



# Proposed Policy Resolutions and Platform Changes

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## Post Board Action

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## TABLE OF CONTENTS

AGRICULTURE AND RURAL AFFAIRS.....	1
PLATFORM CHANGE.....	1
RESOLUTIONS.....	1
Resolution on the Grain Inspection, Packers and Stockyards Administration .....	1
Resolution Opposing Inconsistent GMO Regulation .....	1
COMMUNITY, ECONOMIC AND WORKFORCE DEVELOPMENT .....	2
PLATFORM CHANGE.....	2
RESOLUTIONS.....	2
Resolution on FY 2016 Appropriations for the U.S. Department of Housing and .....	2
Urban Development.....	2
Resolution in Support of Permanent Authorization for the EB-5 Regional Center .....	2
Program .....	2
Resolution Supporting Reauthorization and Appropriations for the Department .....	3
of Commerce's Economic Development Administration.....	3
Resolution on the National Housing Trust Fund .....	3
Resolution in Support of the Reauthorization of Export-Import Bank of the .....	3
United States.....	3
Resolution to Support the YouthBuild Program .....	3
ENVIRONMENT, ENERGY AND LAND USE .....	5
PLATFORM CHANGES.....	5
RESOLUTIONS.....	9
Resolution on the Environmental Protection Agency's Final Waters of the U.S. ....	9
Rule.....	9
Resolution to Oppose More Stringent Regulation of Particulate Matter .....	9
Resolution on the Environmental Protection Agency's Efforts to Tighten Ozone .....	10
Air Quality Regulations.....	10
Resolution Opposing EPA's Proposal to Lower the National Ozone Standard .....	10
from 75 Parts per Billion to 65-70 Parts per Billion .....	10
Resolution Opposing the Construction of a Nuclear Waste Repository in the .....	10
Great Lakes Basin.....	10
Resolution Supporting an Affordable and Reliable Energy Supply .....	10
Resolution in Support of the Keystone XL Pipeline.....	11
Resolution to Promote a Level Playing Field for Certified Forest Products in .....	11
Green Buildings.....	11
FINANCE, PENSIONS AND INTERGOVERNMENTAL AFFAIRS.....	12
RESOLUTIONS.....	12
Resolution on the Marketplace Fairness Act.....	12
Resolution Urging Congress to Fully Fund the Water Infrastructure Finance and .....	12
Innovation Act (WIFIA) and Repeal the Ban on Co-financing WIFIA Projects with Tax- .....	12
Exempt Debt.....	12
Resolution Opposing New Taxes on Health Care Benefits.....	12
HEALTH.....	14
RESOLUTIONS.....	14
Resolution Calling on the Federal Drug Administration to Finalize Rules Around .....	14
Electronic Cigarettes and Other Novel Tobacco Products .....	14
Resolution Encouraging the U.S. Department of Health and Human Services to .....	14
Require Private Insurance Companies to Pay for Health Costs for their Preadjudicated.....	14
Clients.....	14
Resolution Endorsing the Vision and Goals of the National Prevention Strategy .....	14
Resolution to Proposed Changes to the Health Insurance Portability and .....	14
Accountability Act (HIPAA) .....	14
Resolution on Changing Nursing Home Oversight to Support and Promote.....	15
Culture Change.....	15
Resolution on Duals Demonstration Programs in States Affecting Vulnerable .....	15

Populations .....	15
Resolution on Flagged Organ Transplant Programs .....	15
Resolution on Immigration Health Care .....	16
Resolution on Maintenance of Effort for Essential Support Services for Persons with Behavioral Health and Developmental Disabilities .....	16
Resolution on National Health Service Corps Loan Repayment Program .....	16
Resolution on Needle Exchange .....	17
Resolution on Pandemic and All-Hazards Preparedness .....	17
Resolution on Persistent Health Disparities .....	17
Resolution on Responding to the Behavioral Health Needs of our Returning Veterans .....	17
Resolution on the Medicaid Institution for Mental Disease Exclusion .....	18
Resolution on the National Conversation on Mental Health .....	18
Resolution on Treatment of Substance Use Conditions .....	19
Resolution Supporting Local Efforts for Mobile Support Teams .....	19
Resolution Supporting Alternate Service Delivery for Veterans and Their Families .....	19
Resolution Supporting Amendment of 42 CFR Privacy Provisions to Create a Uniform Set of Regulations Based on HIPAA Privacy Rules .....	20
Resolution Supporting Efforts in the Prevention and Treatment of Obesity and Overweight .....	20
Resolution Supporting Funding for Alzheimer's Disease Research, Community Education and Outreach, and Caregiver Support .....	20
Resolution Supporting Improved Quality in Nursing Homes through Workforce Development and Creative Staffing Models .....	20
Resolution Supporting Ongoing Federal Support for Local Safety Net Providers .....	21
Resolution Supporting Provisions of the Affordable Care Act That May Help County Safety Net and Behavioral Health Programs .....	21
Resolution Supporting Development and Expansion of Parity for Mental Health and Substance Use Disorders Under the Affordable Care Act .....	21
Resolution to Support the Passage of H.R. 1769/S. 901 to Fund VA Research on the Health Effects of Toxins on the Children and Grandchildren of Veterans .....	22
Resolution Urging the Federal Government to Suspend, Instead of Terminate, Medicaid Coverage for Incarcerated Individuals .....	22
Resolution Supporting Charity Care Requirements for Non-Profit Health Care Facilities .....	22
HUMAN SERVICES AND EDUCATION .....	24
PLATFORM CHANGE .....	24
RESOLUTIONS .....	24
Resolution on the Community Services Block Grant .....	24
Resolution Supporting the DREAM Act or Similar Legislation .....	25
Resolution on Early Childhood Development .....	25
Resolution on Reauthorizing the Elementary and Secondary Education Act .....	25
Resolution on the Reauthorization of the Older Americans Act .....	25
Resolution on Reducing Poverty .....	26
Resolution on the Social Services Block Grant .....	26
Resolution on Reauthorizing the Temporary Assistance for Needy Families Block Grant .....	26
Resolution on the Elder Justice Initiative and Strengthening the Elder Justice Act .....	27
Resolution on Funding for County Veteran Services Officers .....	27
JUSTICE AND PUBLIC SAFETY .....	28
PLATFORM CHANGES .....	28
RESOLUTIONS .....	28
Resolution Supporting Funding and Amending Disaster Program Policies for the Management and Mitigation of Post-Wildfire Flooding and Debris Flow Damage .....	28
Resolution on Fair Restructuring of Homeland Security and Emergency Management Grants .....	28
Resolution Supporting Legislation Providing Mitigation Funds for Certain Areas Affected by Wildfires .....	29

Resolution on Juvenile Life Sentencing without Opportunity for Parole .....	29
Resolution on Reauthorization of the Juvenile Justice Delinquency Prevention Act .....	30
Resolution Supporting the Comprehensive Justice and Mental Health Act and Similar Legislation .....	30
Resolution Supporting the Stopping Tax Offenders and Prosecuting Identity Theft Act (Stop Identity Theft Act) and Similar Legislation .....	30
Resolution Urging Federal, State and Local Adoption of a Presumption Against the Use of Indiscriminate and Unnecessary Restraints of Juveniles in Court .....	31
Resolution on Executive Order Establishing a Federal Flood Risk Management Standard .....	31
Resolution Urging FEMA to Address Policies re: De-obligation of Approved Disaster-Relief Funds... 31	
Resolution Supporting the Emergency Management Performance Grant Program .....	32
PUBLIC LANDS .....	33
PLATFORM CHANGES .....	33
RESOLUTIONS .....	34
Resolution to Rescind the BLM's "Master Leasing Plan" Oil and Gas Leasing Reform .....	34
Resolution Supporting Uranium Activities .....	34
Resolution Calling for Membership on Landscape Conservation Cooperatives Steering Committees to Include County Elected Officials .....	34
Resolution on Reauthorizing the Federal Land Transaction Facilitation Act.....	35
Resolution Opposing BLM's Promulgation of Duplicative Hydraulic Fracturing Regulations .....	35
Resolution Urging Congress to Expedite a Commercial Oil Shale Leasing Program .....	35
Resolution to End the Sequestration of Shared Mineral Lease Act Revenue to the States and Return All Sequestered Revenue to the States .....	35
Resolution on Acquisition of Private Land for Wildlife Mitigation Associated with Renewable Energy Development with Subsequent Transfer to Federal Agencies.....	36
Resolution Opposing BLM's 2012 Decision to Reduce Lands Available for Oil Shale and Tar Sands Leasing.....	36
Resolution Urging All Federal Agencies to Engage in Exclusive Coordination with State, Local and Tribal Governments During Land Use Plan Amendment Processes and Other NEPA, FLPMA and NFMA Covered Activities .....	36
Resolution Urging Congress to Support the Return of 40% of Federal Mineral Lease Revenue to the County in which it was Generated.....	37
Resolution in Support of Reauthorization and Full Funding of the Land and Water Conservation Fund .....	37
Resolution on Amending Title III of Secure Rural Schools to Provide for Reimbursement of Patrol Expenditures .....	37
Resolution Supporting the Reauthorization of the Federal Lands Recreational Enhancement Act (FLREA) with Updates.....	38
Resolution Supporting Funding for Our National Parks .....	38
Resolution on Federal Lands Management Practices.....	38
Resolution Supporting Changing Forest Service Employee Supervision .....	39
Resolution to Modify the National Park Service Contingency Plan That Becomes Effective Upon A Lapse in Appropriations from Congress .....	39
Resolution on the Equal Access to Justice Act.....	39
Resolution on Restoring Historical Community Viability .....	40
Resolution on Local Law Enforcement on Public Lands .....	40
Resolution Supporting a Formal Congressional Request for a Comprehensive .....	41
GAO Audit of All Revenues Generated from Federally Managed Lands, Mineral Estates and Holdings Both On-Shore and Off-Shore .....	41
Resolution on the Endangered Species Act .....	41
Resolution Supporting Ongoing Efforts of Western States to Manage and Conserve the Greater Sage Grouse and in Opposition to an ESA Listing of the Greater Sage Grouse at this Time .....	43
Resolution Opposing the Listing of the Gunnison Sage Grouse as an Endangered Species, and Opposing the Designation of Critical Habitat without Scientific Basis, such as in Ouray and Hinsdale Counties, Colorado .....	43
Resolution on U.S. Fish and Wildlife Management of the Utah Prairie Dog .....	44

Resolution Opposing the Proposed Designation of Critical Habitat for the Black Pine Snake by the U.S. Fish and Wildlife Service .....	44
Resolution on Wild Horse and Burro Management .....	44
Resolution in Support of Wilderness Legislation with County Input and Support .....	44
Resolution to Allow the Re-classification of Diseased and Insect Infested Forest Products .....	45
TELECOMMUNICATIONS AND TECHNOLOGY .....	46
PLATFORM CHANGE .....	46
RESOLUTIONS .....	47
Resolution on the Protection of State and Local Government Rights Through Congressional Policy Efforts that Include Collaborative Input from Appropriate NACo Committee Leadership .....	47
Resolution to Ensure the Protection of Local Government Land Use and .....	48
Franchise Authority .....	48
Resolution in Support of FCC Chairman Tom Wheeler’s Reforms to the Lifeline Program .....	48
Resolution in Support of Empowering Counties to Be Active in the Deployment and Operations of High Speed Internet .....	49
Resolution of Support and Recommendations for the Work of the Broadband Opportunity Council ....	49
Resolution Opposing the Closing of Federal Communications Commission Field Offices .....	49
Resolution Supporting PSAP Consolidation and Recommending Other Factors for the FCC’s PSAP Task Force to Examine as the Task Force Moves Forward with its .....	49
Report and Recommendations .....	49
TRANSPORTATION .....	51
PLATFORM CHANGE .....	51
RESOLUTIONS .....	51
Resolution on County Priorities for MAP-21 Reauthorization .....	51
Resolution on Funding for Tribal Roads and School Bus Routes .....	53
Resolution on Modifying the Train Horn Rule .....	54
Resolution Requesting Modifications to Rules for Challenges to Federal Aid Highway Construction .	54
Resolution Supporting Equitable Funding and Expenditures of the Highway Trust Fund .....	54
Resolution on Elevating the Role of Local Governments in the Development of State Strategic Highway Safety Plans .....	54
Resolution on the Establishment of a ‘Toward Zero Deaths’ Grant Program .....	55

## **AGRICULTURE AND RURAL AFFAIRS**

### **PLATFORM CHANGE**

#### **Platform Change on Country of Origin Labeling (COOL)**

**Under FOOD SAFETY, add:**

NACo urges Congress to support country-of-origin labeling (COOL) provisions in any agricultural authorizing or appropriation bills. NACo strongly urges the federal government to encourage that all fruits, vegetables, meats and other foodstuffs entering the United States be legibly and indelibly labeled in such manner as to indicate to the consumer the country of origin.

**Approved | July 12, 2015**

### **RESOLUTIONS**

#### **Resolution on the Grain Inspection, Packers and Stockyards Administration**

**Issue:** Large corporate influence on agriculture policy.

**Proposed Policy:** NACo supports a GIPSA ruling that ensures a fair, competitive market for all grain and livestock producers.

**Approved | July 12, 2015**

#### **Resolution Opposing Inconsistent GMO Regulation**

**Issue:** Lack of standardization of the use of Genetically Modified Organisms (GMO's), Genetically Engineered products, foods, seeds and product labeling create a checker board of policies and practices unsuitable for any agriculturally-based economy to thrive.

**Proposed Policy:** NACo supports a comprehensive plan to address the co-habitation of genetically engineered and non-genetically engineered crops to provide a strong and robust agriculturally-based economy. NACo supports policies provided by the U.S. Department of Agriculture that standardize or unify regulation of genetically engineered crops which alleviate the need for county or municipal governing bodies to regulate, investigate or enforce regulation of related ordinances or laws.

**Approved | July 12, 2015**

## **COMMUNITY, ECONOMIC AND WORKFORCE DEVELOPMENT**

### **PLATFORM CHANGE**

#### **Platform Change on Dedicated Infrastructure Funding for One-Stop Centers**

Under WORKFORCE DEVELOPMENT, add as sixth bullet:

- NACo also supports providing dedicated infrastructure funding for the facilities and operations of Local One-Stop Centers

**Approved | July 12, 2015**

### **RESOLUTIONS**

#### **Resolution on FY 2016 Appropriations for the U.S. Department of Housing and Urban Development**

**Issue:** Support FY 2016 Appropriations for the U.S. Department of Housing and Urban Development (HUD).

**Proposed Policy:** NACo urges Congress to support the following levels of funding for core U.S. Department of Housing and Urban Development (HUD) programs in the FY 2016 Transportation, Housing and Urban Development, and Related Agencies Appropriations bill: no less than \$3.3 billion in Community Development Block Grant (CDBG) formula funding; no less than \$1.2 billion in formula funding for the HOME Investment Partnerships Program (HOME); \$2.1 billion for Homeless Housing Assistance grants, including at least \$250 million for the Emergency Solutions Grant program plus an amount to fully fund expiring supportive housing and Shelter Plus Care rent subsidy contracts; full funding for existing Section 8 project-based and tenant-based contracts and \$500 million in Section 108 Loan Guarantee authority.

In addition, NACo opposes the imposition of a funding threshold to receive CDBG formula funds directly or elimination of “grandfathering” provisions that allow cities and counties to maintain their entitlement status. NACo also does not support diverting CDBG formula funds to other categorical grant programs.

**Approved | July 12, 2015**

#### **Resolution in Support of Permanent Authorization for the EB-5 Regional Center Program**

**Issue:** The EB-5 Regional Center Program (the “Program”) authorization expires on September 30, 2015. Permanent authorization by the U.S. Congress is needed to ensure the Program can achieve maximum economic impact and job creation.

**Proposed Policy:** NACo supports federal legislation to permanently authorize the EB-5 Regional Center Program and to maximize its capacity for economic impact and job creation.

**Approved | July 12, 2015**

**Resolution Supporting Reauthorization and Appropriations for the Department of Commerce's Economic Development Administration**

**Issue:** Appropriations and reauthorization legislation for the U.S. Department of Commerce's Economic Development Administration (EDA).

**Proposed Policy:** NACo urges Congress to support reauthorization and appropriations for the U.S. Department of Commerce's EDA to keep communities strong and economically viable at a time when our nation needs it the most.

**Approved | July 12, 2015**

**Resolution on the National Housing Trust Fund**

**Issue:** Allocation of National Housing Trust Fund (HTF) resources.

**Proposed Policy:** NACo urges Congress and the U.S. Department of Housing and Urban Development (HUD) to provide for the allocation of HTF funds to local governments. Driving HTF resources to the local and county levels will ensure these federal affordable housing resources are effectively targeted and tailored to meet the unique and individualized affordable housing needs of local communities across the nation. In the event that increased HTF resources become available, Congress and HUD are also urged to provide a formula allocation of HTF resources directly to local governments.

**Approved | July 12, 2015**

**Resolution in Support of the Reauthorization of Export-Import Bank of the United States**

**Issue:** The Congress of the United States of America is in the process of reauthorizing the Export-Import Bank of the United States of America in this session of the Congress and seeks the input of the National Association of Counties.

**Proposed Policy:** The National Association of Counties (NACo) support, endorse and advocate for the reauthorization of the Export-Import Bank of the United States.

**Approved | July 12, 2015**

**Resolution to Support the YouthBuild Program**

**Issue:** Congress is in the process of determining funding for the federal Department of Labor (DOL) YouthBuild program, which serves many counties and provides effective pathways to education, workforce training, community service and leadership training among the approximately 2.3 million low-income young adults in the United States between the ages of 16



and 24 who have left high school without a diploma or who are unemployed.

**Proposed Policy:** NACo supports expansion of funding for YouthBuild and supports funding for the DOL YouthBuild program returning to its prior FY 2010 level of \$102.5 million.

**Approved | July 12, 2015**

## **ENVIRONMENT, ENERGY AND LAND USE**

### **PLATFORM CHANGES**

#### **Statement of Basic Philosophy**

NACo believes protection of the environment, and the conservation and development of our nation's resources are obligations shared by citizens, private enterprise and all levels of government.

America's counties are highly diverse communities occupying a nearly unlimited range of geographic settings, with immense variation in their natural resource endowments, and with many different economic, cultural and social systems and concerns. Counties are primary service providers with a responsibility to care for and protect their citizens' health, welfare and safety and to maintain and improve their quality of life.

Addressing environmental health and safety, ensuring responsible energy development and conserving and protecting our essential natural resources in an atmosphere of limited governmental capacity will be achieved by building effective partnerships between all levels of government, citizens and the private sector.

#### **UNFUNDED MANDATES AND PREEMPTIONS**

NACo opposes any legislation, regulation, or policy proposal which mandates programs and responsibilities on states and local governments without commensurate federal funding. To fully understand the impact of any mandate on local governments, a fiscal note or statement of estimated costs of implementation must be provided prior to formulation or passage of legislation or regulations.

NACo opposes any federal attempts to preempt state and local planning policies, processes and decisions. NACo does encourage federal agency participation and expert assistance in regional and local environmental public policymaking, where appropriate.

#### **INTERGOVERNMENTAL COOPERATION**

Implementing environmentally sensitive and cost-efficient strategies for the conservation and use of natural resources can only be accomplished with collaborative planning and good communications among stakeholders. Therefore, counties must be involved as significant partners in the formative stages of developing standards, policies, and guidance and have the ability to develop specific standards, where appropriate.

State governments should act as coordinators, providers of technical and financial assistance, and developers of general standards, which recognize the need for flexibility and regional differences. The federal government should be responsible for supporting or

conducting research, setting general standards, developing policies, providing guidance, and financial and technical assistance, while recognizing the need for flexibility and regional differences.

NACo believes the federal government should provide financial and other incentives to support the most cost-effective planning and management programs to meet federal goals.

### **PRIORITIZATION AND PERFORMANCE-BASED STANDARD SETTING**

NACo supports national and state policies that are tailored to meet the needs of local communities with goals and performance standards and goals-being set to accomplish outcomes and give local governments the flexibility to select among alternative means to achieve them.

This flexibility is critical for local governments with often very limited resources to prioritize implementation of federal environmental laws and regulations based on actual needs and to match the environmental, social and economic costs and benefits of alternative strategies with local plans, priorities and capacity.

Financial resources must be allocated to address environmental problems before they escalate to a cost-prohibitive level.

### **INCENTIVE-BASED SOLUTIONS**

NACo supports federal government incentives to protect the environment and natural resources. NACo supports the repeal of programs and policies that distort the pricing or development of products in a manner that encourages the exploitation of resources, discourages recycling and conservation, and provides inducements for greater pollution.

### **SOUND SCIENCE AND TECHNICAL ASSISTANCE**

NACo calls upon the federal government to authorize, adequately fund, and require federal departments and agencies to provide fair, thorough, peer reviewed, scientifically sound assessments of health, safety or environmental risks associated with policy alternatives, prior to requiring any actions by local governments.

NACo supports coordinated and expanded environmental research efforts, in which the research process allows for input from state and local governments, private industry and the public. Local governments should be kept informed about ongoing monitoring and compliance evaluations related to the implementation of environmental mandates. Research should address all impacts of pollution and recognize and accommodate technology advancements.

### **PUBLIC EDUCATION AND COMMUNICATION**

NACo supports federal assistance and increased funding to assist local governments, schools, colleges, universities, technical and vocational institutions in developing and

funding curricula, supplying laboratories, training staff and increasing public engagement in various environmental research activities and educational programs of local and regional significance. These programs help involve and educate local officials and the general public about basic science and the environmental, social, and financial impacts of implementing environmental, energy and land use policies.

**Approved | July 12, 2015**

### **Peak Wet Weather Flow Management Techniques**

#### **Under WATER QUALITY**

##### **A. Clean Water Act**

**3. Sewer Overflows:** NACo supports a Combined Sewer Overflow (CSO) program which is based on cost-benefit analyses and allows for a variety of control techniques. EPA's CSO policy should accommodate water quality standards that encompass stormwater discharges and their impact in CSO systems.

NACo supports the crafting and uniform application of Clean Water Act regulations and permits such that Publicly Owned Treatment Works can operate their facilities in the manner in which they were designed and permitted, including the use of peak wet weather flow management techniques such as blending.

NACo believes that a significant national environmental or public health problem requiring federal regulation from Sanitary Sewer Overflows (SSO) has not been demonstrated. NACo calls on the EPA to review SSO regulations to ensure flexibility for local communities to adequately address this challenge.

**Approved | July 12, 2015**

### **Creation of a National Program to Allow States to Offset Air Pollution Exceedances**

#### **Under AIR**

**F. Interstate/International Transport of Air Pollution:** NACo recognizes that air pollution is transitory in nature and does not respect state or other geographic borders, particularly in the case of ozone. NACo supports the creation of multi-jurisdictional ozone transport regions and interstate commissions to provide for regional planning, conflict resolution, and implementation of area-wide strategies, as ozone may contribute to or cause non-attainment of the National Ambient Air Quality Standards (NAAQS). When the EPA determines that state or local jurisdictions are in compliance and do not significantly contribute to ozone transport problems, that area should be exempted from further regulatory requirements. Counties or air basins within a state should be allowed to subtract the effect of pollutants transported from other parts of a state, as well as from other states, when calculating their own area's clean air compliance

attainment.

NACo supports the creation of an EPA policy to grant states and local governments the authority to leverage air quality improvements in one region to offset the non-attainment status of another adjacent region during the same period to avoid non-attainment status in the region whose air quality exceeds the current standards.

**Approved | July 12, 2015**

### **To Remove Support for a Permanent or Interim Nuclear Waste Storage Facility**

#### **Under Solid and Hazardous Waste Management**

**H. Nuclear Waste Management:** NACo is concerned that the federal nuclear waste repository program through the Department of Energy (DOE) is seriously behind schedule. NACo supports federal legislation to assure the Department of Energy (DOE) meets its statutory responsibilities regarding present and future stockpiles of nuclear wastes which pose a serious threat to the natural environment and to the public's health and welfare.

NACo supports construction of a suitable permanent nuclear waste repository and the use of an interim central storage facility until the permanent site is completed.

NACo supports federal development of a transportation system from nuclear power plants to the interim or permanent site that includes assessing community impacts, intensive consultation, participation, and control in siting and transportation decisions with affected states and local governments, and consulting with and providing appropriate benefits to counties directly affected by the interim or permanent nuclear waste facility.

NACo supports research and development of spent nuclear fuel storage technologies.

**Approved | July 12, 2015**

### **On Supporting the Nation's Electrical Grid System**

#### **Under ENERGY**

**A. National Energy Policy:** NACo seeks a comprehensive and integrated approach to a national energy policy that:

- Balances increased domestic oil and gas production on public and privately-owned lands, including issuance of oil and gas drilling permits in a timely fashion;
- Provides states and counties, which support and encourage oil and gas production off their shores, with a share of revenues proportionate to the royalties generated;
- Accelerates development, research and incentives for alternative and renewable energy, clean energy, energy efficient programs, and clean coal technologies;
- Gives local governments a central role in formulating local environment, energy and land

- use policies;
- Supports environmental equity issues;
- Continues energy conservation programs that reduce consumption, encourage efficient energy use, and improve end use efficiencies;
- Preserves and protects ecologically unique areas;
- Provides a comprehensive approach to addressing the problems of communities affected by new energy resource facility development, and direct participation by local governments in all strategy development for mitigating any adverse consequences of a new energy resource facility;
- Provides federal funding through grants, payments, low-interest loans, and loan guarantees, to counties and other local governments to help fund the planning and development of public facilities, and services, required as the result of new or expanded energy resource and facility development;
- Ensures that the nation's electrical transmission grid system is secure from the types of threats which could cause catastrophic failure; and
- Provides funding for Native American energy resource development.

**Approved | July 12, 2015**

## **RESOLUTIONS**

### **Resolution on the Environmental Protection Agency's Final Waters of the U.S. Rule**

**Issue:** The U.S. Environmental Protection Agency's (EPA) finale rule regarding waters of the United States.

**Proposed Policy:** NACo supports S. 1140 or other similar legislative vehicles which would withdraw the Environmental Protection Agency (EPA) and Army Corps of Engineers' (Corps) "waters of the U.S." rule and restart the rule-making process and would also require the agencies to work more closely with state and local governments to find consensus in a rewrite of the "waters of the U.S." rule.

**Approved | July 12, 2015**

### **Resolution to Oppose More Stringent Regulation of Particulate Matter**

**Issue:** Impact of a more stringent Particulate Matter air standard on rural communities

**Proposed Policy:** NACo opposes any attempts by the U.S. Environmental Protection Agency (EPA) to impose regulation of Particulate Matter (PM or dust) at levels more stringent than current standards.

**Approved | July 12, 2015**

## **Resolution on the Environmental Protection Agency's Efforts to Tighten Ozone Air Quality Regulations**

**Issue:** The U.S. Environmental Protection Agency's (EPA) effort to tighten ozone air quality standards.

**Proposed Policy:** NACo opposes implementation of the EPA's proposed 2015 National Ambient Air Quality Standards (NAAQS) for ozone until the 2008 NAAQS for ozone have been fully implemented and analyzed for impact.

**Approved | July 12, 2015**

## **Resolution Opposing EPA's Proposal to Lower the National Ozone Standard from 75 Parts per Billion to 65-70 Parts per Billion**

**Issue:** The EPA's proposal to lower the national ozone standard from 75 parts per billion (ppb) to 60-70 ppb.

**Proposed Policy:** The National Association of Counties (NACo) opposes the EPA's proposal to lower the national ozone standard from 75 ppb to 60-70 ppb. Also, the EPA should give greater leeway to states where ozone levels are demonstrably high because of natural events beyond their control, including high elevation areas and high background levels of ozone.

**Approved | July 12, 2015**

## **Resolution Opposing the Construction of a Nuclear Waste Repository in the Great Lakes Basin**

**Issue:** The Canadian government is currently reviewing (and has until December 2, 2015 to authorize construction of) the Ontario Power Generation's proposal to build a permanent geologic repository to bury and abandon 7 million cubic feet of low and intermediate level radioactive nuclear waste less than half a mile from the shore of Lake Huron in Kincardine, Ontario, Canada.

**Proposed Policy:** NACo encourages the president and the Secretary of State to oppose Ontario Power Generation's proposal to build a nuclear waste repository in the Great Lakes Basin, which is not a suitable site.

**Approved | July 12, 2015**

## **Resolution Supporting an Affordable and Reliable Energy Supply**

**Issue:** Adequate analysis of the cost/benefit of regulations and legislation related to the use of coal as an electricity source is continually necessary.

**Proposed Policy:** NACo urges Congress and the Administration to re-evaluate restrictions on the mining, transportation and burning of coal. NACo believes the U.S. Environmental Protection Agency's existing and proposed rules, regulations and standards should be further studied to fully understand the costs and benefits on electric utility operations, electricity availability and capacity, electric rates; the economic impacts to manufacturers, and the economic and health impacts to communities and consumers.

**Approved | July 12, 2015**

### **Resolution in Support of the Keystone XL Pipeline**

**Issue:** Allowing construction of the Keystone XL Pipeline

**Proposed Policy:** NACo urges Presidential and/or Congressional approval for the Keystone XL Pipeline.

**Approved | July 12, 2015**

### **Resolution to Promote a Level Playing Field for Certified Forest Products in Green Buildings**

**Issue:** Green building policies that only reward the use of forest products certified by the Forest Stewardship Council (FSC), in effect favor foreign timber over domestic timber certified by credible organizations such as the American Tree Farm System (ATFS) and Sustainable Forestry Initiative (SFI).

**Proposed Policy:** NACo urges the adoption of federal government policies that recognize multiple green building rating programs in order to maintain a neutral position with regard to forest products certified by American Tree Farm System (ATFS), Forest Stewardship Council (FSC), and Sustainable Forestry Initiative (SFI).

**Approved | July 12, 2015**



## **FINANCE, PENSIONS AND INTERGOVERNMENTAL AFFAIRS**

### **RESOLUTIONS**

#### **Resolution on the Marketplace Fairness Act**

**Issue:** Marketplace Fairness Act

**Proposed Policy:** The National Association of Counties (NACo) encourages and supports efforts to permit the collection of sales and use taxes from remote sellers and endorses the Marketplace Fairness Act to provide states with the ability to enforce their existing state and local sales and use tax laws.

**Approved | July 12, 2015**

#### **Resolution Urging Congress to Fully Fund the Water Infrastructure Finance and Innovation Act (WIFIA) and Repeal the Ban on Co-financing WIFIA Projects with Tax-Exempt Debt**

**Issue:** The nation faces an enormous water infrastructure investment need of nearly \$2 trillion over the next 25 years to restore deteriorating drinking water, stormwater, and wastewater infrastructure. Congress established the Water Infrastructure Finance and Innovation Act (WIFIA) loan program in 2014 to provide low-cost loans to a broad range of projects; however, the current statutory ban on the use of tax-exempt debt to co-finance WIFIA projects substantially undermines WIFIA's potential to advance much-needed investments.

**Proposed Policy:** NACo urges Congress to fully fund WIFIA and repeal the ban on co-financing WIFIA projects with tax-exempt debt, thereby freeing WIFIA to realize its full potential to lower project costs and address our nation's immense water infrastructure investment challenges.

**Approved | July 12, 2015**

#### **Resolution Opposing New Taxes on Health Care Benefits**

**Issue:** The possible application of the excise tax provided in the Affordable Care Act (ACA) to health insurance for county employees as well as the expansion of taxation on employer-provided health benefits.

**Proposed policy:** The National Association of Counties (NACo) opposes the taxation of health insurance benefits to county employees through the application of the ACA excise tax on health insurance benefits for county employees, the capping of the tax exclusion for employer-based defined contributions made by counties and any new taxes which would apply to the health benefits that counties provide to their employees.

**Approved | July 12, 2015**

## HEALTH

### RESOLUTIONS

#### **Resolution Calling on the Federal Drug Administration to Finalize Rules Around Electronic Cigarettes and Other Novel Tobacco Products**

**Issue:** Federal Drug Administration regulation of electronic cigarettes (e-cigarettes) and novel products such as nicotine gels and dissolvables.

**Proposed Policy:** Urge the Federal Drug Administration to act swiftly and implement rules for the sale, manufacture, distribution, and marketing of electronic cigarettes and novel products.

**Approved | July 12, 2015**

#### **Resolution Encouraging the U.S. Department of Health and Human Services to Require Private Insurance Companies to Pay for Health Costs for their Preadjudicated Clients**

**Issue:** Private insurance companies' "inmate exclusion" shifts health care costs from preadjudicated inmates to counties.

**Proposed Policy:** NACo urges the Department of Health and Human Services (HHS) to prohibit insurers from denying reimbursement under health benefit plans for covered services provided to preadjudicated persons in the custody of local supervisory authorities.

**Approved | July 12, 2015**

#### **Resolution Endorsing the Vision and Goals of the National Prevention Strategy**

**Issue:** Support for the National Prevention Strategy.

**Proposed Policy:** NACo endorses the overarching vision and goal of the National Prevention Strategy and will support actions and promote policies that support its effective implementation across all levels of government and in communities.

**Approved | July 12, 2015**

#### **Resolution to Proposed Changes to the Health Insurance Portability and Accountability Act (HIPAA)**

**Issue:** Treatment providers for substance abuse disorders such as opiate abuse are not always fully aware of what the Health Insurance Portability and Accountability Act (HIPAA) does/does not allow when it comes to disclosing patient safety concerns to appropriate parties (i.e. family members or law enforcement officials). Furthermore, treatment providers are confined by strict

language within HIPAA, which indicates disclosure is limited to when there is a threat of both “serious and imminent” danger to the patient or others.

**Proposed Policy:** NACo urges Congress to amend language in HIPAA to clarify that treatment providers may disclose their concerns about a patient’s safety to appropriate parties when they believe in “good faith” that there is a threat of "serious or imminent" danger to the patient or others. Currently, disclosure is limited to when there is a threat of “serious and imminent” danger to the patient or others.

**Approved | July 12, 2015**

### **Resolution on Changing Nursing Home Oversight to Support and Promote Culture Change**

**Issue:** Regulatory barriers to improving nursing home culture.

**Proposed Policy:** NACo urges the Centers for Medicare and Medicaid Services (CMS) to remove barriers and regulations that hinder providers from making transformative environmental, administrative and care practice changes that promote positive outcomes to resident and family satisfaction and improved quality of care and quality of life.

**Approved | July 12, 2015**

### **Resolution on Duals Demonstration Programs in States Affecting Vulnerable Populations**

**Issues:** The Affordable Care Act (ACA) includes several initiatives intended to integrate Medicare and Medicaid services for dual eligible, including the establishment of the Medicare Medicaid Coordination Office (MMCO) within the Centers for Medicare & Medicaid Services (CMS) and the creation of the Financial Alignment Initiatives (“Duals Demo”). These demonstrations include a number of significant changes to current Medicare and Medicaid programs, including permission to passively enroll beneficiaries.

**Proposed Policy:** Congress should direct CMS to withhold approval of new Financial Alignment Demonstrations until the agency better understands the impacts of these programs on health care spending, quality of care and ability to achieve desired outcomes.

**Approved | July 12, 2015**

### **Resolution on Flagged Organ Transplant Programs**

**Issue:** Organ transplant programs are being flagged by the Centers for Medicare and Medicaid Services (CMS) for having survival rates that fall below certain statistical numbers. In some cases, programs with 94% one-year survival rates have been flagged. Flagged programs reduce transplant activity, especially for certain populations (elderly and minorities) and avoid the use of

marginal organs even though patients' survival rates would be significantly higher than not being transplanted at all.

**Proposed Policy:** NACo urges Congress and CMS to put an immediate moratorium on the flagging of organ transplant programs using outcome measures. Lowering the number of programs being flagged would allow these organ transplant programs to accept more marginal organs for transplant and increase transplant rates especially for minorities and the elderly.

**Approved | July 12, 2015**

### **Resolution on Immigration Health Care**

**Issue:** Improving immigrant access to health care coverage.

**Proposed Policy:** NACo supports extending eligibility to anyone residing in the United States, regardless of immigration status, to purchase Qualified Health Plan coverage through the Health Insurance Marketplace exchanges, including access to premium assistance. The federal government should help local health departments fund public health services for immigrants living and working in our counties.

**Approved | July 12, 2015**

### **Resolution on Maintenance of Effort for Essential Support Services for Persons with Behavioral Health and Developmental Disabilities**

**Issue:** State and local maintenance of effort for support services for persons with behavioral health and developmental disabilities.

**Proposed Policy:** NACo encourages, during implementation of the Affordable Care Act (ACA), maintenance of effort for federal, state, county mental health and behavioral health authorities and city general revenue funds for social support programs that serve persons with behavioral health and developmental disabilities, including the newly insured disability population; these programs, particularly affordable housing and job supports, must be available so that persons with disabilities can become and remain fully independent in their home communities.

**Approved | July 12, 2015**

### **Resolution on National Health Service Corps Loan Repayment Program**

**Issue:** County prisons are not eligible for designation as health professional shortage areas for the purpose of the National Health Service Corps.

**Proposed Policy:** NACo urges Congress to amend the National Health Service Corps loan repayment program and allow County and municipal jails to be eligible for the program. Current law excludes County jails from being designated as health professional shortage areas and NACo

urges Congress to review this designation and allow County and municipal jails to be named health professional shortage areas.

**Approved | July 12, 2015**

### **Resolution on Needle Exchange**

**Issue:** the use of federal funds to support syringe access programs.

**Proposed Policy:** NACo urges Congress to repeal the ban on the use of federal funds to support syringe access programs in order to curb the transmission of HIV, viral hepatitis, and other bloodborne infections related to injection drug use.

**Approved | July 12, 2015**

### **Resolution on Pandemic and All-Hazards Preparedness**

**Issue:** Local health departments play a vital role in promoting and maintaining the nation's health and security. They have legal authorities and perform preparedness functions and duties to ensure the safety and well-being of counties in the face of potential public health emergencies.

**Proposed Policy:** To ensure the public's health and safety, NACo urges the Administration and Congress to provide adequate funding for programs authorized in the Pandemic and All-Hazards Preparedness Reauthorization Act (P.L. 113-5) which build and sustain local infrastructure for public health emergency preparedness.

**Approved | July 12, 2015**

### **Resolution on Persistent Health Disparities**

**Issue:** Persistent health disparities.

**Proposed Policy:** NACo supports legislation to reduce health disparities and address the social determinants of health, increase the diversity and cultural and linguistic competencies of the health workforce, and improve environmental justice. This must include significant direct federal funding for counties to implement programs designed to reduce disparities, by direct service delivery and in partnership with providers.

**Approved | July 12, 2015**

### **Resolution on Responding to the Behavioral Health Needs of our Returning Veterans**

**Issue:** Behavioral health needs of returning veterans.

**Proposed Policy:** NACo supports policies to ensure that:

- U.S. Department of Veterans Affairs (VA) funds are made available to reimburse counties for the services provided to veterans eligible for VA services and for services provided to veterans awaiting determination of eligibility.
- VA funds are made available to reimburse services provided to veterans eligible for VA services by public and private providers under contract with the VA.
- U.S. Department of Defense (DOD) funds are made available to reimburse counties for the services provided to veterans eligible for DOD services.
- Appropriate county level data are available so that counties know how many veterans are returning to their local areas.
- Appropriate legislation and guidance from the Administration are available to correct gaps and deficiencies in the DOD and VA service delivery systems.

**Approved | July 12, 2015**

### **Resolution on the Medicaid Institution for Mental Disease Exclusion**

**Issue:** Needed revisions to the Medicaid Institution for Mental Disease (IMD) exclusion.

**Proposed Policy:** NACo calls on Congress to amend, but not eliminate, the current IMD exclusion for adults between ages 21 and 64, as follows:

For non-hospital, community-based mental health and substance use residential care for adults ages 21 to 64, the exclusion should be revised to reflect modern evidence based practices and current economic realities. Thus, for persons ages 21 to 64 served in these non-hospital residential placements of size 17 and larger through evidence based programs, up to 90 days of care per year should be eligible for federal reimbursement. Beyond 90 days, the IMD exclusion should still remain in effect.

For hospital-based mental health and substance use care for adults ages 21 to 64, the exclusion should be revised to reflect improvements and efficiencies that have been made in hospital-based care, plus the economic reality of modern managed care, which assures that only the most minimal, necessary, inpatient care is provided. Thus, for persons ages 21 to 64 served in these hospital placements of size 17 and larger through evidence-based programs, up to 15 days of care per year should be eligible for reimbursement. Beyond 15 days, the IMD exclusion should remain in effect.

**Approved | July 12, 2015**

### **Resolution on the National Conversation on Mental Health**

**Issue:** County role in the national conversation on mental health.

**Proposed Policy:** NACo supports the goals of the Administration's ongoing effort to encourage a

national conversation to increase understanding and awareness about mental health and to identify ways to reduce stigma and to expand coverage and improve access to mental health services, especially for young people and veterans. NACo calls on the Administration to continue to recognize counties as essential partners these efforts and to engage county officials as additional national and local conversations are planned and implemented.

**Approved | July 12, 2015**

### **Resolution on Treatment of Substance Use Conditions**

**Issue:** Need for new policy on treatment for substance use conditions.

**Proposed Policy:** Treatment for substance use conditions should be based upon proven evidence based practices, including when appropriate and necessary, medication assisted treatment. Such care always should be accompanied by assessments of improvement and outcome to assure that the care provided actually is working.

**Approved | July 12, 2015**

### **Resolution Supporting Local Efforts for Mobile Support Teams**

**Issue:** Address the need for local health departments' mobile support teams to work closely with law enforcement agencies to promote safety and emotional stability when a behavioral health crisis occurs.

**Proposed Policy:** NACo supports legislative efforts at the federal and state levels to fully fund and promote mobile support teams within a local health department. NACo urges federal and state matching funds to maximize financial support for local jurisdictions in implementing mobile support teams. Law enforcement agencies can coordinate with a mobile support team on responding efficiently to a behavioral health crisis. A mobile support team can provide immediate resources in an emerging crisis to help deescalate a sensitive situation, provide referrals for medical and social services and provide a crisis intervention.

**Approved | July 12, 2015**

### **Resolution Supporting Alternate Service Delivery for Veterans and Their Families**

**Issue:** Address capacity and efficiency of the Veterans Administration system in provision of health care and related support services to veterans and their families.

**Proposed Policy:** NACo supports legislative and administrative action at the federal and state levels to develop alternate means of providing health care and related support services to veterans and their families, including partnership with traditional for-profit, non-profit, county-based and community health care providers.



**Approved | July 12, 2015**

**Resolution Supporting Amendment of 42 CFR Privacy Provisions to Create a Uniform Set of Regulations Based on HIPAA Privacy Rules**

**Issue:** Interagency coordination to assist “high utilizers.”

**Proposed Policy:** NACo supports an amendment to 42 Code of Federal Regulations (CFR) Part 2 privacy provisions to coordinate with Health Insurance Portability and Accountability Act (HIPAA) privacy provisions.

**Approved | July 12, 2015**

**Resolution Supporting Efforts in the Prevention and Treatment of Obesity and Overweight**

**Issue:** Reduce obesity and overweight and improve wellness.

**Proposed Policy:** NACo recognizes obesity and overweight as conditions that can persist from childhood to adulthood, that are associated with chronic disease and that cause preventable and premature deaths in adults, adolescents and children. NACo supports local public health department leadership in obesity and overweight prevention.

**Approved | July 12, 2015**

**Resolution Supporting Funding for Alzheimer's Disease Research, Community Education and Outreach, and Caregiver Support**

**Issue:** Lack of sufficient funding for Alzheimer's disease research, Alzheimer's community education and outreach, and resources for caregivers, family members, and those afflicted with Alzheimer's disease.

**Proposed Policy:** NACo supports the continuous and increased use of federal funds to support Alzheimer's disease research, Alzheimer's community education and outreach, and resources for caregivers, family members, and those afflicted with Alzheimer's disease.

**Approved | July 12, 2015**

**Resolution Supporting Improved Quality in Nursing Homes through Workforce Development and Creative Staffing Models**

**Issue:** Staff turnover is a major obstacle to continuity, quality of care and quality of life in nursing homes. Medicaid and Medicare funding, which recognizes the cost and importance of adequate staff, and the ability to hire, train and retain staff of varying skill levels, helps to provide high quality and person-centered long-term care services.

**Proposed Policy:** NACo urges Congress to authorize innovative demonstration projects to test models of care that use direct-care workers (DCWs) in advanced roles.

**Approved | July 12, 2015**

### **Resolution Supporting Ongoing Federal Support for Local Safety Net Providers**

**Issue:** Need to maintain strong health care safety net system as the Affordable Care Act (ACA) is implemented.

**Proposed Policy:** NACo urges the federal government to ensure the availability of adequate and sustainable funding for safety net providers as they continue to care for the uninsured.

**Approved | July 12, 2015**

### **Resolution Supporting Provisions of the Affordable Care Act That May Help County Safety Net and Behavioral Health Programs**

**Issue:** Essential need to implement key features of the Patient Protection and Affordable Care Act (ACA).

**Proposed Policy:** NACo supports full funding for, and implementation of, the provisions of the ACA that help counties meet the service needs of low income and disabled populations. Specifically, NACo supports maintaining and expanding affordable health coverage and benefits to uninsured and underinsured residents who rely on county health care delivery systems – including the Medicaid expansion. NACo also supports the ACA’s provisions to improve care coordination to ensure that everyone has a medical/health home for efficient, accessible and cost-effective care; to improve access to preventive care and health promotion for underserved populations; and to promote the use of peer supports and counselors, together with effective care coordination that spans health and social support services.

**Approved | July 12, 2015**

### **Resolution Supporting Development and Expansion of Parity for Mental Health and Substance Use Disorders Under the Affordable Care Act**

**Issue:** Parity for mental health medical coverage for newly insured populations under the Affordable Care Act (ACA).

**Proposed Policy:** NACo supports implementation of the ACA so as to ensure access to the highest quality mental health and substance use disorder services for newly insured populations.

**Approved | July 12, 2015**

## **Resolution to Support the Passage of H.R. 1769/S. 901 to Fund VA Research on the Health Effects of Toxins on the Children and Grandchildren of Veterans**

**Issue:** This Resolution calls on NACo to support federal legislation (H.R. 1769 and S. 901 are identical bills). “The Toxic Research Exposure Act” would create a toxins research unit within the VA to proceed with medical research on how exposure to agent orange, burn pits and depleted uranium (“toxins”) may affect the biological health of children and grandchildren of veterans who served in the military.

**Proposed Policy:** NACo should urge Congress to pass H.R. 1769/S. 901 to take full responsibility for understanding and addressing not just the direct impact of toxins exposure on the health of those who served our nation, but also for the inherited impacts of toxins on the health of these veterans’ children and grandchildren. The bill would create a national center to research, diagnose and treat the descendants of veterans exposed to toxic substances during military service.

**Approved | July 12, 2015**

## **Resolution Urging the Federal Government to Suspend, Instead of Terminate, Medicaid Coverage for Incarcerated Individuals**

**Issue:** Medicaid benefits may be withdrawn when an individual is incarcerated as opposed to convicted.

**Proposed Policy:** Urge Congress to pass legislation that:

- a) amends federal law to prohibit states from terminating eligibility for individuals who are inmates of public institutions or residents of Institutes for Mental Disease based solely on their status as inmates or residents; and
- b) requires states to establish a process under which an inmate or resident of an Institute for Mental Disease, who continues to meet all applicable eligibility requirements, is placed in a suspended status so that the state does not claim FFP for services the individual receives, but the person remains on the state’s rolls as being eligible for Medicaid; and
- c) once release or discharge from the facility is anticipated, require states to take whatever steps are necessary to ensure that an eligible individual is placed in payment status so that he or she can begin receiving Medicaid-covered services immediately upon leaving the facility.

**Approved | July 12, 2015**

## **Resolution Supporting Charity Care Requirements for Non-Profit Health Care Facilities**

**Issue:** Charity care requirements for non-profit and tax-exempt health care facilities.

**Proposed Policy:** NACo supports imposing charity care requirements on non-profit and tax-

exempt health care facilities, including standards that measure facilities' access to and utilization of tax-exempt capital, to objectively determine the actual amount health care providers tender to those in need against the value of tax exemptions that the facilities receive.

**Approved | July 12, 2015**

## HUMAN SERVICES AND EDUCATION

### PLATFORM CHANGE

#### **Platform Change on Immigration Reform and Unaccompanied Children**

Add to “Legal Immigrants, Migrants, Refugees and Undocumented Individuals” section of Platform (page 96 on 2014-2015 version of platform document), moving “Services” to point B. and “Refugee Program” to point C., respectively:

**A. Comprehensive Immigration Reform:** NACo urges Congress and the President to enact comprehensive immigration reform legislation that:

- Provides for uniform enforcement of all existing laws;
- Secures our borders;
- Includes a national strategy for coordination among federal, state, local and tribal authorities;
- Establishes a sensible and orderly guest worker program;
- Imposes no unfunded mandates on state and local governments;
- Includes no mandates on counties to enforce immigration laws;
- Preserves the eligibility of legal non-citizens for federally-funded health benefits and provides a sustainable funding stream to counties for their cost of providing health services to legal non-citizens who are denied federally-funded health benefits;
- Establishes an earned path to citizenship that includes registering, background checks, demonstrating employment, learning English and civics, paying back taxes and fees that may be required;
- Improves and simplifies the current legal immigration system; and
- Provides green cards for science, technology, engineering and mathematics students who have received a graduate degree from American universities.

**D. Unaccompanied Children Crossing the Border:** NACo calls on the Administration and Congress to ensure that adequate federal funds are appropriated to shelter and provide care, including medical assistance, to unaccompanied children crossing the border and to ensure that the costs of the care provided to these children are not transferred to counties.

**Approved | July 12, 2015**

### RESOLUTIONS

#### **Resolution on the Community Services Block Grant**

**Issue:** The Community Services Block Grant (CSBG) has been targeted for serious cuts and program changes.

**Proposed Policy:** NACo supports full funding for CSBG and also supports the program’s formula grant structure.

**Approved | July 12, 2015**

### **Resolution Supporting the DREAM Act or Similar Legislation**

**Issue:** Support for the Development, Relief, and Education for Alien Minors (DREAM) Act or similar legislation.

**Proposed Policy:** NACo calls upon Congress and the president to enact the DREAM Act, or similar legislation that, without imposing costs on counties, would allow certain undocumented immigrants who entered the country as children to attain legal status if they pass background checks, demonstrate good moral character and meet education requirements.

**Approved | July 12, 2015**

### **Resolution on Early Childhood Development**

**Issue:** Increased funding for early childhood development

**Proposed Policy:** NACo supports legislation to increase investments in early childhood development, including greater coordination among pre-school programs in schools and county run programs such as home visitation, child wellness, Head Start, Early Head Start and quality childcare.

**Approved | July 12, 2015**

### **Resolution on Reauthorizing the Elementary and Secondary Education Act**

**Issue:** The Elementary and Secondary Education Act has not been reauthorized since 2001.

**Proposed Policy:** NACo calls on Congress to reach a compromise on the reauthorization of the Elementary and Secondary Education Act and enact legislation this year.

**Approved | July 12, 2015**

### **Resolution on the Reauthorization of the Older Americans Act**

**Issue:** Aging population growth is increasing demand for services to older Americans.

**Proposed Policy:** NACo urges the strengthening, through additional funding, of the Older Americans Act (OAA) in these key areas: home delivered nutrition services, case management, information and assistance service, Senior Community Service Employment Program (SCSEP), Supportive Services (including Long-Term Care), Ombudsman Program, and Health Promotion and Disease Prevention. NACo further urges Congress to reauthorize the OAA, expand program flexibility to distribute funds between nutrition programs (Title III C), as well as between Title III C and Supportive Services (Title III B). NACo further supports the local service delivery structure for OAA programs.

**Approved | July 12, 2015**

### **Resolution on Reducing Poverty**

**Issue:** Despite the War on Poverty and gains made over the past 50 years, poverty still affects millions of individuals and families in the United States.

**Proposed Policy:** NACo supports federal initiatives to reduce poverty, including the proposed establishment of a Federal Interagency Working Group on Reducing Poverty which will create and carry out a national plan to cut poverty in half in ten years, so long as federal policymakers ensure that these initiatives feature assessments that measure the effectiveness of programs and investments, and that local governments, including counties, are consulted throughout the planning and implementation of the initiatives.

**Approved | July 12, 2015**

### **Resolution on the Social Services Block Grant**

**Issue:** The Social Services Block Grant (SSBG) remains vulnerable to cuts in the context of entitlement reform and deficit reduction.

**Proposed Policy:** NACo strongly supports SSBG, opposes any efforts to eliminate or reduce its funding and calls on Congress to restore sequestration cuts to the program.

**Approved | July 12, 2015**

### **Resolution on Reauthorizing the Temporary Assistance for Needy Families Block Grant**

**Issue:** The Temporary Assistance for Needy Families Block Grant (TANF) program expires at the end of the fiscal year.

**Proposed Policy:** NACo urges Congress to revise the current TANF program to provide greater state and county flexibility to create and provide services that support families and help move them off welfare. NACo supports allowing more state flexibility in TANF program design such as allowing higher education to count as work; realistic time limits on education; and allowing states to use TANF funds to support post-secondary educational expenses. NACo urges Congress to, at a minimum, retain and enhance state flexibility to use TANF funds for subsidized employment. Given the demonstrated success of TANF subsidized employment programs, NACo urges Congress to increase funding for those programs. NACo urges Congress to reauthorize all programs within TANF and restore the TANF Supplemental Grants. NACo urges Congress to ensure that reauthorization includes the provision that the TANF block grant is increased annually in an amount commensurate with the rate of inflation.

**Approved | July 12, 2015**

## **Resolution on the Elder Justice Initiative and Strengthening the Elder Justice Act**

**Issue:** Elder Justice Act reauthorization and full funding.

**Proposed Policy:** NACo supports federal funding for, and continuation of, the Elder Justice Act, including the President's FY 2016 budget request of \$25 million for the Elder Justice Initiative.

**Approved | July 12, 2015**

## **Resolution on Funding for County Veteran Services Officers**

**Issue:** Funding for county veteran services officers, who are often the first point of contact for our country's veterans when seeking assistance and in accessing services.

**Proposed Policy:** NACo urges the Administration and Congress to include and designate a portion of Veteran Administration Outreach funding for future federal fiscal years to support county veteran services officers throughout our nation.

**Approved | July 12, 2015**



## JUSTICE AND PUBLIC SAFETY

### PLATFORM CHANGES

#### **Platform Change Supporting an Affordable and Sustainable Reauthorization of the National Flood Insurance Program**

Under COMPREHENSIVE EMERGENCY MANAGEMENT—Section Q: National Disaster Insurance System, add as first bullet:

NACo urges Congress and the federal administration to work with the states, local governments, the insurance industry, and other stakeholders:

- To support a sustainable, fiscally responsible National Flood Insurance Program (NFIP) that protects the businesses and homeowners who built according to code and have followed all applicable laws. NACo urges Congress to work with stakeholder groups to find consensus in crafting a sensible and fiscally responsible renewal of the National Flood Insurance Program that keeps flood insurance rates affordable while improving the mapping process;

**Approved | July 12, 2015**

### RESOLUTIONS

#### **Resolution Supporting Funding and Amending Disaster Program Policies for the Management and Mitigation of Post-Wildfire Flooding and Debris Flow Damage**

**Issue:** Funding is either unavailable or inadequate to effectively deal with the newly created or increased flooding and debris flow risks from post-wildfire events.

**Proposed Policy:** NACo urges Congress to amend the Fire Management Assistance Grant Program (FMAGP) and Stafford Act declaration time period to help states, tribes, and local governments respond to floods and debris flows that directly result from a declared fire.

**Approved | July 12, 2015**

#### **Resolution on Fair Restructuring of Homeland Security and Emergency Management Grants**

**Issue:** Consolidation of existing Homeland Security and Emergency Management grants into block grants administered solely by the states will decrease local resilience and negatively impact national preparedness for disasters and emergencies of all types.

**Proposed Policy:** NACo continues to oppose the complete consolidation of the existing Homeland Security and Emergency Management grant programs into block grant programs administered by the states, and again proposes an alternative that will better address the needs of all levels of government without and that does not discard the advances created by the past

grants:

Emergency Management and disaster related grant programs – Preserve, maintain, and enhance the Emergency Management Performance Grant and the grants related to disaster recovery and mitigation as separate, fully funded programs.

National Preparedness Program – Consolidate current homeland security grants as necessary (except as below) based on realistic risk to each state from all hazards including but not limited to terrorism. State Administrative Agencies will make prioritization decisions in transparent consultation and with the consent of local governments, and continue to require that no less than 80% of these funds be passed to local government in each state based on their realistic risk.

Urban Area Security Initiative (UASI) – Maintain specific funding to the 35 urban areas at greatest risk of disastrous event (from all hazards, including terrorism) in light of the significant populations and economic drivers of these areas. The program remains jointly administered by the State Administrative Agency and the existing UASI organizational units and continuing to require that no less than 80 percent of these funds be passed through to the Urban Areas.

NACo will work with Congress and the other stakeholders to prepare updated legislative language to accomplish these goals.

**Approved | July 12, 2015**

### **Resolution Supporting Legislation Providing Mitigation Funds for Certain Areas Affected by Wildfires**

**Issue:** Support for Legislation Providing Mitigation Funds for Certain Areas Affected by Wildfires.

**Proposed Policy:** NACo supports legislation that provides dedicated mitigation funds by providing up to 15% of the cost of a Fire Mitigation Assistance Grant (FMAG) to support wildfire mitigation projects.

**Approved | July 12, 2015**

### **Resolution on Juvenile Life Sentencing without Opportunity for Parole**

**Issue:** Children should never be sentenced to life without parole for offenses they committed at an age that is characteristic of impulsive, immature and risk-taking behavior- things we know are common for all adolescents.

**Proposed Policy:** NACo supports eliminating life without parole as a sentencing option for children. We support just and age appropriate accountability measures for children that will ensure that every child, regardless of offense, is given a meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation. We therefore, call upon State Legislatures across the country and the U.S. Congress to enact legislation that abolishes life without parole for children and provides them with meaningful and periodic sentencing reviews. These legislative

changes should be applied both retroactively and prospectively so that no child is allowed to have their human rights violated because of when they were sentenced.

**Approved | July 12, 2015**

**Resolution on Reauthorization of the Juvenile Justice Delinquency Prevention Act**

**Issue:** The Juvenile Justice Delinquency Prevention Act has not been reauthorized since 2002.

**Proposed Policy:** NACo urges Congress to support the Reauthorization of the Juvenile Justice and Delinquency Prevention Act.

**Approved | July 12, 2015**

**Resolution Supporting the Comprehensive Justice and Mental Health Act and Similar Legislation**

**Issue:** Improving access to mental health services for people in the criminal justice system that need treatment.

**Proposed Policy:** Access to mental health can be improved for people who come into contact with the criminal justice system through services and providing law enforcement officers the tools they need to identify and respond to mental health issues in the community. In 2004, Congress passed the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA), which supports innovative programs that bring together mental health and criminal justice agencies to address the unique needs of persons with mental health conditions. The Comprehensive Justice and Mental Health Act (CJMHA) reauthorizes and improves MIOTCRA.

The proposed legislation (H.R. 1854/S. 993) also supports mental health courts and crisis intervention teams; uses new grant accountability measures and emphasizes the use of evidence-based practices; authorizes investments in veterans treatment courts; supports state and local efforts to identify people with mental health conditions at each point in the criminal justice system; supports the development of curricula for police academies and orientations; supports the development of programs to train federal law enforcement officers in how to respond appropriately to incidents involving a person with a mental health condition; increases focus on corrections-based programs and gives local officials greater control over program participation eligibility.

**Approved | July 12, 2015**

**Resolution Supporting the Stopping Tax Offenders and Prosecuting Identity Theft Act (Stop Identity Theft Act) and Similar Legislation**

**Issue:** Misuse of taxpayer identity.

**Proposed Policy:** Support all related bills in the U.S. House of Representatives and the U.S. Senate and urge Congress to pass legislation supporting action to reduce tax crimes and identity theft that would halt the victimization of millions of U.S. taxpayers through losses due to several billion dollars in fraudulent claims. Legislation would encourage the U.S. Department of Justice (DOJ) to dedicate additional resources, including the use of investigative task forces, to address tax return identity theft. The legislation would ask DOJ to focus resources in areas with a high rate of tax return identity theft, coordinate investigations with state and local law enforcement agencies, and protect vulnerable victims, including veterans, seniors and minors. The legislation would increase penalties to help deter this type of crime and protect victims.

**Approved | July 12, 2015**

**Resolution Urging Federal, State and Local Adoption of a Presumption Against the Use of Indiscriminate and Unnecessary Restraints of Juveniles in Court**

**Issue:** Many youth in custody are forced to appear in court proceedings in restraints that unnecessarily humiliate, stigmatize and traumatize young people. Restraining youth who pose no safety threat is inconsistent with the rehabilitative goals of juvenile justice.

**Proposed Policy:** NACo urges federal, state and local government adoption of a presumption against the use of unnecessary restraints of juveniles in court and to only allow restraints after an in-person opportunity to be heard and a finding that restraints are the least restrictive means necessary to prevent flight or harm to the juvenile or others.

**Approved | July 12, 2015**

**Resolution on Executive Order Establishing a Federal Flood Risk Management Standard**

**Issue:** The President issued an executive order creating a Federal Flood Risk Management Standard (FFRMS) that directs all agencies to use one of three resiliency criteria in their policies, projects, and programs receiving federal funding.

**Proposed Policy:** NACo urges the President and Congress to direct all federal agencies to engage NACo and state and local government agencies prior to implementation of Executive Order 13690.

**Approved | July 12, 2015**

**Resolution Urging FEMA to Address Policies re: De-obligation of Approved Disaster-Relief Funds**

**Issue:** Since 2010, the Federal Emergency Management Agency (FEMA) has aggressively sought to recover and deobligate (clawback) previously-approved recovery funds distributed to local governments by FEMA through the Robert T. Stafford Disaster Relief Act. The process has created growing uncertainty in counties' abilities to accept disaster-relief funds.

**Proposed Policy:** NACo urges the federal government to clarify the process whereby FEMA can declare that funds distributed to local governments and approved by FEMA for disaster relief

efforts are deobligated; so as to ensure that:

1. The deobligation process includes a reasonable timeframe for counties to respond to information requests, and
2. FEMA makes timely decisions on appeals filed by counties that face the potential rescission of previously appropriated federal funds.

**Approved | July 12, 2015**

### **Resolution Supporting the Emergency Management Performance Grant Program**

**Issue:** The Emergency Management Performance Grant (EMPG) is the sole all-hazards grant currently extant, and the most demonstrably successful DHS grant program. However, in light of state funding shortfalls state Emergency Management agencies have reduced the amounts of EMPG funding passed through to local government.

**Proposed Policy:** NACo requests that Congress guarantee that the Emergency Management Performance Grant (EMPG) remain a separate program, separately funded from all other grants that specifically address terrorism or other specific issues (remaining, then, a truly all-hazards program), at or above current funding levels, and require that a minimum of 70 percent of EMPG funds be passed through to local government with a 50-50 match requirement.

**Approved | July 12, 2015**

## **PUBLIC LANDS**

### **PLATFORM CHANGES**

#### **Platform Change on Federal Land Management**

Under FEDERAL LAND MANAGEMENT, add:

C. Special Use Designations:

[Add sentence at end of Section C:]

NACo supports special land designations of federal lands that are proposed by local residents and businesses, is consistent with existing land use policies, and is strongly supported by the affected counties and stakeholders within which the designation is proposed.

**Approved | July 12, 2015**

#### **Platform Change on Federal Land Resource Revenue Sharing Payments**

Under FEDERAL LAND PAYMENTS, add:

B. Resource Revenue Sharing Payments:

[Add fourth paragraph:]

The U.S. Forest Service and Bureau of Land Management have permanent authority to enter into stewardship contracts for management of federal forests and rangelands. The authority does not include, however, traditional sharing with counties of revenues generated from these projects. NACo supports stewardship end-results contracting projects as a tool to manage federal forests and rangelands, but only if it retains the historical receipts sharing with counties.

**Approved | July 12, 2015**

#### **Platform Change on Land Use Planning and the Endangered Species Act**

Under FEDERAL LAND USE PLANNING, add:

B. Endangered Species Act:

[Add third paragraph:]

NACo supports reforms that would require the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to perform cumulative and quantitative economic analysis, before the designation of Critical Habitat, that would measure the effects of such a designation on all affected stakeholders – not just on federal agencies – and would include the effects on possible uses of land, property values, employment, and revenues available for state and local

governments. This information shall be considered as a part of their decision making process.

**Approved | July 12, 2015**

### **Platform Change on Mineral, Oil and Gas Development**

Under section H. MINERAL, OIL, AND GAS DEVELOPMENT, change first sentence to:

#### **H. Mineral, Oil, and Gas Development:**

NACo supports comprehensive mineral, gas, and oil development laws and policies, including an expedited oil shale and oil sands leasing program, such as in the Green River formation, that address the needs of the extraction industries, the affected counties, and the environment.

**Approved | July 12, 2015**

## **RESOLUTIONS**

### **Resolution to Rescind the BLM's "Master Leasing Plan" Oil and Gas Leasing Reform**

**Issue:** Rescind the Bureau of Land Management's (BLM) Master Leasing Plan Instruction Memorandum and Related Guidance.

**Proposed Policy:** NACo strongly urges, in all cases except where a specific county officially requests the BLM to revise a Resource Management Plan (RMP) otherwise, the Department of Interior (DOI) Secretary and the BLM Director to immediately rescind BLM Instruction Memorandum No. 2010-117 and all related guidance, because they attempt to implement so-called "Master Leasing Plan" reforms that unlawfully override duly established BLM RMPs without local government input.

**Approved | July 12, 2015**

### **Resolution Supporting Uranium Activities**

**Issue:** On January 9, 2012, the Secretary of the Interior, using faulty information, withdrew one million acres of the nation's highest grade uranium ores from mineral entry in Northern Arizona.

**Proposed Policy:** NACo believes that the January 12, 2012 withdrawal for Northern Arizona should be overturned, or revoked, and the lands returned to multiple use status, and under the terms of the 1984 Arizona Wilderness Act, release of lands not suitable for wilderness (except in Coconino County), as long as operators continue to abide by existing state and federal environmental laws, regulations, and standards, including reclamation.

**Approved | July 12, 2015**

### **Resolution Calling for Membership on Landscape Conservation Cooperatives Steering Committees to Include County Elected Officials**

**Issue:** County membership on Landscape Conservation Cooperatives (LCC)

**Proposed Policy:** NACo supports the expansion of LCC Steering Committees to include at least one elected county official or approved regional official representing local governmental interests on each Steering Committee, and preferably one from each state in those eco-regions which are multi-state.

**Approved | July 12, 2015**

### **Resolution on Reauthorizing the Federal Land Transaction Facilitation Act**

**Issue:** Reauthorizing the Federal Land Transaction Facilitation Act

**Proposed Policy:** Support reauthorization of the Federal Land Transaction Facilitation Act, a balanced approach to western lands that facilitates the sale of Bureau of Land Management (BLM) lands identified for disposal, which generates revenue for high-priority conservation.

**Approved | July 12, 2015**

### **Resolution Opposing BLM's Promulgation of Duplicative Hydraulic Fracturing Regulations**

**Issue:** The Bureau of Land Management's (BLM) intent to adopt duplicative hydraulic fracturing rules

**Proposed Policy:** NACo is opposed to a BLM hydraulic fracturing rule that does not clearly and fully defer regulation of hydraulic fracturing to states that already have in place comprehensive regulations.

**Approved | July 12, 2015**

### **Resolution Urging Congress to Expedite a Commercial Oil Shale Leasing Program**

**Issue:** Oil and gas shale leasing program in the Green River formation

**Proposed Policy:** NACo urges Congress to address in a timely manner, the regulatory review process in order to facilitate a functioning, environmentally responsible commercial oil and gas shale leasing program in the Green River formation.

**Approved | July 12, 2015**

### **Resolution to End the Sequestration of Shared Mineral Lease Act Revenue to the States and Return All Sequestered Revenue to the States**

**Issue:** The sequestration of Mineral Lease Act revenue to the States.

**Proposed Policy:** NACo supports ending the sequestration of Mineral Lease Act (MLA) revenue to the states and giving back all such sequestered revenue to the states, consistent with the fact that MLA revenue shared with states does not constitute federal budgetary expenditures and should not be subject to mandatory sequestration under the Balanced Budget Emergency



Deficit Control Act (BBEDCA) of 1985 as amended.

**Approved | July 12, 2015**

**Resolution on Acquisition of Private Land for Wildlife Mitigation Associated with Renewable Energy Development with Subsequent Transfer to Federal Agencies**

**Issue:** Acquisition of private land for wildlife mitigation associated with renewable energy development

**Proposed Policy:** NACo requests the land and wildlife management agencies adopt procedures that provide for project mitigation other than through land transfer from private to public ownership, unless supported by the affected counties. When such transfers are deemed the only appropriate mitigation, and offsetting the Payment in Lieu of Taxes program (PILT) will not occur, then agencies must provide that project developer would continue to pay the property tax on the transferred land, or fees in lieu of taxes, in perpetuity, unless the land is restored to private ownership at a future date.

**Approved | July 12, 2015**

**Resolution Opposing BLM's 2012 Decision to Reduce Lands Available for Oil Shale and Tar Sands Leasing**

**Issue:** The Bureau of Land Management's (BLM) 2012 Programmatic Environmental Impact Statement (PEIS), which greatly reduced the areas approved by BLM in 2008 for oil shale and tar sands leasing programs in Utah, Wyoming and Colorado.

**Proposed Policy:** NACo urges BLM to reverse the 2012 PEIS and approve for oil shale and tar sands leasing all qualifying lands in the Green River Formation.

**Approved | July 12, 2015**

**Resolution Urging All Federal Agencies to Engage in Exclusive Coordination with State, Local and Tribal Governments During Land Use Plan Amendment Processes and Other NEPA, FLPMA and NFMA Covered Activities**

**Issue:** All federal agencies' responsibility to engage in exclusive coordination with state, local and tribal governments before, during and throughout any federal land use plan amendment process and other NEPA, FLPMA and NFMA covered activities.

**Proposed Policy:** NACo urges all federal agencies to comply with applicable statutes and regulations to coordinate fully and exclusively with states, counties and tribal governments before, during and throughout federal land use plan amendments, plan implementation, management actions and other NEPA, FLPMA and NFMA covered activities, to assure consistency with state and local plans and policies. NACo believes all federal agencies shall enter into a memorandum of understanding with local government to ensure coordination with local plans as per NEPA, FLPMA and NFMA. Furthermore, NACo urges Congress to make

coordination with local government apply to all federal agencies.

**Approved | July 12, 2015**

**Resolution Urging Congress to Support the Return of 40% of Federal Mineral Lease Revenue to the County in which it was Generated**

**Issue:** The right for a reasonable share of federal mineral lease and mineral lease bonus revenues to be returned to the counties who are socially or economically impacted by mineral development.

**Proposed Policy:** NACo urges Congress to amend the Federal Mineral Lease Act to clarify that the current percentage of a state's share of federal mineral lease and mineral lease bonus revenue, or 40% of such share, whichever is greater, shall be returned to the county of origin.

**Approved | July 12, 2015**

**Resolution in Support of Reauthorization and Full Funding of the Land and Water Conservation Fund**

**Issue:** The LWCF is authorized at \$900 million annually through September 30, 2015 and must be reauthorized. LWCF must also be fully appropriated upon reauthorization. Congress determines the level of appropriations each year, and yearly appropriations have fluctuated widely since the origin of the program. Of the total revenues that have accrued throughout the history of the program (\$36.2 billion), less than half have been appropriated (\$16.8 billion).

**Proposed Policy:** NACo supports the reauthorization and full appropriation of the Land and Water Conservation Fund prior to its expiration in September 2015 to fund existing programs which include state programs to local governments. Congress and federal agencies (the National Park Service, Bureau of Land Management, Fish and Wildlife Service, and Forest Service) shall consult and confer with affected counties as early as possible when considering federal land acquisitions. Any federal land acquisitions shall be consistent with county plans and supported by affected local county governments, and shall result in no net gain in federal lands within the nation as a whole.

**Approved | July 12, 2015**

**Resolution on Amending Title III of Secure Rural Schools to Provide for Reimbursement of Patrol Expenditures**

**Issue:** Support amending Title III of the Secure Rural Schools Act (SRS) to provide for the reimbursement of sheriff patrol expenditures on federal lands.

**Proposed Policy:** NACo supports amending Title III of the Secure Rural Schools Act (SRS) to include reimbursement to counties for sheriff patrol expenditures on eligible federal Forest Service and BLM lands. Patrol expenditure reimbursements were disallowed with the release of a 2012 GAO report to the Senate Energy and Natural Resources Committee. Before the GAO

report, many counties used Title III funds to carry out routine law enforcement patrols on federal land. These patrols helped reduce and deter criminal activity and enhanced the safety of visitors to federal lands. County deputies are able to serve as first responders to any search and rescue or other emergency situation. Limiting the ability of counties to use Title III funds for patrol on federal lands has increased criminal activity and stretches the resources of sheriffs' offices to unsustainable levels.

**Approved | July 12, 2015**

### **Resolution Supporting the Reauthorization of the Federal Lands Recreational Enhancement Act (FLREA) with Updates**

**Issue:** Expiration of current FLREA legislation and potential loss of significant funding needed by agencies such as the Forest Service to invest in, manage and maintain public recreational areas.

**Proposed Policy:** NACo supports the timely reauthorization of the Federal Lands Recreational Enhancement Act, to allow the Forest Service and other agencies to retain revenues from specific fee areas to pay for upgrades, management and maintenance of Forest Service recreational areas.

NACo further request that the FLREA renewal include language to allow some of the revenues from ski area leases to be retained by the Forest Service (vs into the US general fund) to help pay for the greatly increased workload of managing ski area leases generated by recently passed 'Summer Use' legislation.

**Approved | July 12, 2015**

### **Resolution Supporting Funding for Our National Parks**

**Issue:** Federal funding for the National Park Service (NPS).

**Proposed Policy:** NACo calls on Congress to preserve funding for America's national parks. NACo supports maintaining funding for the National Park Service (NPS), recognizing that national parks provide recreation, economic and tourism opportunities for counties, and gateway communities. NACo also urges Congress to increase funding for the NPS to address the dire backlog of maintenance projects, now totaling \$11 billion, which includes critically needed road access and bridge maintenance projects.

**Approved | July 12, 2015**

### **Resolution on Federal Lands Management Practices**

**Issue:** Federal Lands Management.

**Proposed Policy:** NACo supports the following changes to federal lands management policy:

1. Requiring federal lands to be managed in both an ecologically and financially sustainable

- manner providing a source of revenue to the federal, state, and local governments.
2. Requiring federal lands to be managed with consideration of the potential costs of remediation after a severe fire event or natural disaster.
  3. Reorganization of Forest Service management to reduce the layers of organizational structure from four to three. Currently they have the Washington Office, nine regional offices, Forest Supervisor headquarters, and Ranger District Offices.
  4. Clearly defining the Forest Service mission to get more projects 'boots on the ground' with less administrative distractions.
  5. Responsible management and development of natural resources on federal lands and opening more federal lands for market-based leases.
  6. Requirements directing federal land management agencies to utilize all the existing authorities to actively manage their lands according to multiple use principles and also to account for all projects and methods they have used to the governor's office of each respective state and each county governing body where those federal lands exist.
  7. Requiring that any projects that are stopped by legal action be immediately remedied and turned back out for implementation.
  8. Requiring adequate funding for the above to be implemented.

**Approved | July 12, 2015**

### **Resolution Supporting Changing Forest Service Employee Supervision**

**Issue:** Chain of command for U.S. Forest Service (USFS) law enforcement personnel.

**Proposed Policy:** NACo supports a change in USFS personnel organization to place law enforcement officers under the direction of Forest Supervisors.

**Approved | July 12, 2015**

### **Resolution to Modify the National Park Service Contingency Plan That Becomes Effective Upon A Lapse in Appropriations from Congress**

**Issue:** Appropriate management scheme for individual National Park Services (NPS) unit in the absence of appropriation.

**Proposed Policy:** NACo proposes that each Superintendent of all federal land management agencies, who have the inherent knowledge of his or her own facility and/or area, shall be responsible and charged to formulate a plan of operation and identify available funding, in coordination with state and local government, for their unit in the absence of appropriations.

**Approved | July 12, 2015**

### **Resolution on the Equal Access to Justice Act**

**Issue:** Accountability and transparency regarding payments made under the Equal Access to Justice Act and the un-intentioned use of The Equal Access to Justice Act (EAJA).

**Proposed Policy:** The National Association of Counties (NACo):

1. Supports legislation that amends the Equal Access to Justice Act and the federal judicial code to require the Chairman of the Administrative Conference of the United States to report to Congress annually on the amount of fees and other expenses awarded to prevailing parties other than the United States in certain administrative proceedings and civil action court cases (excluding tort cases) to which the United States is a party, including settlement agreements.
2. Supports requirements that such reports: (1) describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid Congress in evaluating the scope and impact of such awards; and (2) be made available to the public online.
3. Supports legislation that directs the Chairman of the Administrative Conference of the United States to create and maintain online a searchable database containing specified information with respect to each award including the name of the agency involved, the name of each party to whom the award was made, the amount of the award, and the basis for finding that the position of the agency concerned was not substantially justified.
4. Supports legislation that requires the head of each federal agency (including, with respect to court cases, the Attorney General [DOJ] and the Director of the Administrative Office of the United States Courts) to provide the Chairman all information requested to produce such reports.
5. Supports raising the EAJA reimbursement level to \$200 per hour reflecting the market rate, so that those in need (i.e. veterans and small business) and that are “directly and personally harmed” can afford a decent and marketable attorney.
6. Supports the institution of a \$7,000,000 net worth cap regardless of tax exempt status to reduce the number of lawsuits filed by large nationwide fringe groups that profit from habitual lawsuits.

**Approved | July 12, 2015**

**Resolution on Restoring Historical Community Viability**

**Issue:** Historical Community Viability.

**Proposed Policy:** NACo urges Congress and federal agencies to restore responsible, multiple use / sustained yield industries that are necessary to provide economic, social, educational, and cultural stability for historic communities including a) robust bridge funding to arrest catastrophic declines and b) restoration of active public land management. Federal agencies should coordinate with local and state officials to provide the greatest improvements in those areas of greatest importance.

**Approved | July 12, 2015**

**Resolution on Local Law Enforcement on Public Lands**

**Issue:** Local law enforcement on public lands.

**Proposed Policy:** NACo urges all federal land management agencies to recognize and respect sheriffs (or the chief local law enforcement officer) in public land counties as the primary and chief law enforcement officer of the entire county. Federal agencies should execute cooperative agreements with counties to ensure fair and prompt federal payment of compensation for additional local law enforcement activities desired of sheriffs, and federal agencies submit their agents for deputization and accountability under local sheriff authority and control.

**Approved | July 12, 2015**

**Resolution Supporting a Formal Congressional Request for a Comprehensive  
GAO Audit of All Revenues Generated from Federally Managed Lands, Mineral Estates  
and Holdings Both On-Shore and Off-Shore**

**Issue:** The need for an audit to determine annual revenues generated from all of the federally managed public lands, mineral estates and holdings both On-Shore and Off-Shore.

**Proposed Policy:** NACo supports congressional efforts to complete a multi-year GAO audit of revenues associated with federally managed lands, mineral estates and holdings, including broken down by state, by federal land management agency and by program and resource use within each agency designated to manage such lands, estates or holdings received over at least the last ten fiscal years.

**Approved | July 12, 2015**

**Resolution on the Endangered Species Act**

**Issue:** Federal management of species under the Endangered Species Act.

**Proposed Policy:** NACo supports legislation to:

1. Favor decisions to list plant or animal species as threatened or endangered (T&E listing decisions) that are made through best available science with increased transparency and timelines for decisions.
2. In states where the proposed Federal land use plan amendment and the state species management plan are inconsistent, postpone T&E listing decisions for a period of at least six years or until the plans become consistent.
3. Encourage the Secretary of Interior (Secretary) to share critical data, research and scientific information to assist such states in their conservation efforts.

4. Authorize federal land management agencies to amend their land use plans to comply with and allow such state based conservation efforts.
5. Strengthen the influence of local county government participation so that local collaboration and/or coordination processes are followed.
6. Authorize the ESA to recognize and allow consideration of the predation of threatened or endangered species by natural events (such as predator impacts, weather-related events and physical health threats) as well human activities.
7. Revise “taking” definition to protect private property rights in conformance with the United States Constitution.
8. Provide full compensation to individuals for current and long term takings. Require mandatory costs-benefits analysis for all adverse socio-economic and cultural impacts on the affected human population.
9. Require the science used to make any determination will be subject to independent and objective third party review.
10. Mandate that a listing of endangered be reviewed every seven years to determine if a listing is still warranted.
11. Require all parties pay their own attorney’s fees involving any legal action associated with the ESA.
12. Transfer critical habitat designations and recovery planning to the States.
13. Require Congress to approve a listing within one year, and if such approval is not timely given, the species shall be removed from the list.
14. Empower and support local management solutions at the state and county level for intrastate species.
15. Prohibit ESA listings of candidate species found residing exclusively within a single state.
16. Postpone the listing and/or federal protection of a species that has recently been determined by USFWS to be threatened or endangered, and which are located in states or counties that have developed and/or implemented a good faith conservation management plan for said species.
17. Encourage or directing the Secretary of Interior (Secretary) to share critical data, research and scientific information to assist such states and counties in their conservation efforts.

18. Direct federal land management agencies to amend their land use plans to comply with state and county based conservation efforts.
19. Strengthen the influence of local participation so that local coordination processes and recommended species management policies are not overridden.

**Approved | July 12, 2015**

**Resolution Supporting Ongoing Efforts of Western States to Manage and Conserve the Greater Sage Grouse and in Opposition to an ESA Listing of the Greater Sage Grouse at this Time**

**Issue:** The U.S. Department of the Interior (DOI) and U.S. Department of Agriculture (USDA) should recognize, give deference to and allow for full implementation of western states and local governments' plans to manage and conserve the Greater Sage Grouse and forego any Endangered Species Act (ESA) listing of the Greater Sage Grouse as threatened or endangered until local conversation efforts have been given sufficient time to be implemented and their effectiveness assessed.

**Proposed Policy:** NACo opposes listing the Greater Sage Grouse as a threatened or endangered species at this time and supports congressional efforts to prevent the listing of the Greater Sage Grouse until full implementation of state and local management plans has occurred and sufficient time has passed to assess the effectiveness of those plans. Furthermore, DOI and USDA should give great deference to state and local sage grouse management plans when adopting any federal land use plan amendments, pursuant to the consistency and coordination requirements under federal law.

**Approved | July 12, 2015**

**Resolution Opposing the Listing of the Gunnison Sage Grouse as an Endangered Species, and Opposing the Designation of Critical Habitat without Scientific Basis, such as in Ouray and Hinsdale Counties, Colorado**

**Issue:** The proposed USFWS listing of Gunnison Sage Grouse as an endangered species and designation of critical habitat is premature, unwarranted, and without scientific basis and does not take into consideration successful ongoing voluntary efforts to protect and enhance Gunnison Sage Grouse populations and its actual habitat.

**Proposed Policy:** The proposed listing of the Gunnison Sage Grouse as an endangered species and designation of critical habitat is premature, unwarranted, and without scientific basis. Ongoing voluntary efforts of ten Colorado counties and one Utah county where Gunnison Sage Grouse critical habitat has been proposed by USFWS, are adequate to manage, stabilize and restore Gunnison Sage Grouse populations such that a Threatened and Endangered (T&E) listing of this species is unwarranted.

**Approved | July 12, 2015**



## **Resolution on U.S. Fish and Wildlife Management of the Utah Prairie Dog**

**Issue:** Utah Prairie Dog Counts.

**Proposed Policy:** NACo urges the U.S. Fish and Wildlife Service (USFWS) to modify policies to permit the counting of Utah Prairie Dogs on private land for the purpose species recovery efforts.

**Approved | July 12, 2015**

## **Resolution Opposing the Proposed Designation of Critical Habitat for the Black Pine Snake by the U.S. Fish and Wildlife Service**

**Issue:** The U.S. Fish and Wildlife Service has proposed designating 338,000 acres in Mississippi and Alabama as critical habitat for the black pine snake, endangering the active management of timber resources, military training activities, and other economically productive public and private activities.

**Proposed Policy:** NACo urges the U.S. Fish and Wildlife Service to limit the proposed designation of critical habitat for the black pine snake to federally owned lands within the area under consideration.

**Approved | July 12, 2015**

## **Resolution on Wild Horse and Burro Management**

**Issue:** Wild Horse and Burro Management.

**Proposed Policy:** NACo supports Congressional legislation to give individual states exclusive authority to manage wild horses and burros on federal lands, including exclusive authority to determine appropriate herd management levels (AMLs) and dispose of animals that exceed AMLs at each state's discretion, just like states do now for other wildlife species.

**Approved | July 12, 2015**

## **Resolution in Support of Wilderness Legislation with County Input and Support**

**Issue:** Supporting multiple uses on all federal and state public lands so that conservation and development of natural resources is balanced with consideration of local needs. The efficient administration, conservation and development of Colorado's natural resources must be balanced with protection of the environment and consideration of local needs.

**Proposed Policy:** NACo supports special land designations of federal lands that are proposed by counties or local governments, local residents and businesses, are consistent with existing local land use policies, and are strongly supported by the affected counties and stakeholders within which the designation is proposed. NACo strongly encourages congressional delegations to only consider future wilderness legislation with affected counties' support, as exemplified by the 2014

bill introduced into the 113<sup>th</sup> Congress as S. 341, the San Juan Wilderness Act.

**Approved | July 12, 2015**

**Resolution to Allow the Re-classification of Diseased and Insect Infested Forest Products**

**Issue:** The abundance of forest products (trees) that are affected by disease and insect infestation, yet still classified as a federal asset and regulated as such. Due to vast changes in the conditions found on forests, in many instances these assets have in fact become federal liabilities. Federal regulations do not currently efficiently accommodate these changes in condition.

**Proposed Policy:** NACo urges the federal land management agencies to establish the ability of local land managers to reclassify trees and timber products that have been affected by insect infestation or disease to a classification that would allow for the removal of these products without the accountability and oversight necessary for the harvesting of undamaged (green) timber for commercial use.

**Approved | July 12, 2015**

## TELECOMMUNICATIONS AND TECHNOLOGY

### PLATFORM CHANGE

#### **Platform Change to Add Cybersecurity Section to the Telecommunications and Technology Steering Committee Platform**

Add an additional section “O”:

**O. CyberSecurity:** NACo recognizes the ever increasing cyber threats that our nation faces from multiple sources on a daily basis. The threats are continuing to increase in sophistication and in turn requiring costly proactive measures to mitigate the potential loss of data and/or damage to our nation’s critical infrastructure.

Understanding this, local governments carry a huge burden of responsibility in ensuring that our citizens’ personal information, priceless historical records, and critical infrastructure are adequately protected, recoverable, and secured in the event of any potential breach. In efforts to ensure that local governments provide the stability, integrity, and security expected of protecting such critical infrastructure and digital assets, NACo supports the following:

- Funding assistance in any form deemed necessary to provide for the information technology resources required to adequately provide security at all levels;
- Funding assistance for basic security awareness training of employees and advanced security training for information technology professionals within local government including assistance in the completion of advance certification and degree programs;
- Cooperative efforts in information sharing among all federal, state, and local governments in addition to private sector organizations regarding breaches, potential threats, threat levels, and any techniques that would assist in the prevention or mitigation of cyber related threats;
- Collaborative efforts in the form of committees or task forces that are inclusive of local government membership with federal agencies such as the Department of Homeland Security and subprograms such as NCC, US-CERT, and ICS-CERT;
- Creation of programs and initiatives that designate local government Cybersecurity liaisons and/or representatives that serve in conjunction with federal agencies such as the Department of Homeland Security.

**Approved | July 12, 2015**

#### **Platform Change on Universal Service**

Change section K., UNIVERSAL SERVICE, under the POLICIES AND PRACTICES section, to read as follows:

**K. Universal Service:** NACo supports the current principles, six of which were originally codified in the Telecommunications Act and two later adopted by the FCC. At the heart of these principles lie the affordability, accessibility, reliability, competitiveness, and non-discriminatory

access to communication related services to all Americans regardless of any circumstance. NACo opposes any federal actions to preempt state universal service programs and any efforts to redefine, modify, and/or expand technological services of any type that does not include local government input and guidance.

Given recent technological advances in both the quality and delivery of communication related services, these fundamental principles should continue to survive both now and in the future by shifting the focus of current program support mechanisms toward the expansion of advanced technological services that a good majority of Americans are afforded today.

In general, NACo supports efforts that continue to promote these principles such as:

- Updating and modernizing the “Schools and Libraries” program to provide funds in the form of discounts, grants, and/or reimbursements to local governments that ensure schools and libraries have access to the technology services of today in an affordable manner;
- Expansion of the “Schools and Libraries” program to allow for flexibility of local governments to collaborate and create partnerships with schools, libraries, non-profit organizations, and the private sector through innovative efforts to provide infrastructure such as fiber and outside cable plants that will assist in extending access throughout rural areas. These efforts should not be limited to the thinking of the past as many students and citizens alike need access to these services from their homes;
- Stronger support and equal funding methodology expected from service providers of all types is strongly encouraged as the federal government looks to expand broadband access through the “Connect America Fund”;
- Focused and concerted efforts among all governing bodies and agencies must continue to be streamlined to ensure that broadband expansion and adoption efforts are carried out in the most timely and efficient manner as possible with specific emphasis on rural underserved areas.

**Approved | July 12, 2015**

## **RESOLUTIONS**

### **Resolution on the Protection of State and Local Government Rights Through Congressional Policy Efforts that Include Collaborative Input from Appropriate NACo Committee Leadership**

**Issue:** Disparate initiatives, legislation, and regulatory rule-making by governing bodies such as the FCC and Congressional Committees are threatening local government authority. Additionally, the primary law (Telecommunications Act of 1934) that governs the entire telecommunications and technology sector should be modernized in a concerted effort to update and modernize legislation through congressional oversight. Recent regulations by the FCC as well as proposed congressional legislation at best are premature attempts to only address micro level issues that do not align with the technological advances of our time. In fact, some of the recent rule-making by the FCC and proposed legislation in Congress have the potential to create an unsustainable path

forward in our nation and could have unintended consequences on the future of the telecommunications and technology sector.

**Proposed Policy:** NACo strongly supports a bipartisan and concerted effort among congressional leaders, committees, federal agencies, local governments, national associations, and any other organization deemed necessary to focus on the modernization of our current law(s) and regulation(s) that govern the telecommunications and technology sector. This effort must include unbiased and non-partisan subject matter experts within the information technology and computer sciences field. We strongly believe that the issues surrounding Internet regulation, taxation, fees for services, Net Neutrality, and FCC authority can best be resolved through directing our focus toward updating existing legislation through congressional authority.

**Approved | July 12, 2015**

### **Resolution to Ensure the Protection of Local Government Land Use and Franchise Authority**

**Issue:** Congressional efforts are underway to modernize and/or update the primary law (Telecommunications Act of 1934) that governs the telecommunications and technology sector. Additionally, recent regulatory activities conducted by the primary federal agency, known as the FCC, continue to increase leading to concerns of how current and future regulations might negatively impact local government authority. Of immediate concern is that of the powers and authority granted to state and local governments regarding land use and cable franchise decisions under current federal law (ref: 47 USC 332; 531; 541). In many states, local governments statutorily serve as franchising authorities.

**Proposed Policy:** NACo urges all federal agencies and governing bodies to collaborate with local governments, state governments, and similar associations both early and often when considering any modifications to legislation and/or regulation such as the Communications Act Update initiative in the House Energy and Commerce Committee. NACo strongly opposes any removal or modification to current federal laws and/or regulations that would remove at the very least local government authority currently granted. Furthermore, NACo strongly encourages that local governments be given ample time to consider, provide input, and collaborate with respect to any additions or modifications to current federal law and/or regulations regarding telecommunications and information technology related services.

**Approved | July 12, 2015**

### **Resolution in Support of FCC Chairman Tom Wheeler's Reforms to the Lifeline Program**

**Issue:** A broadband connection to the Internet is increasingly essential to the economic and communication needs of all residents. Unfortunately, low-income residents disproportionately lack access to broadband.

**Proposed Policy:** NACo supports efforts to bring the FCC's Lifeline Program into the digital age by expanding Lifeline to cover broadband services.

**Approved | July 12, 2015**

**Resolution in Support of Empowering Counties to Be Active in the Deployment and Operations of High Speed Internet**

**Issue:** High Speed Internet is an essential element to modern commerce but local governments in many states are prohibited from being an active participant in the deployment of these services.

**Proposed Policy:** NACo supports the removal of barriers to counties supplying infrastructure to the private sector, partnering with the private sector or operating Internet services as a public utility when no commercial service is available.

**Approved | July 12, 2015**

**Resolution of Support and Recommendations for the Work of the Broadband Opportunity Council**

**Issue:** Establishment of the Broadband Opportunity Council to reduce barriers to broadband deployment created by Federal Regulations.

**Proposed Policy:** NACo strongly supports the creation of the Broadband Opportunity Council (BOC) and their efforts to reduce federal regulatory barriers to the ongoing deployment of broadband capability throughout the nation. Further we encourage the BOC to facilitate the use of publicly held infrastructure via lease and partnership arrangements with the private sector to increase the deployment of Broadband to underserved areas. This is especially important in relation to any additional federally funded build out required to meet First Net's Public Safety requirements. Lastly, we urge the BOC to utilize the "align funding policies" section of its charter to solicit input from the Broadband industry as to changes necessary to maximize the impact of the Universal Service Fee (USF) dollars on "last mile" High Speed deployment.

**Approved | July 12, 2015**

**Resolution Opposing the Closing of Federal Communications Commission Field Offices**

**Issue:** The Federal Communications Commission (FCC) has several field offices which help counties identify, track down and mediate radio frequency interference that causes not only public safety communications to become limited or inoperable, it has effects on the broadcast community as well. Currently, the FCC is proposing to close field offices due to budget issues.

**Proposed Policy:** NACo opposes the closing of FCC field offices.

**Approved | July 12, 2015**

**Resolution Supporting PSAP Consolidation and Recommending Other Factors for the FCC's PSAP Task Force to Examine as the Task Force Moves Forward with its Report and Recommendations**

**Issue:** The Federal Communications Commission has initiated a task force to study public safety answering point architecture which will examine whether consolidation of PSAPs would promote greater efficiency of operations, safety of life and cost containment.

**Proposed Policy:** NACo supports PSAP consolidation if the consolidation would result in greater public safety and increased efficiencies. Additionally, as the Federal Communications Commission's (FCC) task force on optimal public safety answering point architecture moves forward with the goal of examining whether additional consolidation of PSAP infrastructure would promote greater efficiency of operations, safety of life and cost containment, NACo would urge the FCC to consider the following:

1. **Redundancy and Hardening:** the FCC should require redundancy between PSAPs as well as site hardening of infrastructure. The FCC should consider supporting standards for site hardening.
2. **Common Standard:** NACo supports the NENA i3 standard for the nationwide development of NG911.
3. **Cybersecurity:** the FCC should consider the cost of cybersecurity measures for consolidated NG911 networks and work with Congress to identify funding streams that would assist PSAPs with cybersecurity.
4. **Training:** the task force should identify opportunities for staff training on NG911 systems.

**Approved | July 12, 2015**

## TRANSPORTATION

### PLATFORM CHANGE

Under RAILROADS. add:

[Add new “Section E”]:

**E. Railroad Safety:** Rail safety is a critical issue for our communities. NACo urges Congress to support improved rail safety through the following measures:

- a. **Grade Separations:** NACo urges Congress to provide additional funding to local governments, states and railroads to improve grade crossings and separations allowing for safer interactions between road and rail traffic (23 U.S.C § 130).
- b. **Routing Risk Assessments:** NACo supports the Rail Routing Risk Assessment required and audited annually by the FRA. NACo urges Congress to further require local and state government review of and input into the risk model (49 CFR § 172.820).
- c. **Oversight Staff:** NACo urges the FRA to fill and maintain full staffing in its rail safety office.
- d. **Rail Line Relocation:** NACo supports appropriations for this critical program that would provide communities options to relocate rail lines as needed.
- e. **Rulemaking on Enhanced Tank Car and Braking Standards:** NACo supports rigorous tank car standards, including enhanced thermal protection for tank cars and eliminating the usage of older tank cars that are considered unsafe for moving hazardous materials. NACo further supports the expeditious study and implementation of enhanced braking systems based on safety findings.
- f. **Credit Assistance for Safety:** NACo supports allowing federal appropriations to pay for the credit risk premium for loans that support safety improvements through the Railroad Rehabilitation and Improvement Financing Program.

**Approved | July 12, 2015**

## RESOLUTIONS

### Resolution on County Priorities for MAP-21 Reauthorization

**Issue:** This year, the nation’s transportation system will face two looming crises: the expiration of the current surface transportation authorization law, Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21); and the dwindling solvency of the Highway Trust Fund.

**Proposed Policy:** With MAP-21’s current extension set to expire on July 31, 2015 and the Highway Trust Fund nearing a major fiscal cliff, NACo urges Congress to adopt a secure and long-term funding strategy for the future of the Highway Trust Fund and pass a long-term surface transportation bill (preferably six years in length) that provides sufficient funding and supports counties’ surface transportation priorities.

**County surface transportation priorities in the reauthorization of MAP-21:**



- **Provide Long-Term Funding Certainty:** Support passage of a new surface transportation authorization that provides long-term funding certainty by raising the federal gas tax and/or finding alternative sources of revenue to make the Highway Trust Fund solvent.
- **Increase Funding for County Road and Bridge Projects:** Support county road and bridge projects by: 1) maintaining the set-aside for off-system bridges and continuing states' ability to reduce the set-aside requirement if there are insufficient off-system bridge needs; and 2) providing more funding for locally-owned on-system roads and bridges by increasing the overall funding level for the Surface Transportation Program (STP) and continuing the STP suballocation to local areas but increasing the share to greater than 50 percent.
- **Increase the Role of Counties in Statewide Planning:** Provide an increased role for counties in statewide transportation planning by: 1) requiring state departments of transportation, at a minimum, cooperate with local government officials (including county transportation officials) in the development of planning and funding allocation processes, including the development of State Strategic Highway Safety Plans; and 2) requiring state departments of transportation coordinate with local government officials in defining the term 'high risk rural road' – or developing a federal definition of the term 'high risk rural road' after considering input from state and local stakeholders and other performance measurements.
- **Build on Reforms from MAP-21 that Strive to Expedite Project Delivery:** Continue and expand efforts to streamline and expedite project delivery by: 1) maintaining the categorical exclusion for projects receiving limited federal assistance (\$5 million or less); and 2) simplifying the process for pursuing categorical exclusions.
- **Support Public Transportation Systems of all Sizes:** Support rural, small and large transit systems by: 1) continuing to fund transit programs through the Mass Transit Account of the Highway Trust Fund; 2) increasing federal funding for rural transportation systems; 3) continuing and expanding transit operators' flexibility to use federal dollars for operating assistance; 4) restoring historic funding levels for the Bus and Bus Facilities program and revising the program to require that all funds for Urbanized Areas with a population of 50,000 or more be apportioned directly to the designated recipients of 5307 funding; and 5) providing discretionary funding for both rural and urban transit systems to address one-time and/or major investments.
- **Make Safety a Priority on all Roads and Bridges:** Emphasize safety on all roads and bridges by: 1) revising the High Risk Rural Road (HRRR) safety rule under the Highway Safety Improvement Program, which requires an increase in existing fatality rates on HRRRs over a two-year period before a state must obligate funds to improve rural road safety – rather than waiting for safety problems to get worse, states should either be required or incentivized to decrease existing fatality rates on HRRRs through safety investments; 2) prioritizing investments for federal-aid bridges to address safety and infrastructure improvements for bridges with the greatest need – regardless of whether they are on or off the National Highway System; and 3) continuing existing limits on truck size

and weight due to the enormous threat larger and heavier trucks pose to road safety and locally-owned infrastructure.

- **Support Innovative Funding and Financing Methods:** Continue and encourage alternative financing methods that help local governments stretch federal, state and local investments farther by: 1) continuing robust funding for the TIFIA program; 2) incentivizing innovative project funding and financing through an increased federal match (up to 100 percent) or by allowing local governments to use savings realized through innovative contracting methods toward their local match; and 3) creating a pilot program or providing technical assistance to local governments that support the planning for and design of multi-jurisdictional project bundling.
- **Invest in Passenger Rail:** Include funding for passenger rail in the reauthorization of MAP-21 that supports current rail service and the development of high-speed rail.
- **Continue Funding for the Reservation Road Program:** NACo believes reservation road funding should be continued for the improvement and maintaining of roads that are used to transport children to or from school or Head Start programs on or near reservations.
- **Support Freight Planning at the Local Level:** NACo further supports provisions in the next surface transportation reauthorization bill that incentivize freight planning at the county level.

**Approved | July 12, 2015**

### **Resolution on Funding for Tribal Roads and School Bus Routes**

**Issue:** In general, tribal roads are in dire need of maintenance and improvement and many of these dirt and gravel roads become impassable during the rain and snow seasons. The unsafe condition of tribal school bus routes is unacceptable and unfair to students who miss school when the roads become impassable. Previous federal highway bills, the Transportation Equity Act for the 21st Century (TEA-21) and the Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users (SAFETEA-LU) offered dedicated funding for the maintenance of these unimproved Indian school bus routes. The current highway authorization, Moving Ahead for Progress in the 21st Century (MAP-21) removed this authority.

**Proposed Policy:** NACo urges that the new federal highway authorization include funding for school bus routes in a similar fashion as was provided by Section 1806 of SAFETEA- LU. Section 1806 allowed for federal funds to be made available for the maintenance of Indian reservation school bus routes to States that have within their boundaries, all or part of an Indian Reservation having a land area of ten million acres or more. The latest authorization provided by SAFETEA-LU, fiscal year 2011, provided \$1.8 million. The new federal highway authorization should include Indian school bus route funding at a level of \$20 million.

**Approved | July 12, 2015**

## **Resolution on Modifying the Train Horn Rule**

**Issue:** Supporting feasible and safe implementation of railroad quiet zones through modification of the Train Horn Rule.

**Proposed Policy:** NACo urges the U.S. Congress and the FRA to reexamine the Train Horn Rule (49 CFR, Part 222, the Use of Locomotive Horns at Highway- Rail Grade Crossings) in order to determine how local communities can feasibly implement quiet zones without insurmountable costs, requirements and processes while also continuing to protect public safety. Additionally, NACo encourages Congress to provide new or unobligated federal funds to localities for the express purpose of establishing quiet zones.

**Approved | July 12, 2015**

## **Resolution Requesting Modifications to Rules for Challenges to Federal Aid Highway Construction**

**Issue:** Project development and environmental review challenges to federal aid highway construction projects result in unnecessary delays and excessive litigation with unwarranted added costs.

**Proposed Policy:** NACo urges proposed legislation to modify the relevant laws and regulations that will prohibit the ability to make legal challenges to federal aid highway projects, delaying them from moving forward, after the jurisdictional entity proposing the project has received a “Record of Decision” in relation to the project and all required project submittals have been made and accepted to receive the “Record of Decision.”

**Approved | July 12, 2015**

## **Resolution Supporting Equitable Funding and Expenditures of the Highway Trust Fund**

**Issue:** The long-term solvency of the Highway Trust Fund.

**Proposed Policy:** NACo urges Congress to ensure the long-term solvency of the Highway Trust Fund by considering revenue sources that will better capture all users of the nation’s highways and account for all vehicles. Congress should also consider reducing allowable administrative costs in order to direct more funding toward highway improvement funding.

**Approved | July 12, 2015**

## **Resolution on Elevating the Role of Local Governments in the Development of State Strategic Highway Safety Plans**

**Issue:** The need for elevated coordination with local governments in the development of state Strategic Highway Safety Plans.

**Proposed Policy:** NACo urges Congress to make safety on county roads a priority in the

reauthorization of MAP-21 by requiring that state departments of transportation, at a minimum, cooperate with local government officials (including county transportation officials) in the development of state Strategic Highway Safety Plans and by directing proportionate Highway Safety Improvement Program funding to areas of safety concern regardless of roadway ownership.

**Approved | July 12, 2015**

**Resolution on the Establishment of a ‘Toward Zero Deaths’ Grant Program**

**Issue:** The need for additional funding for safety improvements on county roads in the reauthorization of MAP-21.

**Proposed Policy:** NACo supports the establishment of a federal Toward Zero Deaths grant program that will provide funding to local governments and non-profit organizations for the purpose of implementing proven safety practices and programs.

**Approved | July 12, 2015**