAS, the federal government has released a National Broadband Map, as directed by the
14 National Broadband Plan, that provides data to support efforts to expand broadband access and
15 adoption in communities at economic risk and help businesses and consumers seeking
16 information on their high-speed internet options; and
17

18 WHEREAS, to compete successfully in an increasingly global environment the United States
19 needs to take advantage of all of the technological solutions that high-speed broadband access
20 offers; and
21

22 WHEREAS, universal broadband should be considered essential infrastructure that contributes
23 to economic health and survival of communities across the United States; and
24

25 WHEREAS, the National League of Cities (NLC) believes that while the Federal
26 Communications Commission's current aspirational benchmark for broadband speeds is set at 25
27 Megabits per second (Mbps) actual speed downstream and 3 Mbps upstream since 2015, 24
28 million Americans still lack access to advanced broadband³; and
29

30 WHEREAS, with the proliferation of devices with Internet access, wireless data traffic has
31 grown significantly, placing a greater demand on both licensed and unlicensed spectrum, and
32 adding additional capacity is essential to support continued innovation and achieve the potential
33 to transform many different areas of the American economy by providing a platform for
34 innovation and is likely to have a substantial impact on jobs, growth and investment, and
35

36 WHEREAS, the availability and adoption of quality broadband service can vary dramatically
37 from one neighborhood to another, even in heavily populated urban areas, and a substantial
38 number of individuals in poor and rural communities have limited Internet access and where
39 broadband access is limited, citizens have limited access to information, education and tools for
40 economic independence; and

¹ [Open Technology Institute, New America Foundation 2014 Cost of Connectivity Report, October 2014.](#)

² [Institute for Local Self-Reliance. "Profiles of Monopoly: Big Cable and Telecom," July 31, 2018.](#)

³ [Federal Communications Commission, 2018 Broadband Deployment Report, February 2, 2018.](#)

41 **WHEREAS**, over 5 million households with children in school currently lack a fixed broadband
42 connection, while the majority of teachers assign homework that requires broadband, leaving
43 millions of students behind in modern education⁴; and
44

45 **WHEREAS**, American households that do not subscribe to broadband cite costs and a lack of
46 need or disinterest,⁵ underscoring a need to address the United States' digital divide and create
47 opportunities to increase broadband adoption; and
48

49 **WHEREAS**, NLC strongly believes that broadband access should be universal, affordable and
50 competitively priced, as universal broadband access would promote economic development,
51 enhance public health and safety and increase educational opportunities for millions of
52 Americans across the country; towns and cities across the country are offering fast, affordable
53 Internet, and states should be encouraging these initiatives, not hindering them; and
54

55 **WHEREAS**, such availability and adoption is insufficient to meet current and future needs, and
56 because the broadband capabilities of other countries accommodate much higher connection
57 speeds and are more widely available and less expensive per megabit than in the United States;
58 and
59

60 **WHEREAS**, NLC supports proposals that promote community/ municipal broadband services,
61 and that preserve the authority of local governments to act in the interest of their citizens by
62 offering high speed Internet and other communications services; and
63

64 **WHEREAS**, NLC opposes any attempts which bars local governments from offering
65 community/ municipal broadband services in their communities.
66

67 **NOW, THEREFORE, BE IT RESOLVED** NLC asks the federal government to recognize and
68 work to achieve the twin goals of broadband access by providing:

- 69 • Affordable and competitively priced broadband access; and
- 70 • Appropriate standards for broadband speed, reliability, and connectivity that allow
71 America to compete in the global economy and open more opportunities to deliver robust
72 services more economically and universally; and
73

74 **BE IT FURTHER RESOLVED** NLC supports the Federal Communications Commission's
75 move to allocate additional spectrum for unlicensed use in order to meet increased demand for
76 wireless technologies; and
77

78 **BE IT FURTHER RESOLVED** NLC supports the Federal Communications Commission
79 revisiting the aspirational benchmarks for broadband speeds on a more frequent basis because of
80 the evolving nature of technology and the varying and changing needs of communities for faster
81 speeds; and
82

⁴ [Pew Research Center, "The Numbers Behind the Broadband Homework Gap," April 20, 2015.](#)

⁵ [National Telecommunications and Information Administration, U.S. Department of Commerce, "Exploring the Digital Nation," October 2014.](#)

83 **BE IT FURTHER RESOLVED** NLC opposes any efforts by the FCC to lower the speed
84 benchmarks for broadband or to include mobile broadband as a sufficient replacement for fixed
85 wireless or wireline broadband service; and

86
87 **BE IT FURTHER RESOLVED** NLC encourages the FCC to close the “homework gap” in
88 low-income households through the support of low-cost plans, including access provided by
89 local governments; and

90
91 **BE IT FURTHER RESOLVED** NLC opposes any efforts by the FCC to reverse modernization
92 of the critically important E-Rate and Lifeline programs; and

93
94 **BE IT FURTHER RESOLVED** NLC urges the federal government to take an expeditious role
95 in convening together all interested parties, including, but not limited to, all levels of government
96 (local, state, tribal, and federal), consumer organizations, representatives of underserved
97 communities (rural, urban and suburban), all segments of the communications industry interests,
98 representatives of private sector, and not-for-profit sector organizations, to promote ubiquitous
99 broadband access

1 NLC RESOLUTION #40

2
3 **LOCAL GOVERNMENT SUPPORT FOR FAIRNESS AND TRUTH IN ADVERTISING**
4 **FOR INTERNET SERVICE PROVIDERS**

5
6 **WHEREAS**, the universal availability of affordable, reliable high-speed Internet broadband
7 access for all citizens is a national priority; and

8
9 **WHEREAS**, Internet access is a necessity for citizens to enable access to their workplaces,
10 educational opportunities, social media, and community involvement; and

11
12 **WHEREAS**, the Federal Communications Commission has defined ‘broadband’ to be 25
13 Megabits per second (Mbps) download speed and 3 Mbps upload speeds as the de-minimis
14 standard where the terminology ‘broadband’ is used¹; and

15
16 **WHEREAS**, advertising practices in the Internet/broadband industry are generally unmonitored;
17 and

18
19 **WHEREAS**, broadband providers currently do not consistently advertise the speed consumers
20 are likely to experience, but the highest possible speed consumers may experience; and

21
22 **WHEREAS**, some broadband providers currently advertise speed and availability to markets
23 where the service and speed are unavailable, or only available to a small percentage of the
24 citizens receiving the advertising, violating basic concepts of truth in advertising; and

25
26 **WHEREAS**, Internet providers that do not meet the Federal Communication Commission
27 standards for broadband use the term ‘broadband’ for their advertised service with no disclosure
28 of their failure to meet the standard.

29
30 **NOW, THEREFORE, BE IT RESOLVED** the National League of Cities (NLC) supports the
31 imposition of a standard for broadband measurement to be required in broadband advertising,
32 allowing the public a fair basis for comparison when purchasing broadband services; and

33
34 **BE IT FURTHER RESOLVED** that this advertising standard should require carriers to
35 advertise upload/download speeds on an equal basis; and

36
37 **BE IT FURTHER RESOLVED** that this advertising standard should require carriers to
38 advertise only actual delivered speed and availability averages (50th percentile) for the area being
39 advertised to; and

40
41 **BE IT FURTHER RESOLVED** NLC urges the federal government to explore and enact
42 requirements that promote fair and explicit advertising in the broadband industry, which include
43 standards based on measurements of broadband speed from a nationally available source.

¹ [Federal Communications Commission, 2018 Broadband Deployment Report, February 2, 2018.](#)

1 NLC RESOLUTION #41

2
3 AFFIRMING SUPPORT FOR LOCAL CONTROL OF BROADBAND
4 INFRASTRUCTURE SITING
5

6 **WHEREAS**, the Federal Communications Commission has opened proceedings that challenge
7 local authority to manage rights of way and govern broadband infrastructure under the auspices
8 of accelerating broadband infrastructure deployment¹; and
9

10 **WHEREAS**, the Federal Communications Commission has also separately opened proceedings
11 proposing to “streamline” the deployment of small cell and distributed antenna system network
12 infrastructure by preempting local governance of that infrastructure²; and
13

14 **WHEREAS**, cities have worked as active partners to site broadband infrastructure in their
15 communities while protecting public safety, neighborhood character, and the integrity of existing
16 infrastructure such as poles, streets, and sidewalks; and
17

18 **WHEREAS**, cities share the Federal Communications Commission’s goal of expanding
19 broadband access to all Americans, no matter where they live; and
20

21 **WHEREAS**, cities have a duty to their taxpayers to protect and manage public property and
22 public rights-of-way for the benefit of all users, and must balance the needs and interests of
23 broadband providers with those of other users of the rights-of-way and residents by appropriately
24 reviewing siting requests and assessing appropriate rent for use of public property; and
25

26 **WHEREAS**, the Federal Communications Commission also established a Broadband
27 Deployment Advisory Committee charged with creating model state and local code and
28 identifying obstacles to broadband deployment caused by state and local regulation; and
29

30 **WHEREAS**, this Broadband Deployment Advisory Committee lacked sufficient local
31 representation among its thirty members, the majority of whom represented the
32 telecommunications industry, despite endorsement of numerous local government candidates by
33 NLC and the National Association of Telecommunications Officers and Advisors.³; and
34

35 **WHEREAS**, the FCC has enacted regulations that substantially limit the traditionally-held
36 authority of local governments over small cell wireless infrastructure and local governments’

¹ Federal Communications Commission, *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Notice of Proposed Rulemaking and Notice of Inquiry, WC Docket No. 17-84, FCC 17-37 (rel. Apr. 21, 2017); and *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Notice of Proposed Rulemaking and Notice of Inquiry, WC Docket No. 17-84, FCC 17-37 (rel. Apr. 21, 2017).

² Federal Communications Commission, *Comment Sought on Streamlining Deployment of Small Cell Infrastructure by Improving Wireless Facilities Siting Policies*; *Mobilitie, LLC Petition for Declaratory Ruling*, WT Docket No. 16-421, December 22, 2016 (Public Notice).

³ Federal Communications Commission, *Chairman Pai Announces Broadband Deployment Advisory Committee Members*, News Release, Apr. 6, 2017.

ability to assess fair compensation to taxpayers for use of public property, subsidizing wireless carriers' development while undermining local efforts to expand equity and broadband access.

NOW, THEREFORE, BE IT RESOLVED THAT NLC opposes efforts by the Federal Communications Commission and Congress to preempt municipal authority over all broadband infrastructure, wired or wireless, including small cell infrastructure; and

BE IT FURTHER RESOLVED THAT NLC calls on the FCC and Congress to protect local police powers over their rights-of-way, municipal authority to protect neighborhood character and public safety, maintain control of aesthetic and undergrounding requirements, and existing authority to assess fair compensation for private use of public assets, including the rights-of-way and other public lands and facilities, which should not be limited to the cost of maintaining the rights of way; and

BE IT FURTHER RESOLVED THAT NLC calls on the Federal Communications Commission to identify effective collaborative solutions and effective administrative practices for the siting of wireless infrastructure, instead of implementing a one-size-fits-all preemptive regulatory approach; and

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

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

1
2
3 **NLC RESOLUTION #42**

4 **SUPPORTING INCLUSION OF BROADBAND INFRASTRUCTURE IN FEDERAL**
5 **INFRASTRUCTURE INVESTMENTS**

6 **WHEREAS**, broadband infrastructure has become an economic necessity for American cities,
7 driving education, healthcare, public safety, economic growth, and operating efficiency in a 21st-
8 century economy; and
9

10 **WHEREAS**, sufficient broadband infrastructure has become increasingly necessary to support
11 all forms of infrastructure, from smart-meter electrical grids, to connected traffic management
12 networks, to sensor-enabled water and sewer systems; and
13

14 **WHEREAS**, robust broadband is needed to support the deployment of advances in smart city
15 technologies, as well as autonomous vehicles and unmanned aerial systems, or drones; and
16

17 **WHEREAS**, in-home broadband access has been shown to increase home values by 3%, and up
18 to 7.1% at higher speeds¹, and to boost economic and entrepreneurial activity within
19 communities who gain access to widely available broadband; and
20

21 **WHEREAS**, 24 million Americans, particularly those living in low-income or rural
22 neighborhoods, remain un- or underserved by broadband² and lack access to the same kinds of
23 advances in technology that Americans with broadband enjoy, and are unlikely to gain
24 connectivity without meaningful public investment; and
25

26 **WHEREAS**, while smartphone use and access to mobile data has increased, fixed in-home
27 broadband connections remain a necessity to close the digital divide and allow all Americans to
28 fully access the benefits of connectivity.
29

30 **NOW, THEREFORE, BE IT RESOLVED THAT** NLC urges Congress to include and
31 incorporate federal investment in broadband in any federal infrastructure proposal, to strengthen
32 the nation's infrastructure network while promoting economic development and social equity in
33 our communities; and
34

35 **BE IT FURTHER RESOLVED** that NLC calls on Congress to expand the U.S. Department of
36 Agriculture's Rural Utility Service Broadband program beyond loan guarantees to include
37 grants, and increase the population threshold for eligible areas to at least 20,000 so that more
38 areas may take advantage of this financing; and
39

40 **BE IT FURTHER RESOLVED** that NLC calls on Congress to increase funding for
41 Community Development Block Grants and Choice Neighborhood Grants, which allow local
42 governments to fund broadband planning and deployment alongside affordable housing and
43 neighborhood improvement projects; and
44

¹ Knutson, Ryan. "How Fast Internet Affects Home Prices." *Wall Street Journal*, June 30, 2015.

² [Federal Communications Commission, "2018 Broadband Deployment Report," February 2, 2018.](#)

45 **BE IT FURTHER RESOLVED** that NLC calls on the U.S. Department of Housing and Urban
46 Development to expand its ConnectHome program, to ensure that a growing number of HUD-
47 assisted households and schoolchildren will have access to in-home broadband; and
48

49 **BE IT FURTHER RESOLVED** that NLC calls on Congress to remove state-imposed barriers
50 to broadband investment, such as preemption of municipal broadband networks; and
51

52 **BE IT FURTHER RESOLVED** that NLC calls on Congress to reform and update federal
53 transportation grant programs such as BUILD to ensure that placement of broadband
54 infrastructure through policies such as “dig once” is prioritized in funded projects, and that
55 physical structures that reduce the cost of broadband deployment by private companies such as
56 dark fiber and conduit are eligible expenses in federal grant programs.

1 NLC RESOLUTION #43

2
3 **CALLING FOR UPDATED FEDERAL SAFETY STANDARDS FOR**
4 **RADIOFREQUENCY EMISSIONS OF WIRELESS FACILITIES**
5

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

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

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

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

23 **WHEREAS**, cities and counties employ methods to avoid providing certain environmental
24 related services near residents with particular sensitivities; and
25

26 **WHEREAS**, the FCC is required by the National Environmental Policy Act of 1969, among
27 other things, to evaluate the effect of emissions from FCC-regulated transmitters on the quality
28 of the human environment; and
29

30 **WHEREAS**, the FCC adopted a proceeding in 2013 to reassess RF exposure limits;¹ and
31

32 **WHEREAS**, numerous states, local governments and tribes have urged the FCC to revisit and to
33 update FCC standards for RF emissions, with input and support from other federal agencies,
34 including the Environmental Protection Agency and the Food and Drug Administration; and
35

36 **WHEREAS**, NLC, the National Association of Counties (NACo), National Association of
37 Telecommunications Officers and Advisors (NATOA) and the U.S. Conference of Mayors
38 (USCM), on behalf of their respective constituencies, jointly submitted a letter urging that the

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 \(rel. March 29, 2013\).](#)

39 FCC take action to perform a comprehensive review of RF emission standards, particularly with
40 respect to small wireless technologies;² and
41

42 **WHEREAS**, on February 7, 2018, NLC met with FCC commissioners regarding small wireless
43 deployment and again called on the FCC to update its RF exposure data to allow local officials to
44 “respond to residents’ concerns about the safety of this infrastructure, which is often much closer
45 to pedestrians and residents than traditional wireless infrastructure.”³
46

47 **NOW, THEREFORE, BE IT RESOLVED THAT** NLC urges the FCC to take action as
48 diligently as possible to update prior standards and to perform a comprehensive review of the
49 standards for RF emissions, particularly in light of the deployment of small wireless technologies
50 in public rights-of-way in close proximity to residents’ homes, schools, workplaces, and places
51 of recreation; and
52

53 **BE IT FURTHER RESOLVED THAT** NLC calls on the FCC to develop an updated resource
54 for local governments’ use in education for residents about these updated RF emissions standards
55 and the safety of commonly deployed wireless equipment.

² [Letter from the National League of Cities, National Association of Telecommunications Officers and Advisors, National Association of Counties, and The United States Conference of Mayors to the FCC, October 2, 2017.](#)

³ [National Association of Telecommunications Officers and Advisors, Notice of Ex Parte, June 21, 2018.](#)